
RULE OF THE CHAMBER

Any person wishing to address the Council shall step up to the podium, state their name and address in an audible tone of voice for the record, and unless further time is granted by the Council, shall limit their address to three (3) minutes.

A person may not give up or relinquish all or a portion of their time to the person having the floor or another person in order to extend a person's time limit in addressing the Council.

Any person who does not wish to address Council from the podium, may print their name, address and comment/question which he/she would like brought before Council on a card provided by the Clerk/Treasurer and return the card to the Clerk/Treasurer before the meeting begins. The Clerk/Treasurer will address the presiding officer at the start of Citizen Comments on the Agenda, notifying him of the card comment, and read the card into the record for response.

You will notice a numbering system under each heading. There is significance to these numbers. Each agenda Item is numbered consecutively beginning in January and continues through December of each calendar year.

The City of Monroe will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon one weeks' notice to the City Clerk/Treasurer. Individuals with disabilities requiring auxiliary aids or services should contact the City of Monroe by writing or calling: City of Monroe, City Clerk/Treasurer, 120 E. First St., Monroe, MI 48161, (734) 384-9136. The City of Monroe website address is www.monroemi.gov.

**AGENDA - CITY COUNCIL REGULAR MEETING
MONDAY, MAY 18, 2009
AMENDED**

I. CALL TO ORDER.

II. ROLL CALL.

III. INVOCATION/PLEDGE OF ALLEGIANCE.

IV. PRESENTATION.

Presentation by Mayor Mark Worrell, "City of Monroe's Elected Officials- Past to Present".

Presentation by Sarah Waldecker, Monroe Housing Commission introducing the winner of the NAHRO poster contest winner, Miss Tabitha Kelley-Russo, 4th grader from Hollywood Elementary School.

V. PROCLAMATIONS.

95 Michigan Week, May 16-22, 2009.

VI. PUBLIC HEARINGS.

102 Public hearing for the purpose of review and hearing comments on approval of this year's Annual Action Plan for the City of Monroe's allocated CDBG funds, as well as the Five-Year Consolidated Plan. There are no comments on file in the Clerk-Treasurer's Office.

103 Public hearing for the purpose of review and hearing comments on an application for an Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Midwest Valves & Automation, LLC for personal property improvements for the property located at 455 Detroit Avenue. There are no comments on file in the Clerk-Treasurer's Office.

104 Public hearing for the purpose of review and hearing comments on an application for an Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Great Lakes Towers, LLC for real property and personal property improvements for the property located at 111 Borchert Park Drive. There are no comments on file in the Clerk-Treasurer's Office.

105 Public hearing for the purpose of review and hearing comments on an application for Transfer of Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Quality Food Brands, Inc., to transfer Industrial Facilities Exemption Certificate #98572 which currently offers an abatement on \$61,600 of the total value for the building located at 1151 W. Elm Avenue. There are no comments on file in the Clerk-Treasurer's Office.

- 108 Public hearing for the purpose of review and hearing comments on approval of the Brownfield Plan, as amended for Brownfield Site No. 20, tax ID No. 58-55-49-01527-002. There are no comments on file in the Clerk-Treasurer's Office.

VII. COUNCIL ACTION.

- 96 Communication from the Director of Water & Wastewater Utilities, submitting Proposed Ordinance No. 09-006 an ordinance to amend Sections 1044.05, 1044.07, 1044.22, 1044.24, 1044.26, 1044.27, 1044.31 and 1044.36 of Chapter 1044, Water, of the Codified Ordinances of the City of Monroe.

Proposed Ordinance No. 09-006, up for its first reading and recommending that the public hearing be set for Monday, June 1, 2009.

- 97 Communication from the Director of Water & Wastewater Utilities, submitting Proposed Ordinance No. 09-007, an ordinance to establish water rates pursuant to section 1044.05, establishment of rates, of the Codified Ordinances of the City of Monroe.

Proposed Ordinance No. 09-007, up for its first reading and recommending that the public hearing be set for Monday, June 1, 2009.

- 98 Communication from the Clerk-Treasurer, submitting Proposed Ordinance No. 09-008, an Ordinance to adopt the newly codified "Code of the City of Monroe."

Proposed Ordinance No. 09-008, up for its first reading and recommending that the public hearing be set for Monday, June 1, 2009.

VIII. CONSENT AGENDA. (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and will be approved by one motion, unless a Council member or citizen requests that an item be removed and acted on as a separate agenda item)

- A. Approval of the Minutes of the Special meeting held on Monday, May 4, 2009, the Regular Meeting held on Monday, May 4, 2009, and the Work Session held on Monday, May 4, 2009.

- B. Approval of payments to vendors in the amount of \$_____.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

99 Professional Consulting Asbestos Building Assessment Services.

1. Communication from the Director of Water & Wastewater Utilities, submitting proposal from TTL Associates, Inc, to provide asbestos building assessment services for the City of Monroe Water and Wastewater Treatment Plants, and recommending that the proposal to provide Asbestos NESHEP Inspection Services for the City of Monroe Water and Wastewater treatment Plant facilities in the amount of \$7,800.00 be awarded to TTL Associates, Inc in accordance with their proposal.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

100 Valves for the Wastewater System Improvements Project.

1. Communication from the Director of Water and Wastewater Utilities, reporting back on bids received for the purchase of valves for the Wastewater System Improvements Project, and recommending that City Council award a purchase order in accordance with the bid plans and specifications to JGM Valve from Commerce, MI., in the amount of \$32,818.30.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

- 101 Teamsters Local 214/Ratification.
1. Communication from the Director of Human Resources, submitting the tentative agreement between the City of Monroe and Teamsters Local Union No. 214, and recommending that Council formally approve the Teamsters Local Union No. 214 2008-2011 Collective Bargaining Agreement.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 102 Community Development Block Grant – Five Year Consolidated Plan.
1. Communication from the Interim Director of Planning & Recreation, submitting the Community Development Block Grant Annual Action Plan for Fiscal Year 2009 and the Five-Year Consolidated Plan, and recommending that Council approve the request as presented and staff be authorized to submit the plan to HUD for approval, following a public hearing, at its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 103 Midwest Vales & Automation, LLC – Application for Industrial Facilities Exemption Certificate.
1. Communication from the Interim Director of Planning & Recreation, submitting an Application for an Industrial Facilities Exemption Certificate from Midwest Valves and Automation for personal property improvements to their facility located at 455 Detroit Avenue and recommending that Council approve the request, in accordance with the recommendation of the EDRC in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action, following a public hearing, at its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 104 Great Lakes Towers, LLC – Application for Industrial Facilities Exemption Certificate.
1. Communication from the Interim Director of Planning & Recreation, submitting an Application for an Industrial Facilities Exemption Certificate from Great Lakes Towers for real property and personal property improvements at their facility located at 111 Borchet Park Drive and recommending that City Council approve the request, in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action, following a public hearing, at its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 105 Quality Foods Brands, Inc. Application for Transfer of Industrial Facilities Exemption Certificate.
1. Communication from the Interim Director of Planning & Recreation, submitting an Application for Transfer of Industrial Facilities Exemption Certificate from Quality Food Brands, Inc. to transfer Industrial Facilities Exemption Certificate #98572 which currently offers abatement on \$61,600 of the total value for the building located at 1151 W. Elm Avenue and recommending that City Council approve the request, in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action, following a public hearing, at its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.

- 106 FY 2008 Assistance to Firefighters Grant, FEMA grant number EMW-2008-FO-03274.
1. Communication from the Chief of Fire, submitting a request to purchase 6 Sperian SCBA's from Douglas Safety Systems, LLC in the amount of \$30,270.00 to maintain consistency, uniformity, quality and safety, and recommending that the request be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 107 Request for a burn permit in accordance with Ordinance 09-005.
1. Communication from the Chief of Fire, reporting back on a request from the Sisters, Servants of the Immaculate Heart of Mary to perform the prescribed burn of a specified area on their property located at 610 W. Elm Avenue, and recommending the Monroe City Council grant this request for a burn permit in accordance with Ordinance 09-005
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 108 Ventower Industries LLC a/k/a/ Great Lakes Towers Brownfield Plan, Land Conveyance, and MDEQ.
1. Communication from the Director of Economic Development, submitting three items for the Ventower Industries, LLC a/k/a/ Great Lakes Towers project; the First Brownfield Plan for Site No. 20, approval of the Port to sell land to Ventower for the location of their project, and authorization for the Brownfield Redevelopment Authority to repay a Clean Michigan Initiative Loan from the MDEQ and recommending approval of the:
 - Resolution No. 1 – approval of Brownfield Plan for Site No. 20, following a public hearing at the May 18, 2009 meeting; and
 - Resolution No. 2 – approval to authorize the Port of Monroe to sell and convey land to Ventower Industries LLC or its assignee; and
 - Resolution No. 3 – authorization to the Brownfield Redevelopment authority to repay a CMI loan from the MDEQ, if needed, and subject to subsequent City Council approval if awarded.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolutions be adopted.
- 109 Fire Department Flashover Training.
1. Communication from the Chief of Fire, reporting back on live flashover fire training on June 6, 2009, and recommending council approve the contract with Oakland Community College for flashover training in the amount of \$6,500.00.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.

- IX. MAYOR'S COMMENTS.
- X. CITY MANAGER COMMUNICATION.
- XI. COUNCIL COMMENTS.
- XII. CITIZENS COMMENTS
- XIII. ADJOURNMENT.

P R O C L A M A T I O N

- WHEREAS,** Michigan Week, an annual tribute to the best of the Great Lakes State, began in 1954 as a way to promote state pride among citizens and to celebrate the rich heritage and unique features that make Michigan special; and
- WHEREAS,** we, as a community, strive to gain greater knowledge and appreciation of our State and our own community, to tell the world about our assets and resources, and to foster the finest spirit of cooperation among all Michigan communities and people, so that we will make our State even greater; and
- WHEREAS,** we, as a community, have helped build and maintain Michigan’s standing as a wonderful place in which to live, work and play; and
- WHEREAS,** Michigan Week runs from Saturday, May 16 – Friday, May 22, 2009, and the first Monday of Michigan Week is **Local Government Day**; and
- WHEREAS,** Monroe Mayor Mark G. Worrell and City Council Members are pleased to take this opportunity to welcome back former elected Mayors and City Council Members to the May 18th, 2009, city council meeting, as part of Michigan Week activities.

NOW, THEREFORE, I, Mark G. Worrell, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim May 16 - 22, 2009, as

“MICHIGAN WEEK”

in Monroe, and we urge all to pledge and to practice year-round hospitality and friendliness toward fellow residents and visitors and to work steadily for the advancement of our State and our community.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Monroe to be affixed this 18th day of May 2009.

Mark G. Worrell, Mayor

Council Members:

Robert E. Clark, Precinct 1

Edward F. Paisley, Precinct 2

Kelvin McGhee, Precinct 3

Jeremy J. Molenda, Precinct 4

Mary V. Conner, Precinct 5

Brian P. Beneteau, Precinct 6



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ORDINANCE 09-006, AN ORDINANCE TO AMEND SECTIONS 1044.05, 1044.07, 1044.14, 1044.22, 1044.24, 1044.26, 1044.27, 1044.31 AND 1044.36 OF CHAPTER 1044, WATER, OF THE CODIFIED ORDINANCES OF MONROE, MICHIGAN

DISCUSSION: The proposed ordinance has been prepared pursuant to the adopted FY 2009-2010 budget and to amend various sections of chapter 1044 of the codified ordinances. This ordinance amends the System Development Fees in accordance with the adopted FY 2009-2010 budget and the language to various sections related to how future water rates are established; water service supply, abandonment, material specifications, maintenance, curb stop details, and replaces all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance. With the revisions to Section 1044.05, it is intended to incorporate future water rates with the budget ordinance so as to allow City Council to review and approve water rates with the City budget process. This is currently done with Wastewater Rates and will allow efficiency to the overall process.

The ordinance has been reviewed by Tom Ready, City Attorney such that he is familiar with the proposed ordinance.

Ordinance 09-006 is being placed on the Monday, May 18, 2009, agenda for its' first reading; with a second reading, public hearing and anticipated passage on Monday, June 1, 2009.

IT IS RECOMMENDED that City Council place Proposed Ordinance #09-006 up for its first reading at their May 18, 2009 meeting and to conduct a public hearing and second reading at it's June 1, 2009 meeting.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: July 1, 2009

REASON FOR DEADLINE: Collection of Water Department Revenues for FY 2009-2010, enforcement of applicable ordinance sections.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:



Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Water Department, Water Customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ N/A
Cost of This Project Approval	\$ N/A
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u>	Account Number	Amount
			\$
			\$
			\$
	<u>Other Funds</u>		\$

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** May 11, 2009

REVIEWED BY: _____ **DATE:** _____

COUNCIL MEETING DATE: May 18, 2009

ORDINANCE 09-006

1 An Ordinance to amend Sections 1044.05, 1044.07, 1044.14, 1044.22, 1044.24, 1044.26,
2 1044.27, 1044.31 and 1044.36 of Chapter 1044, Water, of the Codified Ordinances of the City of
3 Monroe.

4 **THE CITY OF MONROE ORDAINS:**

5 **SECTION 1 AMENDMENT OF SECTIONS 1044.05, 1044.07, 1044.14, 1044.22, 1044.24,**
6 **1044.26, 1044.27, 1044.31 AND 1044.36 OF THE CODIFIED ORDINANCES OF**
7 **THE CITY OF MONROE.**

8 A. Section 1044.05 of the Codified Ordinances shall be amended to read as follows:

9 **1044.05 ESTABLISHMENT OF RATES.**

10 (a) Rates for water and services supplied to residents of the City and to customers outside the
11 City shall be those established by ordinance of the City Council, upon recommendation of the Director
12 of Water. Such rates shall be on file in the office of the Director of Water. Rates shall include call-out
13 and turn-on fees, administrative fees and such other service charges deemed appropriate by Council.

14 ~~(b) Quarterly debt service charge. That on every bill there be set a Quarterly Fixed Debt~~
15 ~~Service Charge as follows:~~

_____ Meter Size _____	_____ Quarterly Debt Service Charge _____
_____ 5/8" _____	_____ \$4.25 _____
_____ 3/4" _____	_____ \$6.38 _____
_____ 1" _____	_____ \$10.63 _____
_____ 1 1/4" _____	_____ \$14.88 _____
_____ 1 1/2" _____	_____ \$21.25 _____
_____ 2" _____	_____ \$34.00 _____

23	3"	\$74.38
24	4"	\$127.50
25	6"	\$265.63
26	8"	\$382.50
27	10"	\$616.25
28	12"	\$913.75

29 ~~(c) Quarterly consumption rate. That the Quarterly Consumption Rate be set at \$1.24 per~~
30 ~~one hundred cubic feet.~~

31 ~~(d) Administrative fee. That there be set a quarterly fixed administrative charge of \$3.60 on~~
32 ~~every bill issued to property located either within or outside of the City of Monroe.~~

33 ~~(e) Call out and turn on fee. The Call out and/or Turn on fee of a water service shall be~~
34 ~~charged at the time it is attempted and/or performed as follows:~~

35 1. ~~Monday through Friday during regular working hours: \$45.00.~~

36 2. ~~Where time and one half is paid to City of Monroe employees as per union contract: \$85.00.~~

37 3. ~~Where double time is paid to City of Monroe employees as per union contract: \$110.00.~~

38 ~~(f) Outside city rates. Rates charged outside the City of Monroe shall be twice the rates set forth~~
39 ~~in subsections (b) and (c) of this ordinance, unless otherwise specified by contract.~~

40 ~~(g) Rate implementation. All bills mailed after July 1, 2008, shall be in accordance with the rate~~
41 ~~schedule adopted herein.~~

42 ~~(h) Pumping surcharge. A Quarterly pumping surcharge of \$0.14 per one hundred cubic feet shall~~
43 ~~be charged to those customers served by the South Custer Pump Station.~~

44 ~~(i) Penalties. A five percent (5%) penalty shall be charged on all bills paid more than seven (7)~~
45 ~~days after the due date.~~

46 B. Section 1044.07 of the Codified Ordinances shall be amended to read as follows:

47 **1044.07 WATER SYSTEM DEVELOPMENT FEE.**

48 (a) Assessment of Fee. In addition to all other charges provided for, each premises
49 requesting connection to the City of Monroe's Municipal Water System shall pay a Water System
50 Development Fee to be assessed against previously unserved property or property which is being
51 developed for a more intensive use. A Water System Development Fee for redeveloped property shall
52 only be assessed based on the upsized water meter size for the proposed use (i.e. 5/8-inch to a 2-inch).
53 As determined by the Director of Water, a Water System Development Fee shall not be assessed for an
54 existing water user with any established water connection desiring to add a Secondary Water Only
55 Meter for irrigation purposed, filling swimming pool, etc.

56 (b) Determination of Fee. Said fee shall be paid in full at the time that application for
57 connection to the system is made. The assessment is based on a fair buy-in-fee to recover the new user's
58 fair share of the amortized cost of the water system based on the depreciated value of the water systems
59 assets and the current number of 5/8-inch diameter equivalent users in the water system. Users requiring
60 meter sizes larger than 5/8-inch diameter shall be assessed a fee using the American Water Works
61 Association meter capacity ratios. A Water System Development Fee shall be assessed against all user
62 type classes (Government, Residential, Commercial, Multiple-Residential, Church, Industrial,
63 Miscellaneous, Schools, Community Bulk Water Users, etc.) desiring a connection with the City of
64 Monroe's Municipal Water System. For each unserved or redeveloped premises, the minimum meter
65 size shall be 5/8-inch diameter or as sized in accordance with the American Water Works Association
66 Manual M22 and conform to the most recent edition of the Michigan Plumbing Code, as adopted in
67 Chapter 1424 of the Codified Ordinances of the City of Monroe. A Water System Development Fee for
68 the connection(s) to the system shall be as listed in the Water System Development Fee Table in

69 subsection (d). Water System Development Fees shall be reviewed on an annual basis by the Director of
70 Water.

71 (c) Condominium, Townhouse, or Multiple Residence Developments. For developments
72 consisting of no more than two (2) units per building, separate water meters for each unit shall be
73 required and a Water System Development Fee shall be assessed for each unit in accordance with the
74 Water System Development Fee Table listed in subsection (d). For developments consisting of three (3)
75 or more units per building, one water meter per building shall be required and a Water System
76 Development Fee shall be assessed in accordance with the Water System Development Fee Table listed
77 in subsection (d).

78 (d) Water System Development Fee Table.

Meter Size	Per Connection Fee
5/8"	\$1,200.00 <u>1,400.00</u>
1"	\$3,000.00 <u>3,500.00</u>
1-1/2"	\$6,000.00 <u>7,000.00</u>
2"	\$9,600.00 <u>11,200.00</u>
3"	\$21,000.00 <u>24,500.00</u>
4"	\$36,000.00 <u>42,000.00</u>
6"	\$75,000.00 <u>87,500.00</u>
8"	\$108,000.00 <u>126,000.00</u>
10"	\$174,000.00 <u>203,000.00</u>
12"	\$258,000.00 <u>301,000.00</u>

79 C. Section 1044.14 of the Codified Ordinances shall be amended to read as follows:

80 **1044.14 AUTHORITY TO LIMIT OR CUT OFF SUPPLY; VIOLATION OF WRITTEN**
81 **ORDER OF WATER DEPARTMENT.**

82 (a) The Water Department shall have the right to limit or cut off the water supply without
83 notice in case of fire, breakdown or other unavoidable causes, or for the purpose of making necessary
84 repairs, connections, etc., and will furnish reasonable notice when practicable.

85 (b) The Department will not be liable for any damage which may result to consumers by the
86 shutting off or turning on of the water main or service for any purpose whatsoever.

87 (c) No person shall violate any written order issued by the City of Monroe Water
88 Department, pursuant to the supervision, implementation and enforcement of this Chapter of the
89 Codified Ordinances.

90 D. Section 1044.22 of the Codified Ordinances shall be amended to read as follows:

91 **1044.22 SERVICE INSTALLATIONS; SERVICE PIPE SIZE; CONNECTIONS WITH**
92 **MAINS.**

93 (a) The Water Department shall install all services from its mains to the meter and will
94 endeavor to do this work at as low a cost as possible, the same to be paid for by the property owner.

95 (b) All service pipes shall be one inch or larger.

96 (c) No connection shall be made with Water Department mains except by the Department.

97 (d) Services larger than 2 inch diameter are considered private service lines and shall be
98 installed, tested and maintained by the property owner in accordance with section 1044.26.

99 E. Section 1044.24 of the Codified Ordinances shall be amended to read as follows:

100 **1044.24 ABANDONED SERVICE LINES.**

101 Any service line which is abandoned for any reason whatsoever shall be shut off at the main.
102 Charges in connection with this shutoff shall be borne by the property owner, contractor, or authorized
103 representative who is abandoning the service.

104 F. Section 1044.26 of the Codified Ordinances shall be amended to read as follows:

105 **1044.26 SERVICE PIPE SPECIFICATIONS.**

106 (a) Service pipes shall be of the materials and shall meet the requirements set forth below:

		Seamless Copper Tubing, Mueller or Equal Wall Thickness	Ductile Iron
107	<u>Size (in.)</u>		
108			
109			
110			
111	1	0.065	
112	1 1/2	0.065	
113	1 1/2	0.072	
114	2	0.083	
115	4 or larger <u>Larger than 2</u>		Class 52, cement lined

116 (b) Service pipes shall be of the materials and meet the requirements of the Water Department
117 for copper. All copper must be K grade.

118 (c) Cast iron and plastic are not permitted for use as service pipe.

119 (d) All ductile iron pipe must be wrapped in polyethylene encasement (8 mil minimum
120 thickness) per AWWA C105 and tested in accordance with Water Department requirements.

121 G. Section 1044.27 of the Codified Ordinances shall be amended to read as follows:

122 **1044.27 MAINTENANCE AND REPLACEMENT OF PIPE.**

123 (a) In the case of failure between the main and the curb stop of an existing wrought or
124 galvanized iron or steel service pipe, it shall be replaced by the Water Department with a one inch
125 (minimum) service pipe pursuant to Section 1044.26.

126 (b) The cost for new service pipes, between the main and the curb stop, shall be defrayed
127 equally by the Water Department and the property owner.

128 (c) In case of a failure of an existing wrought or galvanized iron or steel service pipe
129 between the curb stop and the meter, it shall be replaced by the Water Department with a one inch
130 (minimum) service pipe pursuant to Section 1044.26, and the cost for new service pipes, between the
131 curb stop and the meter, shall be defrayed by the property owner.

132 (d) All maintenance and renewal of existing lead, ~~or copper~~ or plastic service pipes
133 previously installed and maintained by the Water Department shall be performed by and at the cost of
134 the Water Department.

135 H. Section 1044.31 of the Codified Ordinances shall be amended to read as follows:

136 **1044.31 CURB STOP.**

137 The curb stop, fitted with a suitable box extending to the ground surface to give access to the
138 stop, shall typically be located ~~one-foot-in~~ between the street ~~from the~~ and sidewalk, or if no sidewalk
139 exists, ~~seven feet from~~ near the property line. In the townships, the curb stop and box shall be located at
140 near the property line.

141 I. Section 1044.36 of the Codified Ordinances shall be amended to read as follows:

142 **1044.36 METERS.**

143 (a) Cost of Meter Installations. The valves before the five-eighths inch (5/8") to one inch (1")
144 meter will be maintained by and at the expense of the Water Department subject to the service line

145 requirements of Section 1044.22 and 1044.27. The valves and appurtenances (i.e. spool pieces, meter
146 pits, valves, etc.) in connection with one and one-half inch (1-1/2") and larger meters shall be
147 maintained by the property owner.

148 (b) Standards.

149 (1) The meter setting to be supplied and installed by the Water Department, for sizes
150 of five-eighths inch, three-fourths inch and one-inch meters, shall consist of a
151 meter together with a valve immediately before the meter and a suitable
152 connection with the service pipe.

153 (2) In cases where meters of larger sizes are required, the meter shall be supplied by
154 the Water Department, and the cost thereof shall be defrayed by the property
155 owner.

156 (3) The owner or his or her agent shall be required to install such meters and to
157 furnish and install a suitable gated bypass, gates immediately before and after the
158 meter and a plugged test outlet suitable to the size of the meter between the meter
159 and the following valve.

160 (4) Unless a one-half inch longitudinal spring in the pipe line may readily be obtained
161 to facilitate removal of the meter, a suitable slip joint shall be included in the
162 meter setting.

163 (5) The installation shall be approved by the Water Department before water is turned
164 on. The cost of a meter setting shall be borne by the property owner in accordance
165 with the prices as listed by the Water Department.

166 (c) Style and Location.

167 (1) All meters shall be of the style and character adopted by the Water Department
168 and shall be conveniently located at a point approved by the Department.

169 (2) When a building is remodeled or renovated, and access to the meter is changed,
170 the owner of said building shall notify the Department, which shall inspect the
171 location of the meter. The Department shall order any necessary action to be taken
172 to ensure continued access to the meter. Meters that are to be relocated shall be
173 relocated to a non-confining space in which continued access is readily available;
174 otherwise the meter shall be relocated into a meter pit external of building. All
175 costs associated with the meter relocation shall be borne by the property owner.

176 (d) Responsibility to Maintain Meters; Removal and Storage by Department.

177 (1) Meters shall be maintained by the Water Department insofar as ordinary wear is
178 concerned. Damage due to freezing or hot water or external causes shall be paid
179 for by the applicant.

180 (2) The Department shall, upon notice of vacation of a property, remove and store the
181 property owner's meter until such time as it is again needed. No fee shall be
182 charged for this service.

183 (e) Inspecting and Testing of Meters and Connections. The Water Department reserves for
184 its representatives the right, at any reasonable time, to read and inspect meters and connections,
185 including service lines, or to test any meter which, in the judgment of the Department, is not registering
186 properly or is in need of repair.

187 (f) Conclusiveness of Meter Readings. Where water is furnished by a meter, the quantity
188 recorded by it shall be considered conclusive by both the applicant and the Water Department, except
189 when the meter has been found to be registering inaccurately or has ceased to register. If the meter has

190 ceased to register, the quantity may be estimated from the average registration for a similar period
191 during the year just passed past.

192 (g) Tests at Request of Consumer.

193 (1) In case of a disputed account involving the accuracy of a meter, the meter shall be
194 tested at the request of the consumer and in his or her presence.

195 (2) In the event that the meter so tested is found to have an error in registration
196 outside the accuracy limits set fourth by the A.W.W.A., the bills will be increased
197 or decreased accordingly over the entire period of the current bill, unless it can be
198 shown that the error is due to an accident or other cause, the exact date of which
199 can be determined, in which case it shall be figured back to such time.

200 (3) If the meter so tested shall be found to be accurate within the limit herein
201 specified, a fee shall be paid to the Water Department by the consumer requiring
202 such a test, but if not so found, then the cost thereof shall be borne by the
203 Department.

204 (4) The amount of the fee shall be at the current rate as posted and established by the
205 Water Department. The charge for a requested test of meters above one inch shall
206 be the actual cost of labor and material for removing, testing and replacing each
207 meter.

208 (h) Tampering With Meter Seals; Opening Hydrants; Property Destruction.

209 (1) Any tampering with or breaking of meter seals shall be deemed a misdemeanor.

210 (2) No person, except an employee of the City in the performance of his or her duties,
211 shall open or use any fire hydrant, except in case of emergency, without first

212 securing written permission from the Water Department. In no case shall any
213 hydrant be opened or closed except with a hydrant wrench provided by the City.

214 (3) No person shall break, damage, destroy, uncover, deface or tamper with any
215 structure, appurtenance or equipment of the City water system.

216 **SECTION 2. REPEALER.**

217 This Ordinance repeals and replaces all former ordinances or parts thereof conflicting or inconsistent
218 with the provisions of this Ordinance.

219 **SECTION 3. SAVINGS CLAUSE.**

220 All proceedings pending and all rights and liabilities existing, acquired or incurred under Sections
221 1044.05, 1044.07, 1044.14, 1044.22, 1044.24, 1044.26, 1044.27, 1044.31 and 1044.36 of the Codified
222 Ordinances of the City of Monroe at the time this Ordinance takes effect are saved and may be consummated
223 according to the law in force when they are/were commenced.

224 **SECTION 4. SEVERABILITY.**

225 If any section, subsection, sentence, clause or phrase of this Ordinance is declared unconstitutional by
226 a court of competent jurisdiction, such decision or holding shall not affect the validity of the remaining
227 portions of this Ordinance.

228 **SECTION 5. EFFECTIVE DATE.**

229 This Ordinance shall be in full force and effect Twenty (20) days after final passage and publication.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ORDINANCE 09-007, AN ORDINANCE TO ESTABLISH WATER RATES PURSUANT TO SECTION 1044.05, ESTABLISHMENT OF RATES, OF THE CODIFIED ORDINANCES OF MONROE, MICHIGAN

DISCUSSION: The proposed ordinance has been prepared pursuant to the adopted FY 2009-2010 budget. This ordinance establishes new water and service rates in accordance with the adopted FY 2009-2010 budget. With the revisions to Section 1044.05 through Ordinance 09-006, it is intended to incorporate future water rates with the budget ordinance so as to allow City Council to review and approve water rates with the City budget process. This is currently done with Wastewater Rates and will allow efficiency to the overall process.

The ordinance has been reviewed by Tom Ready, City Attorney such that he is familiar with the proposed ordinance.

Ordinance 09-007 is being placed on the Monday, May 18, 2009, agenda for its' first reading; with a second reading, public hearing and anticipated passage on Monday, June 1, 2009.

IT IS RECOMMENDED that City Council place Proposed Ordinance 09-007 up for its first reading at their May 18, 2009 meeting and to conduct a public hearing and second reading at it's June 1, 2009 meeting.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

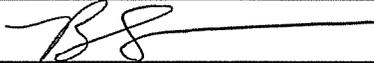
APPROVAL DEADLINE: July 1, 2009

REASON FOR DEADLINE: Collection of Water Department Revenues for FY 2009-2010, enforcement of applicable ordinance sections.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:


Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Water Department, Water Customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project \$ N/A

Cost of This Project Approval \$ N/A

Related Annual Operating Cost \$ N/A

Increased Revenue Expected/Year \$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
			\$
			\$
			\$
	<u>Other Funds</u>		\$

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** May 11, 2009

REVIEWED BY: _____ **DATE:** _____

COUNCIL MEETING DATE: May 18, 2009

ORDINANCE 09-007

1 An Ordinance to establish water rates pursuant to Section 1044.05, Establishment of
2 Rates, of the Codified Ordinances of the City of Monroe.

3 **THE CITY OF MONROE ORDAINS:**

4 **SECTION 1. Quarterly debt service charge.**

5 That on every bill there be set a Quarterly Fixed Debt Service Charge as follows:

6	Meter Size	Quarterly Debt Service Charge
7	5/8"	\$4.33
8	3/4"	\$6.50
9	1"	\$10.83
10	1 1/4"	\$15.16
11	1 1/2"	\$21.65
12	2"	\$34.64
13	2 1/2"	\$54.13
14	3"	\$75.78
15	4"	\$129.90
16	6"	\$270.63
17	8"	\$389.70
18	10"	\$627.85
19	12"	\$930.95

20
21 **SECTION 2. Quarterly consumption rate.**

22 That the Quarterly Consumption Rate be set at \$1.31 per one hundred cubic feet.

23 **SECTION 3. Administrative fee.**

24 That there be set a quarterly fixed administrative charge of \$3.60 on every bill issued to
25 property located either within or outside of the City of Monroe.

26 **SECTION 4. Call-out and turn-on fee.**

27 The Call-out and/or Turn-on fee of a water service shall be charged at the time it is
28 attempted and/or performed as follows:

- 29 A. Monday through Friday during regular working hours: \$55.00.
30 B. Where time and one-half is paid to City of Monroe employees as per union contract:
31 \$110.00.
32 C. Where double time is paid to City of Monroe employees as per union contract: \$140.00.

33 **SECTION 5. Outside city rates.**

34 Rates charged outside the City of Monroe shall be twice the rates set forth in Sections 1 and
35 2 of this ordinance, unless otherwise specified by contract.

36 **SECTION 6. Rate implementation.**

37 All bills mailed after July 1, 2009, shall be in accordance with the rate schedule adopted
38 herein.

39 **SECTION 7. Pumping surcharge.**

40 A Quarterly pumping surcharge of \$0.14 per one hundred cubic feet shall be charged to
41 those customers served by the South Custer Pump Station.

42 **SECTION 8. Penalties.**

43 A five percent (5%) penalty shall be charged on all bills paid more than seven (7) days after
44 the due date.

45 **SECTION 9. Repealer.**

46 This Ordinance repeals and replaces all former ordinances or parts thereof conflicting or
47 inconsistent with the provisions of this Ordinance.

48 **SECTION 10. Savings Clause.**

49 All proceedings pending and all rights and liabilities existing, acquired or incurred under
50 Sections 1044.05 of the Codified Ordinances of the City of Monroe at the time this Ordinance
51 takes effect are saved and may be consummated according to the law in force when they are/were
52 commenced.

53 **SECTION 11. Severability.**

54 If any section, subsection, sentence, clause or phrase of this Ordinance is declared
55 unconstitutional by a court of competent jurisdiction, such decision or holding shall not affect the
56 validity of the remaining portions of this Ordinance.

57 **SECTION 12. Effective date.**

58 This Ordinance shall be in full force and effect Twenty (20) days after final passage and
59 publication.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Ordinance 09-008: An ordinance to adopt the newly codified “Code of the City of Monroe.”

DISCUSSION: The proposed Ordinance is presented for Mayor and Council’s review and consideration. This ordinance adopts the newly codified “Code of the City of Monroe.” A copy can be examined at the Clerk’s Office or on the City’s website at www.ci.monroe.mi.us. At the website, click on “City Government” listed on the left side of screen, pick “Ordinances” and pick “Codified Ordinances.”

The new Code has been completely reformatted and renumbered to make it more user friendly. The City contracted with General Code Company to reformat and analyze our existing Code. After adoption of this Code, it will be analyzed to determine its relevance to current statutory provisions, as well as identifying any conflicts within the Code.

Funds were previously designated for this process after the contract was signed. No additional funding should be required.

Further, pursuant to §1-7 of this Ordinance, with the passage of this Ordinance Mayor and Council is setting the fee for the sale the Code by the Clerk’s Office at \$275. Additionally, the Code may be purchased directly from General Code by calling (800)836-8834.

This ordinance is placed on the agenda for its first reading on Monday, May 18, 2009; with a public hearing, second reading and anticipated passage on Monday, June 1, 2009.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Charles D. Evans, City Clerk/Treasurer

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: All

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:	City	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: tly

DATE: 5/7/09

REVIEWED BY: Charles D. Evans, City Clerk/Treasurer

DATE: 5/7/09

COUNCIL MEETING DATE: Monday, May 18, 2009

CITY OF MONROE

COUNTY OF MONROE, STATE OF MICHIGAN

ORDINANCE NO. 09-008

1 AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES
2 OF THE CITY OF MONROE, COUNTY OF MONROE, STATE OF MICHIGAN; PROVIDING FOR
3 THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN
4 ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR
5 TAMPERING WITH THE CODE; AND MAKING NONSUBSTANTIVE CHANGES IN
6 PREVIOUSLY ADOPTED ORDINANCES

7 **THE CITY OF MONROE ORDAINS:**

8 **§ 1-1. Adoption of Code.**

9 Pursuant to MCLA § 117.1 et seq. (specifically, MCLA § 117.5b), the ordinances of the City of
10 Monroe of a general and permanent nature adopted by the Mayor and City Council of the City of Monroe,
11 as revised, codified and consolidated into chapters and sections by General Code, LLC, and consisting of
12 Chapters 1 through 720, together with an Appendix, are hereby approved, adopted, ordained and enacted
13 as the “Code of the City of Monroe,” hereinafter known and referred to as the “Code.”

14 **§ 1-2. Code supersedes prior ordinances.**

15 This ordinance and the Code shall supersede all general and permanent ordinances enacted prior
16 to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or
17 continued in force. This ordinance and the Code shall supersede the “Codified Ordinances of Monroe,
18 Michigan, 1995.”

19 **§ 1-3. Copy of Code on file.**

20 A copy of the Code in loose-leaf form has been filed in the office of the City Clerk and shall
21 remain there for use and examination by the public until final action is taken on this ordinance; and, if this

22 ordinance shall be adopted, such copy shall be certified to by the Clerk of the City of Monroe by
23 impressing thereon the Seal of the City, as provided by law, and such certified copy shall remain on file in
24 the office of the City Clerk, to be made available to persons desiring to examine the same during all times
25 while said Code is in effect.

26 **§ 1-4. Amendments to Code.**

27 Any and all additions, amendments or supplements to the Code, when passed and adopted in such
28 form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be
29 incorporated into such Code so that reference to the “Code of the City of Monroe” shall be understood
30 and intended to include such additions and amendments. Whenever such additions, amendments or
31 supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder,
32 inserted in the loose-leaf book containing said Code, as amendments and supplements thereto.

33 **§ 1-5. Publication; filing.**

34 The Clerk of the City of Monroe, pursuant to law, shall cause to be published, in the manner
35 required, a copy of this Adopting Ordinance in a newspaper of general circulation in the City. Sufficient
36 copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times
37 during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with
38 availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be
39 due and legal publication of all provisions of the Code for all purposes.

40 **§ 1-6. Code book to be kept up-to-date.**

41 It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-
42 date the certified copy of the book containing the Code required to be filed in his or her office for the use
43 of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this
44 codification which shall be adopted specifically as part of the Code shall, when finally adopted, be
45 included therein by reference until such changes or new ordinances are printed as supplements to said
46 Code book, at which time such supplements shall be inserted therein.

47 **§ 1-7. Sale of Code book.**

48 Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an
49 authorized agent of the Clerk, upon the payment of a fee to be set by the Mayor and City Council, or may
50 be furnished electronically. The Clerk may also arrange for procedures for the periodic supplementation
51 of the Code.

52 **§ 1-8. Altering or tampering with Code; violations and penalties.**

53 It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part
54 or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause
55 the law of the City of Monroe to be misrepresented thereby. Anyone violating this section or any part of
56 this ordinance shall be subject, upon conviction, to a fine of not more than \$500 or imprisonment for not
57 more than 90 days, or both, in the discretion of the judge imposing the same.

58 **§ 1-9. Severability of Code provisions.**

59 Each section of the Code and every part of each section is an independent section or part of a
60 section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any
61 cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

62 **§ 1-10. Severability of ordinance provisions.**

63 Each section of this ordinance is an independent section, and the holding of any section or part
64 thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity
65 or constitutionality of any other sections or parts thereof.

66 **§ 1-11. Repeal of ordinances.**

67 All ordinances or parts of ordinances of a general and permanent nature adopted and in force on
68 the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the
69 effective date of this Adopting Ordinance, except as hereinafter saved from repeal.

70 **§ 1-12. Ordinances saved from repeal.**

71 The adoption of this Code and the repeal of ordinances provided for in § 1-11 of this ordinance
72 shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from
73 repeal:

- 74 A. Any ordinance adopted subsequent to March 2, 2009.
- 75 B. Any right or liability established, accrued or incurred under any legislative provision prior to the
76 effective date of this ordinance or any action or proceeding brought for the enforcement of such
77 right or liability.
- 78 C. Any offense or act committed or done before the effective date of this ordinance in violation of
79 any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- 80 D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered,
81 prior to the effective date of this ordinance brought pursuant to any legislative provision.
- 82 E. Any franchise (including gas, electric, and cable franchise agreements), license, right, easement
83 or privilege heretofore granted or conferred.
- 84 F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening,
85 establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-
86 way, easement, street, road, highway, park or other public place or any portion thereof.
- 87 G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment
88 of money or authorizing the issuance and delivery of any bond or other instruments or evidence
89 of the City's indebtedness.
- 90 H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract,
91 agreement or obligation.
- 92 I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- 93 J. The dedication of property or approval of preliminary or final subdivision plats.

94 K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and
95 compensation of officers and employees, and any ordinance or part thereof providing for the
96 establishment of positions.

97 L. Any ordinance adopting or amending the Zoning Map.

98 M. Any legislation relating to or establishing a pension plan or pension fund for municipal
99 employees.

100 N. Any ordinance or resolution establishing or changing the boundaries of the Municipality

101 **§ 1-13. Changes in previously adopted ordinances.**

102 A. In compiling and preparing the ordinances for adoption and revision as part of the Code, certain
103 grammatical changes and other minor changes were made in one or more of said ordinances. It is
104 the intention of the Mayor and City Council that all such changes be adopted as part of the Code
105 as if the ordinances so changed had been previously formally amended to read as such.

106 B. In addition, “Fire Marshal” is hereby changed to “Fire Chief” throughout the Code, and
107 references to the “Fire Marshal” are hereby deleted from §§ 345-2, 345-4D(1), 345-4F(2) and
108 345-5 of the Code.

109 **§ 1-14. When effective.**

110 This ordinance shall become effective 30 days after publishing the adopted ordinance.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: PROFESSIONAL CONSULTING ASBESTOS INSPECTION SERVICES PROPOSAL FOR THE CITY OF MONROE WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT

DISCUSSION: Through previous Occupational Safety and Health Administration (OSHA) inspections it has been recommended that due to the age and type of the City of Monroe Water and Wastewater Treatment Plant facilities, projects that are being completed or scheduled are required to complete an asbestos inspection of the facilities in accordance with the U.S. EPA requirements found in 40 CFR part 61 of the National Emission Standard for Hazardous Air Pollutants (NESHAP).

Attached is a proposal from TTL Associates, Inc to provide Asbestos NESHEP Inspection Services for the City of Monroe Water and Wastewater Treatment Plant facilities. It is recommended to complete the Asbestos NESHEP Inspection to comply with the U.S. EPA requirements coupled with the scheduled projects / improvements at both facilities. The final assessment report will be used to manage asbestos prior to and during demolition. The consultant has completed several similar projects dating back to the 1970s. The consultant has and is currently working for the City on an array of projects for services related to geotechnical and construction type services. Proposals were received from two firms specializing in this service area such that TTL Associates, Inc provided the lowest cost along with the necessary services to comply with the U.S. EPA requirements. The cost is representative with industry standards for this type of service in which we are confident that the consultant will perform satisfactorily for the City of Monroe. The Asbestos NESHEP Inspection is included in both the Water and Wastewater fiscal year budgets.

IT IS RECOMMENDED that the proposal to provide Asbestos NESHEP Inspection Services for the City of Monroe Water and Wastewater Treatment Plant facilities in the amount of \$7,800.00 be awarded to TTL Associates, Inc in accordance with their proposal.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

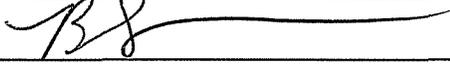
APPROVAL DEADLINE: ASAP

REASON FOR DEADLINE: To complete an Asbestos NESHEP Inspection to comply with the U.S. EPA requirements.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:


Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Water and Wastewater Department Staff

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 7,800.00
Cost of This Project Approval	\$ 7,800.00
Related Annual Operating Cost	\$ 0
Increased Revenue Expected/Year	\$ 0

SOURCE OF FUNDS:

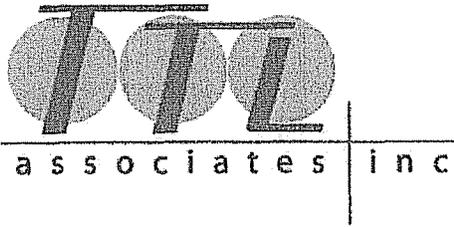
City	Account Number	Amount
General Contract Services	59140537 818020	\$ 3,900.00
General Contract Services	59075521 818020	\$ 3,900.00
<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** May 14, 2009

REVIEWED BY: _____ **DATE:** _____

COUNCIL MEETING DATE: May 18, 2009



1915 North 12th Street
Toledo, OH 43604-5305
T 419-324-2222
F 419-241-1808
www.ttlassoc.com

May 13, 2009

Proposal No. 5406.01

Mr. Barry LaRoy
City of Monroe
120 East First Street
Monroe, MI 48161

**Proposal for Services
Asbestos NESHAP Inspection Services
Waste Water Treatment Facility and Water Treatment Facility
Monroe, Michigan**

Dear Mr. LaRoy:

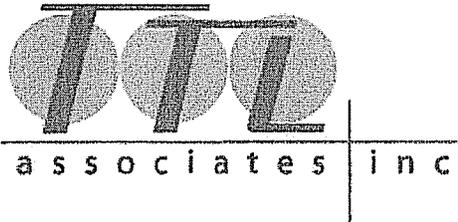
TTL Associates, Inc. (TTL) is pleased to submit this Proposal for Services to the City of Monroe to conduct a National Emission Standard for Hazardous Air Pollutants (NESHAP) inspection of the above-referenced facilities for suspected asbestos-containing materials (ACM). A NESHAP inspection is required for facilities prior to the start of renovation or demolition activities. TTL's proposal is based on discussions between yourself and Mr. Jeffery Elliot of TTL.

SCOPE OF WORK

TTL will perform an inspection of the facilities in accordance with the U.S. EPA requirements found in 40 CFR part 61 (NESHAP). The scope of work for this project will be divided into the following tasks:

Task One: Asbestos NESHAP Inspection of the Waste Water Treatment Facility

TTL will utilize two inspectors who are licensed by the State of Michigan Department of Energy, Labor and Economic Growth (MDELEG) to assess the facility for suspect ACM. TTL will quantify and collect bulk samples of suspect materials identified during the site inspection. While TTL will make every attempt to locate hidden materials, there is a possibility that a suspect material may be inaccessible to TTL's inspection team.



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F 419-241-1808
www.ttlassoc.com

Suspect ACM samples will be transported to TTL's laboratory for analysis by Polarized Light Microscopy (PLM) according to the U.S. EPA Method and the guidelines of the National Voluntary Laboratory Accreditation Program (NVLAP) administered by the National Institute of Standards and Technology (NIST). TTL's laboratory maintains accreditation through NIST. Sample analysis will be performed in accordance with U.S. EPA Method 600/R-93/116, "Method for the Determination of Asbestos in Bulk Building Materials," which states that all multiple, distinct layers must be analyzed individually. Therefore, sample analysis results will be provided for each distinct layer of each sample submitted.

Task Two: Asbestos NESHAP Inspection of the Water Treatment Facility

TTL will utilize two inspectors who are licensed by the State of Michigan Department of Energy, Labor and Economic Growth (MDELEG) to assess the facility for suspect ACM. TTL will quantify and collect bulk samples of suspect materials identified during the site inspection. While TTL will make every attempt to locate hidden materials, there is a possibility that a suspect material may be inaccessible to TTL's inspection team.

Suspect ACM samples will be transported to TTL's laboratory for analysis by Polarized Light Microscopy (PLM) according to the U.S. EPA Method and the guidelines of the National Voluntary Laboratory Accreditation Program (NVLAP) administered by the National Institute of Standards and Technology (NIST). TTL's laboratory maintains accreditation through NIST. Sample analysis will be performed in accordance with U.S. EPA Method 600/R-93/116, "Method for the Determination of Asbestos in Bulk Building Materials," which states that all multiple, distinct layers must be analyzed individually. Therefore, sample analysis results will be provided for each distinct layer of each sample submitted.

Task 3 – Asbestos Report

A final report will be generated after receipt of the analytical data. The asbestos report will include descriptions of sample locations, approximate quantities, approximate percent of asbestos found in each material, and the type of asbestos found. It will also include recommendations for managing asbestos prior to and during demolition.

FEES

TTL's lump sum estimate to perform the above scope of work at the wastewater treatment facility and the water treatment facility is \$7800.00. This estimate is based on the following assumptions:

- The collection and analysis of 100 bulk sample layers from the Waste Water Treatment Facility and 100 bulk sample layers from the Water Treatment Facility;
- The use of two accredited Asbestos Inspectors for one day at the Waste Water Treatment Facility and the use of two accredited Asbestos Inspectors for one day at the Water Treatment Facility and
- The City of Monroe will coordinate access to the site and all inaccessible rooms.

The City of Monroe will be billed for additional samples analyzed at the rate of \$12.00 per sample. Samples that contain less than 1% asbestos shall be point counted in accordance with the U.S. EPA's NESHAP regulation. Point counting will be billed at the rate of \$18.00 per sample. TTL's laboratory will analyze the samples on a first positive stop basis, for each sampling area collected. TTL's cost assumes the site will be accessible; in the event that TTL's inspectors are unable to gain access to the site, standby time will be billed at \$60 per hour for each inspector.

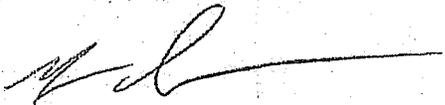
TERMS AND CONDITIONS

TTL is prepared to begin work upon receipt of written authorization from the City of Monroe. Work will be performed according to the Agreement for Services which is attached to this proposal. Should you wish to engage our services, please execute both copies of the agreement form and return one copy to our office.

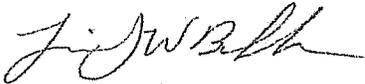
TTL appreciates the continued opportunity to provide the City of Monroe with our engineering, consulting, and testing services and we look forward to working with you on this project. If you have any questions concerning this proposal or our scope of work, please contact Mr. Tim Belcher at (734) 455-8600, ext. 1248.

Respectfully submitted,

TTL Associates, Inc.



Garret Salomon
Environmental Scientist



Tim Belcher
Manager, Industrial Hygiene Services - Plymouth

Attachment

AGREEMENT FOR SERVICES

THIS AGREEMENT is by and between: City of Monroe
120 East First Street
Monroe, MI 48161

hereinafter called **CLIENT**, and TTL Associates, Inc., hereinafter called **TTL**, who agree as follows:

DECLARATIONS. **CLIENT** desires to engage **TTL** to provide services as described in Proposal No. 5406.01, dated May 13, 2009, a copy of which is attached hereto, and along with the **TERMS AND CONDITIONS**, which appear on the reverse side of this document, are made a part of this **AGREEMENT**.

ACCEPTANCE. Execution of this **AGREEMENT** or the issuance of any other written authorization by **CLIENT** to **TTL** such as a written Purchase Order will constitute acceptance of this **AGREEMENT**.

EXECUTED THIS _____ DAY OF _____, 2009.

For **CLIENT**, by:

Signature

Name

Title

For **TTL**, by:



Signature

Tim Belcher
Name

Manager, Industrial Hygiene Services
Title

Please sign this agreement, return one copy to TTL and retain one copy for your files.



TERMS AND CONDITIONS

SCHEDULE A

As used herein, the word Client refers to the party purchasing services for work from TTL Associates, Inc. (TTL). The following terms and conditions shall govern the performance of services or work by TTL for or on behalf of Client, as contemplated by the order set forth on the reverse side hereof. Modification of these terms and conditions may be made only with the prior written consent of both parties and any attempts to alter such terms and conditions with purchase orders, acknowledgements, similar or other documentation shall be void.

1. **Scope: Standards.** TTL shall provide the services described on the reverse side hereof in accordance with generally accepted industry standards.
2. **Work Product.** Reports and results of TTL services are rendered for the exclusive use of Client, but at all times remain the property of TTL. The Client shall not advertise, publish or otherwise communicate TTL's work product to any third party without the prior written approval of an officer of TTL.
3. **Legal Proceedings.** If TTL work product is to be used in any legal proceeding, TTL shall charge and Client shall pay all TTL expenses together with then applicable TTL hourly rates for any court appearance, deposition, affidavit or the like by any TTL personnel. Preparation time shall also be billed and paid at such rates.
4. **Adversarial Proceedings.** In the event that TTL is ordered or subpoenaed to produce documents or testify on behalf of a third party, TTL shall so advise Client, whenever possible. Client may then determine whether it wishes to contest the subpoena or order.
5. **WARRANTY DISCLAIMER. OTHER THAN ITS COMMITMENT TO PERFORM SERVICES IN ACCORDANCE WITH GENERALLY ACCEPTED INDUSTRY STANDARDS, TTL MAKES NO WARRANTY WHATSOEVER. TTL MAKES NO WARRANTY OF MERCHANTABILITY AND NO WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE.**
6. **Limitation of Liability. In no event will TTL's liability to Client, or to third parties claiming through Client (including, without limitation, Client's insurers) exceed \$50,000 regardless of the legal theory upon which a claim may be based, including contract, warranty, tort and indemnification. Without limiting the generality of the foregoing, this limitation is applicable to loss, destruction, or damage to Client property while in the possession or control of TTL. In no event will TTL be liable to Client or to third parties claiming through Client (including Client's insurers) for any incidental or consequential damages whatsoever regardless of the legal theory upon which a claim may be based.**
7. **Samples.** In the event that TTL services involve test samples, such samples will be obtained with reasonable care and preserved for a period of thirty (30) days. TTL reports relative to samples are applicable only to the specific samples tested and only depict conditions at the specific location of the test.
8. **Pricing.** Prices quoted by TTL are subject to change if not accepted by Client within sixty (60) days of the date of quotation or if the work is not commenced (through no fault of TTL) within sixty (60) days of the date of acceptance of such quotation.
9. **Payment.** TTL invoices shall be paid within thirty (30) days of invoice date. Amounts unpaid when due shall bear interest at the rate of one and one-half percent (1.5%) per month, compounded monthly, until paid.
10. **Governing Law.** This agreement and all transactions relating hereto shall be governed by the laws of the State of Ohio.
11. **Entire Agreement.** This proposal constitutes the entire agreement between TTL and Client regarding the subject matter hereof and replaces all prior written and/or oral agreements and understandings. It may be amended or altered only in a writing signed by both parties.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: REPORT BACK ON BIDS RECEIVED FOR THE PURCHASE OF VALVES FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT

DISCUSSION: Five (5) bids were received and opened for the purchase of valves for the Wastewater System Improvements Project. The low bidder meeting all bid specifications and is able to provide the valves within the required timeframe is from JGM Valve of Commerce, MI for \$32,818.30. Attached is bid tabulation for your reference. The two lower bidders could not provide the valves that meet the bid specifications by May 27, 2009.

The current Wastewater System Improvements project at the Wastewater Treatment Plant includes work to be completed on the influent barscreens, grit removal system, primary treatment, aeration system and final clarifiers. Included in the scheduled work on the aeration system and final clarifiers are replacement of pumps, some valves and flow meters. During the course of attempting to complete this work, wastewater staff has been unsuccessful in isolating parts of the aeration system treatment process. In an effort to avoid shutting the entire system down and endangering the permitted sewage final effluent characteristics replacing several critical valves (8 total) not included in the scheduled work must be replaced in order to complete the project tasks. The purchase of the valves will allow the contractor to replace the critical valves needed to complete the scheduled work on the aeration system and final clarifiers in accordance with the project schedule. This CIP program project has adequate funding to complete the project.

IT IS RECOMMENDED that a purchase order in the amount of \$32,818.30 for the purchase of valves for the Wastewater System Improvements Project be issued to JGM Valve from Commerce, MI in accordance with the bid specifications.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: May 27, 2009

REASON FOR DEADLINE: To meet the project's scheduled work activities.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:


Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Wastewater Department Staff

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 12,000,000.00
Cost of This Project Approval	\$ 32,818.30
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

City	Account Number	Amount
General Contract Services	59075527 818020 07Z03	\$ 32,818.30

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** May 12, 2009

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: March 18, 2009

BIDS RECEIVED FOR WASTEWATER SYSTEM IMPROVEMENTS VALVE PURCHASE. BID REQUESTS MAILED 4/30/09. BIDS DUE THURSDAY, MAY 7, 2009.

	<u>BID AMOUNT</u>
KENNEDY INDUSTRIES INC PO BOX 809 MILFORD MI 48381 ATTN: JENNIFER ZELSKI	\$ 30,000.00 (OFFICIAL CHECK)
JGM VALVE 1155 WELCH RD, SUITE D COMMERCE MI 48390 ATTN: TONY PITONIAK	\$ 32,818.30 (CASHIER'S CHECK)
CORROSION FLUID PRODUCTS PO BOX 337 FARMINGTON MI 48332 ATTN: TED CORBEILL	\$ 47,706.00 (CASHIER'S CHECK)
THE MACOMB GROUP 32567 SCHOOLCRAFT LIVONIA MI 48150 ATTN: KIRK HUMPHREY	\$ 32,842.98 (BID CHECK)
MOTOR CITY PIPE 12389 SCHAEFER HWY DETROIT MI 48227 ATTN: MARK LAURAIN	NO BID SUBMITTED
VALVE RESOURCE SPECIALISTS INC PO BOX 252 DEARBORN MI 48121 ATTN: JENNIFER CARBONARO	NO BID SUBMITTED
JETT PUMP & VALVE 4770 PONTIAC LAKE RD WATERFORD MI 48328 ATTN: DON CHOUINARD	NO BID SUBMITTED
KUHLMAN CORPORATION 1845 INDIAN WOOD CIRCLE MAUMEE OH 43537-4072	\$ 32,446.00 (BID BOND)



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: TEAMSTERS LOCAL 214/RATIFICATION

DISCUSSION: The City of Monroe and Teamsters Local Union No. 214 have reached a tentative agreement.

Based on a favorable ratification vote by the Union on Wednesday, May 6, 2009, I wish to recommend that City Council approve the Teamsters Local 214 - 2008 - 2011 Collective Bargaining Agreement.

The highlights of the tentative agreement (which will be incorporated in the final draft of the contract) along with a financial analysis is attached.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: May 18, 2009

REASON FOR DEADLINE: Expiration of the Collective Bargaining Agreement

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Peggy A. Howard, Human Resources Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: TEAMSTERS LOCAL 214

FINANCES

<u>COST AND REVENUE PROJECTIONS:</u>		
	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u> Amount	<u>Account</u>	<u>Number</u>
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Peggy A. Howard, Human Resources Director



DATE: 5/7/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 5/18/09

THE CITY OF MONROE AND TEAMSTERS LOCAL 214

SETTLEMENT HIGHLIGHTS

1. **Duration of Contract:** Three (3) years (July 1, 2008 through June 30, 2011)

2. **Compensation.**
 - **2008 - 0%**
 - **2009 - 0%**
 - **2010 - 2%**

 - **Longevity Payments.** Longevity payments have been retained for all current employees, but to reduce future costs, will not be available for employees hired on or after July 1, 2008.

 - **Wage Schedule.** Full time employees hired on or after July 1, 2008, shall be placed on a six (6) year wage schedule (previous Agreement provided a two year maximum wage schedule).

 - **Pay Grade Changes:**
 - Eliminate Grade 4 - Maintenance Worker I/Water Construction Crew classification.
 - Eliminate Grade 4 - Custodian classification.
 - Upgrade Light Equipment Operator/DPS (Grade 5) to Medium Equipment Opr. (Grade 7).
 - Eliminate Grade 6 - Job Leader/Custodian classification.
 - Eliminate Grade 6 - Maintenance Worker I classification.
 - Eliminate Grade 6 - Maintenance Worker II - P&R classification.
 - Eliminate classification title of Instrument Mechanic/WW to Heavy Equipment Opr./WW.
 - Change Filter Operator to Centrifuge Operator.
 - Move Heavy Equipment Opr./WW to Grade 7.
 - Change Grade 8(a) to Grade 9 (no change in salary)
 - Change Grade 9 to Grade 10 (no change in salary)
 - Change Grade 10 to Grade 11 (no change in salary)

3. **Vacation.** Vacation accruals have been retained for all current employees, but in an effort to help reduce future costs, **full-time employees hired on or after 7/01/08** and who have completed between 1-7 years of service will be entitled to a maximum of 80.0 hours of vacation credit. Employees who have completed between 8-15 years of service will be entitled to a maximum of 120.0 hours of vacation credit. Employees who have completed between 16 or more years of service will be entitled to a maximum of 160.0 hours of vacation credit.

Unless approved by the supervisor, full-time employees **hired on or after 7/01/08** must take vacation in the year in which it is earned.

5. **Holidays.** This provision has been modified to reflect a change in the payment of holidays. Employees will receive time and one-half (1 1/2) for all hours worked on the holiday in addition to regular holiday pay for not working. Should a holiday fall on Saturday, the preceding Friday will be observed as the paid holiday. If the holiday falls on Sunday, the following Monday shall be the recognized holiday. (Current contract compensated employees for working on the designated holiday (determined by the City) in addition to the actual holiday).

6. **Leaves of Absence.**

- **Sick Leave.** Employees will continue to receive payment for 1/2 of their unused sick leave following the end of each calendar year. The remaining 1/2 will be credited to the employee's sick leave bank.
- **Retirement Sick Leave Bonus Payment.** Employees will no longer be eligible to earn a retirement bonus payment based upon the accumulation of earned unused sick leave after 12/31/08. However, in recognition of the elimination of future retirement bonus payments, the City will, within ninety (90) calendar days of the effective date of this Agreement, make to each employee a lump-sum payment equal to 100% of the amount paid to the employee as a sick leave bonus from the commencement of his employment with the City through 12/31/08.
- **Personal Leave.** Personal leave has been retained at 3 days for employees hired on or before 6/30/08. However, to further contain future costs, employees hired on or after 7/01/08, will be eligible for a maximum of 16.0 hours of personal leave time per calendar year.

7. **Health Care Benefits.**

Available Plans. Effective 1/01/2009, employees hired prior to 7/01/08 will have his/her choice of coverage under one of the following plans:

- PPO1 Plan (current plan), w/\$250 preventative services per member per year and \$5/\$12 co-pay (mail order \$3 co-pay);
- PPO1 Plan (Option 1), w/\$500 preventative services per member per year and \$10/\$20/\$30 Rx co-pay (mail order \$20/\$40/\$60);
- PPO6 Plan (Base Plan-Option 2), w/\$500 preventative services per member per year and \$10/\$20/\$30 Rx co-pay (mail order \$20/\$40/\$60); or
- Flexible Blue PPO-3 High Deductible Health Care Plan (Option 3), with a Health Savings Account (HSA), \$2,000 individual/\$4,000 family in-network deductible and a \$4,000 individual, \$8,000 family out-of-network deductible. After payment of the applicable in-network deductible in each calendar year, the Plan will cover 100% of all eligible in-network expenses for the balance of that calendar year. After payment of the applicable out-of-network deductible in each calendar year, the Plan will cover 80% of all eligible out-of-network expenses for the balance of that calendar year. The City will make an annual contribution to the HSA in an amount of \$1,500 for employee coverage and \$3,000 for employee

and spouse, employee and child(ren), and family coverage. (The annual contribution will be pro-rated for 2009 in the amount of \$875 for employee coverage and \$1,750 for employee, spouse, employee and child(ren), and family coverage.)

Employees will pay the difference between the premium cost of the plan selected and the PPO6 (Base -Option 2) plan.

Employees hired on or after 7/01/08 will not have a choice of plans but will be provided the Flexible Blue PPO-3 High Deductible Health Care Plan (Option 3), with a Health Savings Account (HSA).

Spousal Coverage Limitations. If an employee's spouse works for an employer, other than the City of Monroe, who provides medical coverage, such spouse will be required to elect employee only medical coverage through his/her own employer, so long as the spouse's monthly contribution to the premium does not exceed one-third (1/3) of the total premium cost of employee only coverage. In such circumstance, the City will provide secondary coverage. If the spouse's contribution exceeds one-third (1/3) of the total cost of employee only coverage, the spouse will not be required to participate in his/her employer's plan, in which event the City will provide primary coverage.

Health Care Waiver Incentives. For the first time, employees will be entitled to special incentive payments if they elect to waive coverage under the City's health care plans. Employees who waives all health care benefits will receive a cash payment of \$1,250 per year. Employees who waive coverage for their spouse and dependent children will receive a cash payment of \$1,000 per year. Employees who waive coverage for only his/her spouse will receive a cash payment of \$750 per year.

8. **Retiree Health Care.** Employees who retire on or after 4/27/09 will be provided the same health care benefits in retirement that the City provides its active employees until the retiree becomes eligible for Medicare; provided, however, for that period preceding the retiree and his/her spouse becoming eligible for Medicare, the City's contribution, in combination with any state or federal subsidy, will not be less than the illustrated premium cost of coverage for the retiree and his/her spouse at the time of the retiree's retirement under the City's Base Health Care Plan.

Retirees and eligible spouses who participate in Medicare Part B will be permitted to participate in the BCBS Supplemental Plan provided by the City, which Plan will have the same Rx drug benefits the City provides its active employees.

For each year of service (up to a maximum of 25 years service) the City will pay 4% of the cost of coverage under its Base Health Care Plan for the retiree and spouse. The retiree will pay the remaining portion of all costs, if any, of the Health Care Plan selected.

Retirement Health Care Savings Program. Employees hired on or after 7/01/08 are excluded from retiree health care coverage. However, in lieu of such benefits, such employees will participate in the MERS's Retirement Health Savings Plan (RHS). These employees will contribute 3% of the average annualized base wages of all full-time employees of the City, which amount will be calculated based upon the wages paid on June 30th of each year. The employee's contribution will be paid through automatic payroll deduction. The City will contribute an equal amount to the RHS plan.

9. **Educational Reimbursement.** Employees who desire educational reimbursement will be reimbursed only for courses of study which the City determines are directly related to the employee's present job or which will enhance the employee's potential for promotion. Employees who terminate their employment within **2 years** from the date of reimbursement must repay the City (former Agreement provided 1 year from the date of reimbursement).
10. All other tentative agreements will remain as agreed to between the parties throughout the negotiations.

Human Resources/pah

**Financial Impact Analysis
Teamsters Settlement**

Base Wages (Current): \$ 2,522,484
(56 Employees Budgeted)

Fringe Benefits (Current): 1,769,020 70.13% *

Total Wage and Fringe Benefit
Cost (Current): \$ 4,291,504
B

* - 25.72% Retiree Health Care

		Year of Contract			Long Term	Footnotes
		1	2	3		
Analysis of Changes Made to Contract:						
Note: All costs include associated fringe benefit cost changes						
1	Wages (0%, 0%, 2%) 3 Year Contract Six Year vs. Two Year Wage Scale	-	-	71,318 (1,733)		
2	Eliminate Longevity - New Hires	-	-	-	(25,670)	**/A
3	Eliminate Retirement Termination Bonus equivalent to sick pay bonuses paid during employees career	-	(62,560)	(62,560)		
4	Health Care Plan Change	-	(168,213)	(168,213)		
5	Holiday - Employees will no longer be eligible for compensation for working both on the designated holiday and the actual holiday	-	(5,304)	(5,304)		
6	Mirroring of retiree health care with the active workforce and cap on city contribution to retiree healthcare at 4% per year of service at retirement	-	-	-	?	Y
7	Eliminate Retiree Health Care Defined Benefit Plan for New Hires and replace it with a Retirement Health Savings Plan (3% employee contribution/3% employer contribution)	-	-	-	(575,255)	X/A
8	Early Retirement Incentive Grievance Settlement	15,071	-	-		
9	Other New Hire Changes: 2 personal leave days vs. 3 days Minimum Vacation 10 days vs. 11 days Maximum Vacation 20 days vs. 27.0 days					
Total Cost/(Savings)		\$ 15,071	\$ (236,077)	\$ (166,492)		
		0.35%	-5.50%	-3.88%		

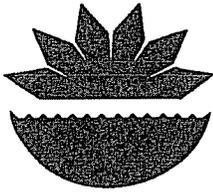
B - COST BASED ON AMOUNTS CURRENTLY BUDGETED FOR FISCAL YEAR 2010

X - ULTIMATE BUDGET REDUCTION IF ALL EMPLOYEES WERE ON RETIREE
HEALTH SAVINGS PLAN. REDUCES CURRENT CONTRIBUTION RATE
OF 25.72% TO 3%.

A - LONG TERM COST/(SAVINGS) REPORTED ON ANNUAL BASIS

** - CURRENT AMOUNT BUDGETED FOR LONGEVITY

Y - COST SAVINGS WILL BE CALCULATED BY ACTUARY AND DEPENDS PRIMARILY ON HEALTH
INSURANCE CHANGES FOR ACTIVE EMPLOYEES IN THE FUTURE. BASED ON SOME CONSERVATIVE
ASSUMPTIONS, COST SAVINGS COULD BE AS MUCH AS \$290,000 PER RETIREE OVER 30 YEARS OF
RETIREMENT.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Community Development Block Grant - Five-Year Consolidated Plan

DISCUSSION:

The City of Monroe has been informed by the Department of Housing and Urban Development (HUD) that we can expect to receive \$530,287 in Community Development Block Grant (CDBG) funds for the upcoming fiscal year. In addition, the city will be carrying over approximately \$157,000 in unused funds from 2008-2009. To gain access to these funds, it is necessary to complete a new Five-Year Consolidated Plan and an Annual Action Plan for FY2009-2010.

As required by HUD, the City of Monroe has prepared both documents with the Annual Plan identifying how the City proposes to spend the amounts described above. The activities chosen were the result of numerous meetings by the CDBG Steering Committee which was created for the purpose of guiding preparation of both the Five-Year and Annual plans. Members of the committee included representatives from United Way, Monroe County Industrial Development Corporation, Monroe County Opportunity Program, Monroe Housing Commission, Habitat for Humanity, Monroe County and the Monroe Center for Healthy Aging.

In addition to the CDBG Steering Committee meetings, public hearings were held to gain input on economic development, housing and neighborhood needs and the specific needs of the Orchard East neighborhood. This neighborhood was targeted both because City Council has expressed an interest in its continued revitalization and because the City of Monroe is applying to establish a Neighborhood Revitalization Strategy Area centered on this area, which will provide the city with more flexibility when utilizing CDBG funds.

This agenda item is being submitted to request both the approval of this year's Annual Action Plan for the City of Monroe's allocated CDBG funds, as well as the Five-Year Consolidated Plan. Both documents are on file for review at the Clerk's Office. The activities proposed and funding allocations for FY2009-2010 are as follows:

Sidewalk improvements – Bring sidewalks into compliance with ADA standards.	\$200,000
Navarre Library – Make necessary improvements to this facility serving a low- and moderate-income population.	\$50,000
Arthur Lesow Community Center – Make continued improvements to this facility, which also serves a low- and moderate-income population.	\$100,000
Sidewalks & Alley Upgrades near East End Salvation Army Facility.	\$30,000
FIX Program – Rehabilitate homes for income eligible residents.	\$150,000
Lead-based Paint Remediation – Cooperate with the State of Michigan and the Monroe County Health Department to remediate lead hazards in homes with young children who have been tested to show elevated levels of lead in their blood.	\$25,000
Homelessness Prevention Counseling – Assist income eligible families in preventing the loss of their homes.	\$10,000
Planning and Administration – Complete Five-Year Plan, continue Fair Housing Assessments and administration of the CDBG program.	\$100,000
Total CDBG Funds	\$688,000

IT IS RECOMMENDED that, having completed a public hearing, the Annual Action Plan for fiscal year 2009 and the Five-Year Consolidated Plan be approved as presented and staff be authorized to submit the plan to HUD for approval.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: May 18, 2009

REASON FOR DEADLINE: Plan must be approved no more than 45 days before start of fiscal year

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Planning and Engineering

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Dept. of Planning and Engineering, Building Department, City Council, Citizens Planning Commission, Low- and moderate-income residents as well as citizens of Monroe as a whole, Arthur Lesow Community Center, Monroe County Library System

FINANCES

COST AND REVENUE PROJECTIONS:	
Cost of Total Project	\$ 688,000
Cost of This Project Approval	\$ 688,000
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ *

*Exact revenue is unknown, as it depends largely on future increases in valuation to homes assisted with CDBG programs

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>	Community Development Block Grant	\$ 688,000

Budget Approval: _____

FACT SHEET PREPARED BY: Matt Wallace, City Planner

DATE: May 11, 2009

REVIEWED BY: Jeffrey Green, AICP, Interim Director of Planning and Recreation

DATE: May 11, 2009

COUNCIL MEETING DATE: May 18, 2009



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Midwest Valves & Automation, LLC - Application for Industrial Facilities Exemption Certificate

DISCUSSION:

On February 25, 2009, the City Clerk/Treasurer received an application for an Industrial Facilities Exemption Certificate from Midwest Valves and Automation for personal property at their facility located at 455 Detroit Avenue. As indicated on the application, the request is for an Industrial Facilities Exemption Certificate for \$717,757.00 in personal property improvements for a period of twelve (12) years. (Please see attached application materials.)

On April 29, 2009, the Economic Development Review Committee (EDRC) met regarding the application. Following a presentation by the applicant and discussion by the committee, the EDRC recommended a twelve-year abatement on the personal property as requested. (Please see attached EDRC meeting minutes.)

On May 8, 2009, the Planning office distributed notice of the May 18, 2009 public hearing to affected taxing jurisdictions, the City Assessor, the City Clerk/Treasurer and the applicant. A general public hearing notice was also published in the May 8, 2009 edition of the *Monroe Evening News*. There had been no comments as of this report.

It is therefore recommended that the City Council approve the request, in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Midwest Valves & Automation, LLC - applicant

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Planning, Assessor, EDRC, Taxing Jurisdictions

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ N/A
Cost of This Project Approval	\$ N/A
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u>	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Matt Wallace, City Planner

DATE: 5/12/09

REVIEWED BY: Jeffrey Green, Interim Director of Planning and Recreation 

DATE: 5/12/09

COUNCIL MEETING DATE: May 18, 2009

February 25, 2009

Mayor of the City of Monroe

City Council for the City of Monroe

I am pleased to inform you that we are in the process of starting up a new business in the fine City of Monroe, Michigan.

We are asking for tax abatement for the equipment that we are purchasing to install in the building we are renting at 455 Detroit Avenue, Monroe, Michigan. We need this equipment to perform the tasks that we will be required to do for valve repair on valves that we are anticipating receiving from power plants and refineries and other industries in the states of Michigan, Ohio, Indiana and other states out west. We are looking forward to hiring up to 10 people over the next couple of years once we are able to get up and running in the next couple of months.

We will be happy to answer any questions you may have about our company.

Thank you,

Gwendolyn Wright

Managing Member/Owner

Midwest Valves & Automation LLC

Revised
5-7-09

Michigan Department of Treasury
1012 (Rev. 5-07)

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit 2-25-09
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <i>Midwest Valves & Automation</i>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <i>3491 NAIC 332911</i>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <i>455 Detroit Ave, Monroe MI 48162</i>		1d. City/Township/Village (Indicate which) <i>Monroe City</i>	1e. County <i>Monroe</i>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located <i>City of Monroe</i>	3b. School Code <i>5010</i>
		4. Amount of years requested for exemption (1-12 Years) <i>12</i>	
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. <i>This company will repair valves for power plants and refineries across the country. We will also test safety valves once we install the proper boiler testing stand. We need this equipment to perform repair and reassembly of valves being repaired.</i>			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		717,757 ^{grv} <i>5-7-09</i>	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		624,778.00	
6c. Total Project Costs * Round Costs to Nearest Dollar		717,757 ^{grv} 624,778.00	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
		Begin Date (M/D/Y)	End Date (M/D/Y)
Real Property Improvements	▶		▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	▶	<i>3-1-09</i>	<i>12-31-09</i> ▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
9. No. of existing jobs at this facility that will be retained as a result of this project.		10. No. of new jobs at this facility expected to create within 2 years of completion. <i>10</i>	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.			
a. TV of Real Property (excluding land) _____			
b. TV of Personal Property (excluding inventory) _____			
c. Total TV _____			
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District			
12b. Date district was established by local government unit (contact local unit) <i>11-3-86</i>		12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <i>Wendy Wright</i>	13b. Telephone Number <i>734-242-5456</i>	13c. Fax Number <i>734-242-5458</i>	13d. E-mail Address <i>wendy@actuatorspecialties.co</i>
14a. Name of Contact Person <i>same</i>	14b. Telephone Number	14c. Fax Number	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) <i>Gwendolyn M Wright</i>			
15b. Signature of Company Officer (No Authorized Agents) <i>Gwendolyn Wright</i>		15c. Fax Number <i>same</i>	15d. Date <i>5-7-09 rev.</i>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <i>1620 Rose Monroe MI 48162</i>		15f. Telephone Number <i>same</i>	15g. E-mail Address <i>same</i>

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

EQUIPMENT	PROJ. COST	ACTUAL COST	INSTALL DATE
Safety Valve Boiler	\$ 476,000.00		5/1/2009
Boiler Test Room	\$ 95,000.00		5/1/2009
Crane		\$ 3,500.00	1/8/2009
Paint Booth Steel Frame		\$ 6,684.00	2/1/2009
Paint Booth Steel Frame		\$ 5,700.00	2/1/2009
Air Compressor		\$ 16,295.00	2/15/2009
Sandblasting Cabinet		\$ 4,599.00	2/15/2009
Pallet Racking	\$ 8,000.00		3/1/2009
Work Benches	\$ 4,000.00		3/1/2009
Office Furniture	\$ 3,000.00		5/1/2009
Computer System	\$ 2,000.00		9/1/2009
High Pressure Compressor		\$ 32,890.00	8/1/2009
Zep Parts Cleaner		\$ 21,989.00	8/1/2009
Electronic Valve Tester		\$ 38,100.00	8/1/2009
	\$ 588,000.00	\$ 129,757.00	
Approx. Cost of Equipment		\$ 717,757.00	

I. BACKGROUND INFORMATION

Identification of Subject Property

455 Detroit Ave.
Monroe, MI. 48162

The property is identified for real estate tax purposes as parcel number 58-55-59-00421-001.

Legal Description

Lots 70, 71, 72, 105, 106 and 107 Harborview Subdivision in the City of Monroe, Monroe County, Michigan.

**Economic Development Review Committee
Meeting Minutes
Wednesday, April 29, 2009
2nd Floor Conference Room
Monroe City Hall**

1. Roll Call

Present: Mark Worrell, Mayor
George Brown, City Manager
Pam Stanley, Director of Economic Development
Sam Guich, City Assessor
Brian Beneteau, City Councilperson

Excused: Tom Ready, City Attorney
Jeffrey Green, Interim Director of Planning and Recreation Department

Staff: Matt Wallace, Planner

Guests: Roger Homrich, Owner, West Elm Properties, 1151 W. Elm Ave.
Renee Miller, Employee for Homrich, Inc.
Gwendolyn Wright, Owner, Midwest Valves and Automation, 455 Detroit
Gregory Adanin, Principa, Great Lakes Towers, 111 Borchert Park Dr.
Ian Charles, CFO, Great Lakes Towers, 111 Borchert Park Dr.

2. Consent Agenda

Mr. Brown moved to accept the consent agenda as presented.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

Mr. Brown moved to accept the minutes from the previous meeting.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

3. New Business

A. Application for an Industrial Facilities Tax Exemption Certificate at 111 Borchert Park Drive by Great Lakes Towers

Ms. Stanley and Mr. Charles made a brief presentation and discussed the project, the use and the processes for the various economic development incentives the project is receiving. It was explained that the city's agreement to offer an IFT exemption is seen as its investment and support of the project.

After further discussion about the project, Mr. Guich asked about whether there had been a transfer of ownership since proof of ownership or a lease agreement is required. It was explained that there had not been, but conveyance and development agreements are in place.

Mr. Beneteau moved that the committee recommend to Council approval of the application for a 12 year exemption for an amount not to exceed the amount listed on the application for real and personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

B. Application for an Industrial Facilities Tax Exemption Certificate at 455 Detroit Avenue by Midwest Valves and Automation

Ms. Stanley introduced the business and the applicant, explaining the applicant has an existing business that has been in the city since 2004 and is expanding into a new field.

Ms. Wright explained that one piece of equipment listed on the application will cost \$153,000 more than estimated and the applications were adjusted accordingly.

After Ms. Wright explained what the new business will do and that it has a function that complies with the intent of the appropriate statute, Mr. Beneteau made a motion to recommend to Council approval of a 12 year exemption for the adjusted amount of \$676,778 for personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

C. Application for transfer of an existing Industrial Facilities Tax Exemption Certificate at 1151 West Elm Avenue by West Elm Properties

Ms. Stanley introduced the business and explained the application was a transfer of an existing certificate rather than a new application. Mr. Homrich explained what the business who will be leasing the property will be doing, that they expect to create twenty to thirty jobs and the possible site layout.

There was some discussion about the length of the certificate, which expires in 2010. It was also discussed whether it was appropriate to transfer the certificate for a use other

than what the certificate was granted for and Mr. Beneteau pointed out the certificate had not been revoked specifically because it could serve as an economic development tool.

After some further discussion, Mr. Guich moved that the committee recommend to Council that the remaining term of the abatement be transferred to the prospective lessee on an amended Industrial Facilities Tax application.

Mr. Beneteau seconded the motion.

Motion passed unanimously

4. Old Business

5. Adjournment

Mr. Beneteau moved to adjourn the meeting.

Mr. Guich seconded the motion.

Motion Carried Unanimously

May 11, 2009/mew

Resolution #09-XXX

1 **WHEREAS**, an Application for Industrial Facilities Exemption Certificate,
2 pursuant to Act No. 198 of the Public Acts of 1974, as amended, was filed by Midwest
3 Valves and Automation, LLC for property located at 455 Detroit Avenue, Monroe,
4 Michigan, within a designated Industrial Development District more particularly
5 described in Exhibit A, on February 25, 2009; and

6 **WHEREAS**, the City of Monroe Economic Development Review Committee
7 reviewed the application and recommended approval of the application for personal
8 property improvements requested for a period of twelve (12) years; and

9 **WHEREAS**, a Public Hearing was held by City Council on May 18, 2009 for
10 property owners, taxpayers, the City Assessor, the applicant and representatives of the
11 affected taxing units on the granting of an Industrial Facilities Exemption Certificate for
12 Midwest Valves and Automation, LLC and no comments were made supporting and no
13 comments were made objecting to the request.

14 **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of
15 Monroe hereby approves the application from Midwest Valves and Automation, LLC,
16 dated February 25, 2009 for an Industrial Facilities Exemption Certificate for property
17 located at 455 Detroit Avenue, Monroe, Michigan and more particularly described in its
18 Application for Industrial Facilities Exemption Certificate dated February 25, 2009 for
19 personal property improvements in the amount of seven hundred seventeen thousand
20 seven hundred fifty-seven (\$717,757.00) for a period of twelve (12) years and subject to
21 the following conditions which are to be enumerated in a separate Agreement by and
22 between the City of Monroe and Midwest Valves and Automation, LLC to be executed
23 pursuant to Act No. 334 of the Public Acts of 1993, Section 22:

- 24 1. That Midwest Valves and Automation, LLC shall invest a sum not less
25 than seven hundred seventeen thousand seven hundred fifty-seven
26 (\$717,757.00) for certain personal property improvements located at 455
27 Detroit Avenue, which is more particularly identified in its Application for
28 Industrial Facilities Exemption Certificate dated February 25, 2009;
- 29 2. That Midwest Valves and Automation, LLC shall create not less than ten
30 (10) new jobs at this site within two years of project completion;
- 31 3. That Midwest Valves and Automation, LLC shall pay their employees a
32 “living wage” as outlined in City of Monroe Ordinance 04-016;
33
- 34 4. That it is understood by and between the parties that the City of Monroe
35 shall request withdrawal of the abatement by the State Tax Commission if

36 Midwest Valves and Automation, LLC fails to complete the improvements
37 at the specified location;

38 5. That it is understood by and between the parties that the abatement be
39 subject to periodic review to assure compliance with the terms of the
40 Agreement to be executed by the parties pursuant to Public Act 334 of
41 1993, Section 22, as authorized by this Resolution of City Council; and

42 6. That it is understood by and between the parties that should a periodic
43 review identify any non-compliance with the terms and conditions of said
44 Agreement, Midwest Valves and Automation, LLC shall be given a period
45 of thirty (30) days to bring itself into compliance or the City of Monroe
46 will request the withdrawal of the abatement by the State Tax
47 Commission.

48 **BE IT FURTHER RESOLVED**, that the City of Monroe hereby states being
49 fully advised that the granting of this Industrial Facilities Exemption Certificate to
50 Midwest Valves and Automation for the property located at 455 Detroit Avenue, Monroe,
51 Michigan, and more particularly described in its Application for Industrial Facilities
52 Exemption Certificate dated February 25, 2009, together with the aggregate amount of
53 certificates previously granted and currently in force under Act No. 198 of the Public
54 Acts of 1974 and Act No. 255 of the Public Acts of 1978 shall not have the effect of
55 substantially impeding the operation of the City of Monroe or impairing the financial
56 soundness of a taxing unit which levies ad valorem taxes in the City of Monroe.

57 **BE IT FURTHER RESOLVED**, that the Mayor and Clerk/Treasurer be
58 authorized to execute an Agreement of the parties pursuant to Public Act 334 of 1993 and
59 that a copy of said Agreement be filed by the Clerk/Treasurer with the Michigan
60 Department of Treasury.

61 **EXHIBIT A**

62 (Please see attached Resolution dated November 3, 1996 establishing the Industrial
63 Development District)

By: Mayor McMullen

R E S O L U T I O N

WHEREAS, the Ternes Land Development Company, has applied for the establishment of an Industrial Development District under Act 198 of 1974 for parcel number 5M1909 located between Detroit Avenue, I-75 and North Dixie Highway; and

WHEREAS, due notice has been given in writing as well as publication, to the applicant, the City Assessor of the City of Monroe, and the citizens, residents and taxpayers of the City of Monroe for a public hearing which was held by the Monroe City Council on November 3, 1986, for the establishment of an Industrial Development District for parcel 5M1909 located between Detroit Avenue, I-75 and North Dixie Highway;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Monroe hereby establish an Industrial Development District for parcel number 5M1909, the description as taken from the City Tax Rolls, as follows:

Land commencing 341.51 ft. N. 75°13'45" East and 371.48 ft. S. 14°46'15" East from the intersection of the South line of Dixie Hwy. with East line Detroit Avenue;

thence, S. 24°53'00" West 1593.81 feet;

thence, N. 65°07'00" West 116.00 feet;

thence, S. 24°53'00" West 1130.64 feet;

thence, S. 65°16'38" East 1591.82 feet to W. line of I-75 Right-Of-Way;

thence, N. 16°45'36" East 2224.03 feet;

thence, N. 14°28'35" East 512.84 feet;

thence, N. 08°21'34" East 466.38 feet;

thence, N. 08°28'19" West 598.80 feet;

thence, S. 75°13'45" West 181.26 feet;

thence, S. 78°31'43" East 191.70 feet;

thence, S. 08°28'19" East 357.61 feet;

thence, S. 75°13'45" West 354.34 feet;

thence, N. 76°05'48" West 45.99 feet;

thence, N. 00°24'45" West 163.21 feet on a chord of a curve with a radius of 330.00 feet; arc length of 164.92 feet and a delta of 28°38'03";

thence, N. 14°43'51" West 260.04 feet;

thence, S. 75°13'45" West 60.00 feet;

thence, S. 14°43'51" East 260.04 feet to southeast corner of Lot 21 Frenchtown Industrial Park;

thence, S. 75°13'45" West 450.00 feet;

thence, S. 14°15'00" East 100.00 feet;

thence, N. 75°13'45" West 150.00 feet;

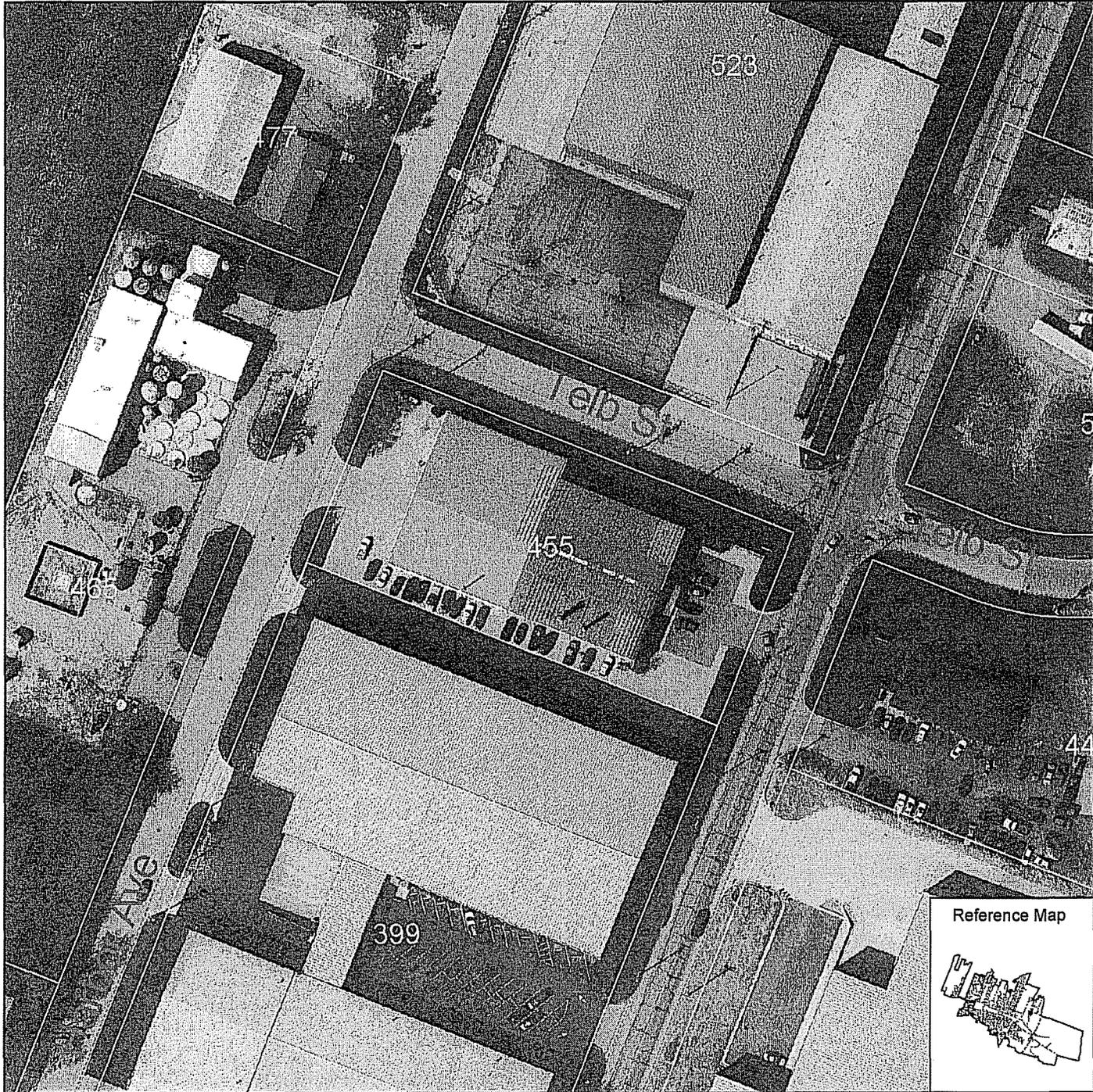
thence, N. 14°46'15" West 28.52 feet to the point of beginning, being part of Private Claim 80-82 and 87, T6S R9E.

Supported by: Council Member White
Ayes: 6 Nays: 1
RESOLUTION DECLARED ADOPTED

I, Elizabeth A. Dickey, Clerk/Treasurer of the City of Monroe, County of Monroe, State of Michigan, do hereby certify that the foregoing is an exact copy of a Resolution adopted by the City Council of said City, at a regular meeting thereof held on the 3rd day of November, 1986.

(SEAL)


Elizabeth A. Dickey, CMFA
City Clerk/Treasurer



City of Monroe CivicSight Map

MAP LEGEND:

-  EDGE OF PAVEMENT
-  CITY LIMITS
-  PARCELS
- MONROE_20 ORTHO (Image)

Reference Map

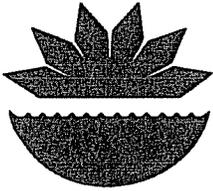


Map Scale: 1 inch = 108 feet
 Map Date: 5/12/2009
 Data Date: April 23, 2009

Sources: City of Monroe, River's Edge GIS, LLC.



Disclaimer:
 DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. The user acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by the User, its employees or agents, or third parties which arise out of the User's access or use of data provided.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Great Lakes Towers, LLC - Application for Industrial Facilities Exemption Certificate

DISCUSSION:

On March 13, 2009, the City Clerk/Treasurer received an application for an Industrial Facilities Exemption Certificate from Great Lakes Towers, LLC for real and personal property at their facility located at 111 Borchert Park Drive. As indicated on the application, the request is for an Exemption Certificate in the amount of \$9,000,000.00 for real property and \$10,350,000.00 in personal property improvements for a period of twelve (12) years. (Please see attached application materials.)

On April 29, 2009 the Economic Development Review Committee (EDRC) met regarding the application. Following a presentation by the applicant and discussion by the committee, the EDRC recommended a twelve-year abatement on the real and personal property, as requested. (Please see attached EDRC meeting minutes.)

On May 8, 2009, the Planning office distributed notice of the May 18, 2009 public hearing to affected taxing jurisdictions, the City Assessor, the City Clerk/Treasurer and the applicant. A general public hearing notice was also published in the May 8, 2009 edition of the *Monroe Evening News*. No comments have been received as of the date of this report.

It is recommended that the City Council approve the request, in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Great Lakes Towers, LLC - applicant

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Planning, Assessor, EDRC, Taxing Jurisdictions

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:	City	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Matt Wallace, City Planner

DATE: 5/12/09

REVIEWED BY: Jeffrey Green, Interim Director of Planning and Recreation

DATE: 5/12/09

COUNCIL MEETING DATE: May 18, 2009



111 Bochert Park Drive
PO Box 589
Monroe, MI 48161

Email: icharles@greatlakestowers.com

Honorable Mayor Mark G. Worrell
City Hall
120 E Front Street
Monroe, MI 48161

10th March, 2009

Dear Mayor Worrell,

Industrial Facilities Tax Exemption Certificate Application

Please find attached Great Lakes Towers' application for an IFT Exemption certificate.

The company plans to invest \$19.35MM over the next year in order to build a wind tower manufacturing facility at the Port of Monroe. We are requesting the City's assistance in this endeavor by supporting our application for this IFT exemption and thereby creating 150 new jobs in the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian D. Charles", is written over a large, light-colored circular mark.

Ian D. Charles

Chief Financial Officer

Cc: 1) City Clerk
2) Matt Wallace, Planning Dept.

Attachments: 1) IFT Application Form
2) List of Building and Equipment Costs



111 Bochert Park Drive
PO Box 589
Monroe, MI 48161

Email: icharles@greatlakestowers.com

Planned List of Real and Personal Property

Real Property

Approximately 100,000 sq. ft. building, comprising 62,000 sq.ft. crane building with 30,000 sq.ft. of other manufacturing space and 8,000 sq.ft. of offices. Estimated cost: **\$9,000,000**

Personal Property

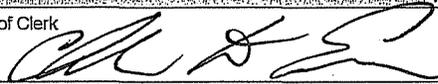
Item	Cost
Plate De-scaler	700,000
Plasma Cutter	700,000
Oxy-Fuel Cutter	700,000
Plate Roller	1,600,000
Welding and Fabrication Equipment	3,000,000
Cranes	1,000,000
Paint and Blast Booths	1,700,000
Compressors	350,000
Inspection and Material Handling Equipment	600,000
Total	\$10,350,000

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

RECEIVED
CHARLES D. EVANS

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit <u>3-13-09</u>
STC Use Only	
Application Number	Date Received by STC <u>09</u>

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <u>GREAT LAKES TOWERS LLC</u>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <u>332312</u>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <u>111 BOCHERT PARK DR, PO BOX 589, MONROE MI 48156</u>		1d. City/Township/Village (indicate which) <u>Monroe</u>	1e. County <u>Monroe County</u>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located <u>City of Monroe</u>	3b. School Code <u>58010</u>
		4. Amount of years requested for exemption (1-12 Years) <u>12</u>	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

BUILD 100,000 SQFT. FACILITY TO BUILD WIND TURBINE TOWERS. EQUIPMENT INCLUDES PLATE DESCALER, PLASMA & OXY-FUEL CUTTERS, PLATE ROLLER, SAW WELDING EQUIPMENT AND FIXTURES, PAINT & SHOT BLAST BOOTHS.

6a. Cost of land and building improvements (excluding cost of land)	<u>\$9,000,000</u>
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures	<u>\$10,350,000</u>
* Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs	<u>\$19,350,000</u>
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	<u>07/2009</u>	<u>01/2010</u>	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	<u>12/2009</u>	<u>03/2010</u>	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. <u>0</u>	10. No. of new jobs at this facility expected to create within 2 years of completion. <u>150</u>
---	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____

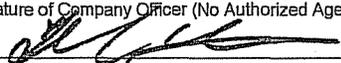
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) <u>July 22, 1996</u>	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name IAN CHARLES	13b. Telephone Number 734 437 0724	13c. Fax Number	13d. E-mail Address icharles@greatlakesbrewers.com
14a. Name of Contact Person IAN CHARLES	14b. Telephone Number 734 437 0724	14c. Fax Number	14d. E-mail Address icharles@greatlakesbrewers.com
▶ 15a. Name of Company Officer (No Authorized Agents) IAN CHARLES			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 3/10/09
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 111 BOCHERT PARK DR, PO BOX 589 MONROE MI 48161 SEE ABOVE		15f. Telephone Number	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal



City of Monroe CivicSight Map

MAP LEGEND:

-  EDGE OF PAVEMENT
-  CITY LIMITS
-  PARCELS
- MONROE_20 ORTHO (Image)

Reference Map



Map Scale: 1 Inch = 365 feet
 Map Date: 5/12/2009
 Data Date: April 23, 2009



Sources: City of Monroe, River's Edge GIS, LLC.

Disclaimer:
 DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. The user acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by the User, its employees or agents, or third parties which arise out of the User's access or use of data provided.

**Economic Development Review Committee
Meeting Minutes
Wednesday, April 29, 2009
2nd Floor Conference Room
Monroe City Hall**

1. Roll Call

Present: Mark Worrell, Mayor
George Brown, City Manager
Pam Stanley, Director of Economic Development
Sam Guich, City Assessor
Brian Beneteau, City Councilperson

Excused: Tom Ready, City Attorney
Jeffrey Green, Interim Director of Planning and Recreation Department

Staff: Matt Wallace, Planner

Guests: Roger Homrich, Owner, West Elm Properties, 1151 W. Elm Ave.
Renee Miller, Employee for Homrich, Inc.
Gwendolyn Wright, Owner, Midwest Valves and Automation, 455 Detroit
Gregory Adanin, Principa, Great Lakes Towers, 111 Borchert Park Dr.
Ian Charles, CFO, Great Lakes Towers, 111 Borchert Park Dr.

2. Consent Agenda

Mr. Brown moved to accept the consent agenda as presented.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

Mr. Brown moved to accept the minutes from the previous meeting.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

3. New Business

**A. Application for an Industrial Facilities Tax Exemption Certificate at 111
Borchert Park Drive by Great Lakes Towers**

Ms. Stanley and Mr. Charles made a brief presentation and discussed the project, the use and the processes for the various economic development incentives the project is receiving. It was explained that the city's agreement to offer an IFT exemption is seen as its investment and support of the project.

After further discussion about the project, Mr. Guich asked about whether there had been a transfer of ownership since proof of ownership or a lease agreement is required. It was explained that there had not been, but conveyance and development agreements are in place.

Mr. Beneteau moved that the committee recommend to Council approval of the application for a 12 year exemption for an amount not to exceed the amount listed on the application for real and personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

B. Application for an Industrial Facilities Tax Exemption Certificate at 455 Detroit Avenue by Midwest Valves and Automation

Ms. Stanley introduced the business and the applicant, explaining the applicant has an existing business that has been in the city since 2004 and is expanding into a new field.

Ms. Wright explained that one piece of equipment listed on the application will cost \$153,000 more than estimated and the applications were adjusted accordingly.

After Ms. Wright explained what the new business will do and that it has a function that complies with the intent of the appropriate statute, Mr. Beneteau made a motion to recommend to Council approval of a 12 year exemption for the adjusted amount of \$676,778 for personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

C. Application for transfer of an existing Industrial Facilities Tax Exemption Certificate at 1151 West Elm Avenue by West Elm Properties

Ms. Stanley introduced the business and explained the application was a transfer of an existing certificate rather than a new application. Mr. Homrich explained what the business who will be leasing the property will be doing, that they expect to create twenty to thirty jobs and the possible site layout.

There was some discussion about the length of the certificate, which expires in 2010. It was also discussed whether it was appropriate to transfer the certificate for a use other

than what the certificate was granted for and Mr. Beneteau pointed out the certificate had not been revoked specifically because it could serve as an economic development tool.

After some further discussion, Mr. Guich moved that the committee recommend to Council that the remaining term of the abatement be transferred to the prospective lessee on an amended Industrial Facilities Tax application.

Mr. Beneteau seconded the motion.

Motion passed unanimously

4. Old Business

5. Adjournment

Mr. Beneteau moved to adjourn the meeting.

Mr. Guich seconded the motion.

Motion Carried Unanimously

May 11, 2009/mew

Resolution #09-XXX

1 **WHEREAS**, an Application for Industrial Facilities Exemption Certificate,
2 pursuant to Act No. 198 of the Public Acts of 1974, as amended, was filed by Great
3 Lakes Towers, LLC for property located at 111 Borchert Park Drive, Monroe, Michigan,
4 within a designated Industrial Development District more particularly described in
5 Exhibit A, on March 13, 2009; and

6 **WHEREAS**, the City of Monroe Economic Development Review Committee
7 reviewed the application and recommended approval of the application for real and
8 personal property improvements requested for a period of twelve (12) years; and

9 **WHEREAS**, a Public Hearing was held by City Council on May 18, 2009 for
10 property owners, taxpayers, the City Assessor, the applicant and representatives of the
11 affected taxing units on the granting of an Industrial Facilities Exemption Certificate for
12 Great Lakes Towers, LLC and no comments were made supporting and no comments
13 were made objecting to the request.

14 **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of
15 Monroe hereby approves the application from Great Lakes Towers, LLC, dated March
16 13, 2009 for an Industrial Facilities Exemption Certificate for property located at 111
17 Borchert Park Drive, Monroe, Michigan and more particularly described in its
18 Application for Industrial Facilities Exemption Certificate dated March 13, 2009 for real
19 property improvements in the amount of nine million (\$9,000,000.00) and personal
20 property improvements in the amount of ten million three hundred fifty thousand
21 (\$10,350,000.00) for a period of twelve (12) years and subject to the following conditions
22 which are to be enumerated in a separate Agreement by and between the City of Monroe
23 and Great Lakes Towers, LLC to be executed pursuant to Act No. 334 of the Public Acts
24 of 1993, Section 22:

- 25 1. That Great Lakes Towers, LLC shall invest a sum not less than nineteen
26 million three hundred fifty thousand (\$19,350,000.00) for certain real and
27 personal property improvements located at 111 Borchert Park Drive,
28 which is more particularly identified in its Application for Industrial
29 Facilities Exemption Certificate dated March 13, 2009;
- 30 2. That Great Lakes Towers, LLC shall create not less than one hundred fifty
31 (150) new jobs at this site within two years of project completion;
- 32 3. That Great Lakes Towers, LLC shall pay their employees a “living wage”
33 as outlined in City of Monroe Ordinance 04-016;
- 34
35 4. That it is understood by and between the parties that the City of Monroe
36 shall request withdrawal of the abatement by the State Tax Commission if

37 Great Lakes Towers, LLC fails to complete the improvements at the
38 specified location;

39 5. That it is understood by and between the parties that the abatement be
40 subject to periodic review to assure compliance with the terms of the
41 Agreement to be executed by the parties pursuant to Public Act 334 of
42 1993, Section 22, as authorized by this Resolution of City Council; and

43 6. That it is understood by and between the parties that should a periodic
44 review identify any non-compliance with the terms and conditions of said
45 Agreement, Great Lakes Towers, LLC shall be given a period of thirty
46 (30) days to bring itself into compliance or the City of Monroe will
47 request the withdrawal of the abatement by the State Tax Commission.

48 **BE IT FURTHER RESOLVED**, that the City of Monroe hereby states being
49 fully advised that the granting of this Industrial Facilities Exemption Certificate to Great
50 Lakes Towers for the property located at 111 Borchert Park Drive, Monroe, Michigan,
51 and more particularly described in its Application for Industrial Facilities Exemption
52 Certificate dated March 13, 2009, together with the aggregate amount of certificates
53 previously granted and currently in force under Act No. 198 of the Public Acts of 1974
54 and Act No. 255 of the Public Acts of 1978 shall not have the effect of substantially
55 impeding the operation of the City of Monroe or impairing the financial soundness of a
56 taxing unit which levies ad valorem taxes in the City of Monroe.

57 **BE IT FURTHER RESOLVED**, that the Mayor and Clerk/Treasurer be
58 authorized to execute an Agreement of the parties pursuant to Public Act 334 of 1993 and
59 that a copy of said Agreement be filed by the Clerk/Treasurer with the Michigan
60 Department of Treasury.

61 **EXHIBIT A**

62 (Please see attached Resolution dated July 22, 1996 establishing the Industrial
63 Development District)

RESOLUTION

WHEREAS, the Plant Rehabilitation and Industrial Development Act, Act 198 of the Public Acts of 1974, as amended, provides for the establishment of industrial development districts and the exemption from certain ad valorem property taxes for facilities located within such districts for the purpose of assisting industrial enterprises in locating, constructing, and equipping manufacturing facilities within the State of Michigan; and

WHEREAS, the City of Monroe finds and has made a determination that more than 50% of the state equalized valuation of the property proposed for the district is obsolete for industrial development; and

WHEREAS, the Port of Monroe has made application for an Industrial Development district in accordance with the provisions of Act 198 which encompasses property located in the Port of Monroe Industrial Park within the City of Monroe; and

WHEREAS, the City's Economic Development Review Committee reviewed the application on July 2, 1996 and recommends to City Council the establishment of an Industrial Development District for said property; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe hereby establishes an Industrial Development District encompassing the following property in the Port of Monroe Industrial Park:

A parcel of land located on Private Claims 161, 166, 346, 347, 348, and 349, and Sections 9, 10, 15 and 16, T.7.S., R.9.E., City of Monroe, Monroe County, Michigan described as follows:

From the intersection of the north line of 100 foot wide East Front Street with the west line of 80 foot wide Port Avenue, northwesterly along the north line of East Front Street north 55° 01' 00" west, 69.40 feet to the Point-of-Beginning;

thence; southwesterly across a 100 foot wide East Front Street and a 42 foot wide railroad right-of-way south 34° 59' 60" west, 142.00 feet to a point on a curve to the right, and on the north property line of North Star Steel;

thence, continuing along this property line the following ten courses: 794.87 feet on a 5804.65 foot radius to the right, said curve having a chord bearing and distance of north 51° 05' 37" west, 794.25 feet;

thence; south 42° 49' 45" west, 7.47 feet;

thence; north 52° 55' 35" west, 191.11 feet;

thence; 320.40 feet on a 686.78 foot radius curve to the left, said curve having a chord bearing distance of north 66° 17' 28" west, 317.50 feet;

thence; south 44° 19' 30" west, 542.61 feet;

thence; south 22° 27' 57" west, 1642.05 feet;

thence; south 51° 26' 01" east, 409.25 feet;

thence; south 80° 26' 56" east, 2102.11 feet;

thence; south 55° 10' 30" east, 2073.99 feet;

thence; north 23° 32' 00" east, 1295.07 feet to a point on the south line of the railroad right-of-way adjacent to East Front Street;

thence; south 55° 10' 30" east, 101.55 feet to a point on the property line common to the Port of Monroe and the Detroit Edison Company;

thence; south 23° 32' 00" west, 2393.50 feet along this common property line adjacent to the Detroit Edison Company Monroe Power Plant cooling water channel to a point located within the waters of Plum Creek;

thence; along a line proceeding through the waters of Plum Creek the following six courses;

north 66° 28' 00" west, 860.32 feet;

thence; south, 18.55 feet;

thence; north 73° 00' 00" west, 1485.00 feet;

thence; north 55° 46' 30" west, 1286.52 feet;

thence; north 19° 04' 09" east, 396.90 feet;

thence; north 70° 36' 50" west, 3574.89 feet to the easterly right-of-way line of Interstate 75;

thence; continuing along the shoreline of Plum Creek the following twenty courses;

north 70° 36' 50" west, 316.73 feet across the right-of-way of Interstate 75, to the westerly right-of-way line of Interstate 75;

thence; north 70° 36' 50" west, 816.21 feet;

thence; north 65° 10' 00" west, 173.18 feet;

thence; north 42° 42' 00" west, 150.11 feet;

thence; north 19° 50' 00" west, 108.25 feet;

thence; north 06° 55' 00" west, 338.16 feet;

thence; north 44° 59' 00" west, 118.88 feet;

thence; north 64° 07' 00" west, 183.24 feet;

thence; south 88° 39' 00" west, 291.86 feet;

thence; north 52° 45' 00" west, 770.95 feet;

thence; south 58° 05' 00" west, 268.00 feet;

thence; north 57° 10' 00" west, 119.00 feet;

thence; north 36° 32' 00" west, 76.00 feet;

thence; north 11° 55' 00" west, 240.00 feet;

thence; north 20° 03' 00" east, 35.00 feet;

thence; north 56° 44' 00" east, 350.00 feet;

thence; north 24° 35' 00" east, 285.00 feet;

thence; north 00° 32' 00" west, 176.00 feet;

thence; north 18° 18' 00" west, 215.00 feet;

thence; north 60° 05' 00" west, 117.53 feet;

thence; north 34° 28' 40" east, 417.25 feet to a point on a curve on a railroad easement;

thence; along the railroad easement the following five courses:

222.04 feet on a 482.53 foot radius curve to the right, said curve having a chord bearing and distance of south 83° 57' 56" east, 220.09 feet;

thence; north 19° 13' 02" east, 7.00 feet;

thence; south 70° 46' 58" east, 158.53 feet to a point on a curve;

thence; 240.73 feet on a 978.62 foot radius curve to the right, said curve having a chord bearing and distance of south 63° 44' 09" east, 240.12 feet;

thence; south 56° 41' 20" east, 136.64 feet;

thence; north 34° 26' 40" east, 342.34 feet to a point on the south right-of-way line of Wood Street;

thence; south 55° 33' 20" east, 837.66 feet;

thence; north 34° 28' 03" east, 29.55 feet;

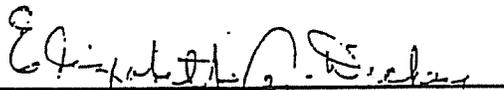
thence; south 55° 38' 32" east, 590.64 feet;
thence; south 55° 34' 10" east, 244.00 feet;
thence; south 34° 26' 47" west, 283.00 feet;
thence; south 55° 34' 10" east, 393.83 feet to the southeast corner of "Consolidated Land Company Plat No. 1" (recorded in Liber 5, Page 15 Monroe County Records);
thence; north 34° 26' 42" east, 1403.00 feet to the northeast corner of "Consolidated Land Company Plat No. 1";
thence; north 55° 38' 42" west, 1224.58 feet;
thence; north 34° 03' 20" east, 1039.88 feet;
thence; north 55° 39' 10" west, 229.00 feet;
thence; north 34° 03' 13" east, 80.00 feet to the northerly right-of-way line of East First Street;
thence; north 55° 39' 10" west, 485.35 feet;
thence; north 32° 54' 06" east, 21.91 feet to the south line of a 30 foot wide railroad right-of-way adjacent to East Front Street;
thence; 176.94 feet on a 1445.19 foot radius curve to the left to a point of tangency, said curve having a chord bearing and distance of south 73° 57' 43" east, 176.83 feet;
thence; south 77° 28' 10" west, 381.59 feet;
thence; south 60° 55' 40" east, 391.54 feet;
thence northeasterly across a 30 foot wide railroad right-of-way and a 66 foot wide East Front Street north 31° 29' 10" east, 108.06 feet;
thence; north 60° 55' 40" west, 201.05 feet;
thence; north 38° 47' 20" east, 19.00 feet to a point on the shoreline of the River Raisin;
thence; along the shoreline of the River Raisin the following seven courses;
south 47° 09' 18" east, 49.26 feet;
thence; south 57° 06' 49" east, 30.07 feet;
thence; south 63° 48' 45" east, 201.83 feet;
thence; south 78° 59' 51" east, 69.33 feet;
thence; south 75° 09' 24" east, 158.03 feet;
thence; south 65° 18' 42" east, 134.57 feet;
thence; south 46° 43' 40" east, 75.00 feet;
thence; south 34° 16' 20" west, 94.89 feet;
thence; south 56° 04' 40" east, 48.38 feet;
thence; south 34° 16' 20" west, 17.69 feet to a point on the north right-of-way line of East Front Street;
thence; north 50° 49' 40" west, 27.47 feet;
thence; southwesterly across a 66 foot wide East Front Street and a 30 foot wide railroad right-of-way south 36° 32' 50" west, 108.06 feet;
thence; 482.49 feet on a 1417.69 foot radius curve to the right to a point of tangency, said curve having a chord bearing and distance of south 41° 04' 40" east, 480.17 feet;
thence; north 31° 19' 40" west, 240.40 feet to a point of intersection of the southerly line of the 30 foot wide railroad right-of-way and the westerly right-of-way line of Interstate 75;
thence; continuing along the southerly line of the railroad right-of-way, across the Interstate 75 right-of-way and under the Interstate 75 roadway to a point of intersection of the southerly line of a 42 foot wide railroad right-of-way and the easterly right-of-way line of Interstate 75 (the 30 foot wide railroad right-of-way increases to a 42 foot wide right-of-way as it crosses the Interstate 75 right-of-way);
thence; 63.94 feet on a 1446.69 foot radius curve to the left to a point of tangency, said curve having a chord bearing and distance of south 55° 43' 11.5" east, 63.94 feet;
thence; south 56° 59' 10" east, 700.39 feet;

thence; northeasterly across a 42 foot wide railroad right-of-way and a 100 foot wide East Front Street north 33° 00' 50" east, 142.00 feet;
thence; 515.03 feet on a 5796.65 foot radius curve to the right, said curve having a chord bearing and distance of south 54° 26' 27" east, 514.80 feet;
thence; north 38° 06' 05" east, 512.51 feet to a point on the shoreline of the River Raisin;
thence; along the shoreline of the River Raisin the following four courses;
south 63° 41' 34" east, 240.09 feet;
thence; south 49° 17' 58" east, 52.46 feet;
thence; south 60° 32' 19" east, 249.20 feet;
thence; south 78° 54' 52" east, 179.64 feet to a point on the westerly line of the River Raising Turning Basin;
thence; along a line common with the westerly line of the River Raisin Turning Basin south 06° 56' 40" east, 783.65 feet;
thence; south 45° 03' 53" west, 212.45 feet to a point on the northerly right-of-way line of East Front Street;
thence; 529.63 feet on a 5662.65 foot radius curve to the left said curve having a chord bearing and distance of south 52° 20' 14" east, 526.51 feet to the Point-of-Beginning.

Supported by: Councilwoman Gartz
Ayes: 5 Nays: 0
RESOLUTION DECLARED ADOPTED

I, Elizabeth A. Dickey, City Clerk/Treasurer of the City of Monroe, County of Monroe, State of Michigan, do hereby certify that the foregoing is an exact copy of a Resolution adopted by the City Council of said City, at a regular meeting thereof held on the 22nd day of July, 1996.




Elizabeth A. Dickey, CMFA
City Clerk-Treasurer



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Quality Food Brands, Inc. Application for Transfer of Industrial Facilities Exemption Certificate

DISCUSSION:

On March 19, 2009, the City Clerk/Treasurer received an application from Quality Food Brands, Inc. to transfer Industrial Facilities Exemption Certificate #98572 which currently offers an abatement on \$61,600 of the total value for the building at 1151 West Elm Avenue. The certificate expires December 30, 2010. (Please see attached application materials.)

On April 29, 2009, the Economic Development Review Committee (EDRC) met regarding the application. Following a presentation by the applicant and discussion by the committee, the EDRC recommended a transfer of the abatement as requested. (Please see attached EDRC meeting minutes.)

On May 8, 2009, the Planning office distributed notice of the May 18, 2009 public hearing to affected taxing jurisdictions, the City Assessor, the City Clerk/Treasurer and the applicant. A general public hearing notice was also published in the May 8, 2009 edition of the *Monroe Evening News*. No comments have been received as of the date of this report.

It is therefore recommended that the City Council approve the request, in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Great Lakes Towers, LLC - applicant

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Planning, Assessor, EDRC, Taxing Jurisdictions

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Matt Wallace, City Planner

DATE: 5/12/09

REVIEWED BY: Jeffrey Green, Interim Director of Planning and Recreation

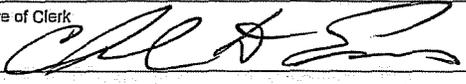
DATE: 5/12/09

COUNCIL MEETING DATE: May 18, 2009

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended, Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit 3-19-09
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Quality Food Brands, Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 2045	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1151 W. Elm Ave. Monroe, MI 48162		1d. City/Township/Village (Indicate which) Monroe	1e. County Monroe
2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Monroe	3b. School Code 58010
		4. Amount of years requested for exemption (1-12 Years)	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Transfer of Certificate # 98572

6a. Cost of land and building improvements (excluding cost of land).....	\$920,000.00
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures.....	Personal Property Costs
* Attach itemized listing with month, day and year of beginning of installation, plus total	
6c. Total Project Costs.....	\$920,000.00
* Round Costs to Nearest Dollar	
Total of Real & Personal Costs	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)		
Real Property Improvements	5/1/2009	12/31/09	<input type="checkbox"/> Owned	<input checked="" type="checkbox"/> Leased
Personal Property Improvements			<input type="checkbox"/> Owned	<input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. 10. No. of new jobs at this facility expected to create within 2 years of completion.
10

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	\$61,600.00
b. TV of Personal Property (excluding inventory)	
c. Total TV	\$61,600.00

12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 12c. Is this application for a speculative building (Sec. 3(8))?
7-6-98 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <i>Richard Cohen</i>	13b. Telephone Number <i>734-457-6504</i>	13c. Fax Number <i>734-243-7646</i>	13d. E-mail Address <i>rcohen@gfbi.net</i>
14a. Name of Contact Person <i>Richard Cohen</i>	14b. Telephone Number <i>734-457-6504</i>	14c. Fax Number <i>734-243-7646</i>	14d. E-mail Address <i>rcohen@gfbi.net</i>
▶ 15a. Name of Company Officer (No Authorized Agents) <i>Richard Cohen President</i>			
15b. Signature of Company Officer (No Authorized Agents) <i>Richard Cohen President</i>		15c. Fax Number <i>734-243-7646</i>	15d. Date <i>5/12/09</i>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <i>15610 South Telegraph Rd</i>		15f. Telephone Number <i>734-457-6504</i>	15g. E-mail Address <i>r.cohen@gfbi.net</i>

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**Economic Development Review Committee
Meeting Minutes
Wednesday, April 29, 2009
2nd Floor Conference Room
Monroe City Hall**

1. Roll Call

Present: Mark Worrell, Mayor
George Brown, City Manager
Pam Stanley, Director of Economic Development
Sam Guich, City Assessor
Brian Beneteau, City Councilperson

Excused: Tom Ready, City Attorney
Jeffrey Green, Interim Director of Planning and Recreation Department

Staff: Matt Wallace, Planner

Guests: Roger Homrich, Owner, West Elm Properties, 1151 W. Elm Ave.
Renee Miller, Employee for Homrich, Inc.
Gwendolyn Wright, Owner, Midwest Valves and Automation, 455 Detroit
Gregory Adanin, Principa, Great Lakes Towers, 111 Borchert Park Dr.
Ian Charles, CFO, Great Lakes Towers, 111 Borchert Park Dr.

2. Consent Agenda

Mr. Brown moved to accept the consent agenda as presented.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

Mr. Brown moved to accept the minutes from the previous meeting.

Ms. Stanley seconded the motion.

Motion Carried Unanimously

3. New Business

**A. Application for an Industrial Facilities Tax Exemption Certificate at 111
Borchert Park Drive by Great Lakes Towers**

Ms. Stanley and Mr. Charles made a brief presentation and discussed the project, the use and the processes for the various economic development incentives the project is receiving. It was explained that the city's agreement to offer an IFT exemption is seen as its investment and support of the project.

After further discussion about the project, Mr. Guich asked about whether there had been a transfer of ownership since proof of ownership or a lease agreement is required. It was explained that there had not been, but conveyance and development agreements are in place.

Mr. Beneteau moved that the committee recommend to Council approval of the application for a 12 year exemption for an amount not to exceed the amount listed on the application for real and personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

B. Application for an Industrial Facilities Tax Exemption Certificate at 455 Detroit Avenue by Midwest Valves and Automation

Ms. Stanley introduced the business and the applicant, explaining the applicant has an existing business that has been in the city since 2004 and is expanding into a new field.

Ms. Wright explained that one piece of equipment listed on the application will cost \$153,000 more than estimated and the applications were adjusted accordingly.

After Ms. Wright explained what the new business will do and that it has a function that complies with the intent of the appropriate statute, Mr. Beneteau made a motion to recommend to Council approval of a 12 year exemption for the adjusted amount of \$676,778 for personal property.

Ms. Stanley seconded the motion.

Motion carried unanimously

C. Application for transfer of an existing Industrial Facilities Tax Exemption Certificate at 1151 West Elm Avenue by West Elm Properties

Ms. Stanley introduced the business and explained the application was a transfer of an existing certificate rather than a new application. Mr. Homrich explained what the business who will be leasing the property will be doing, that they expect to create twenty to thirty jobs and the possible site layout.

There was some discussion about the length of the certificate, which expires in 2010. It was also discussed whether it was appropriate to transfer the certificate for a use other

than what the certificate was granted for and Mr. Beneteau pointed out the certificate had not been revoked specifically because it could serve as an economic development tool.

After some further discussion, Mr. Guich moved that the committee recommend to Council that the remaining term of the abatement be transferred to the prospective lessee on an amended Industrial Facilities Tax application.

Mr. Beneteau seconded the motion.

Motion passed unanimously

4. Old Business

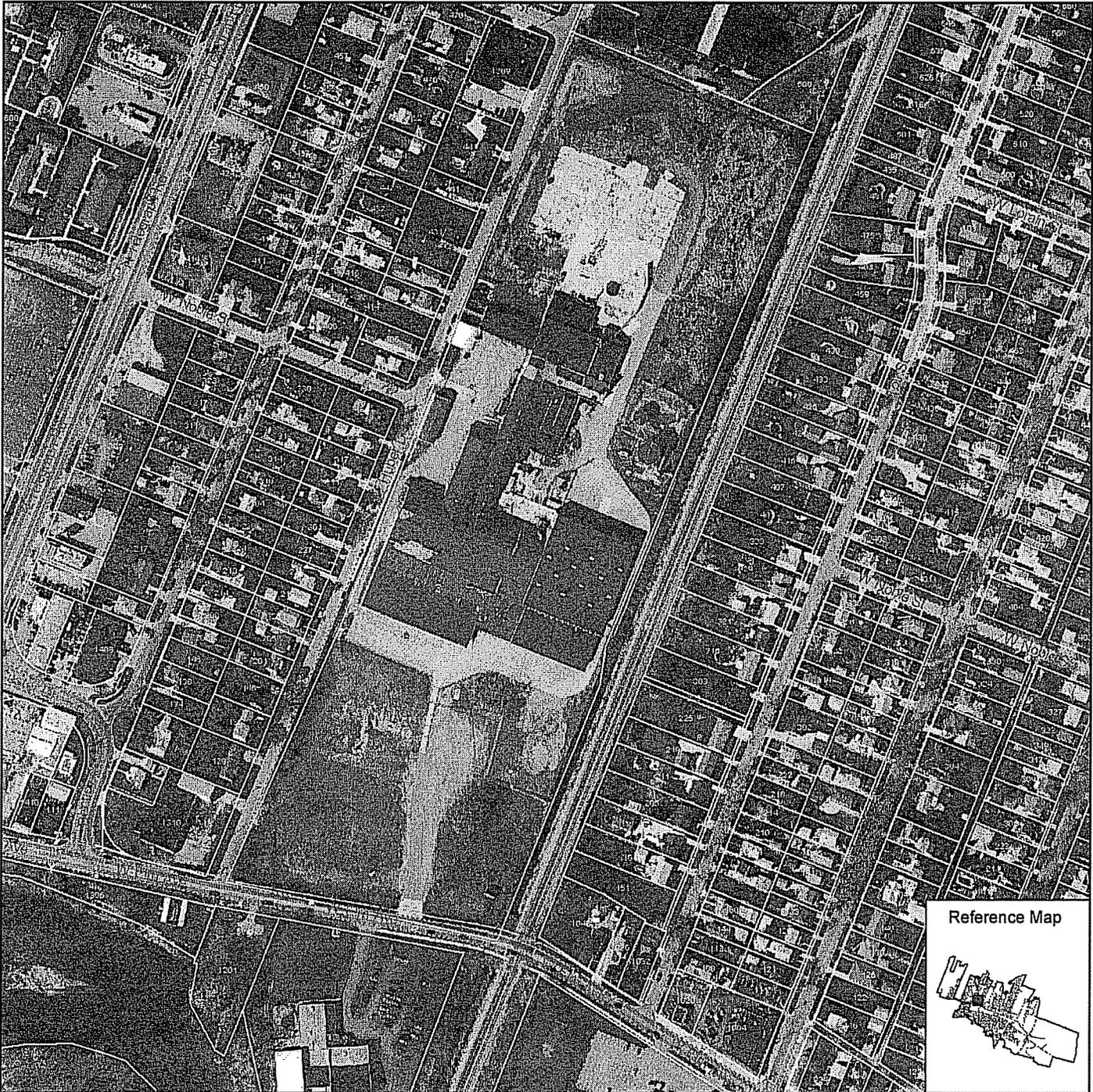
5. Adjournment

Mr. Beneteau moved to adjourn the meeting.

Mr. Guich seconded the motion.

Motion Carried Unanimously

May 11, 2009/mew

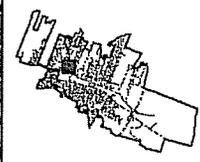


City of Monroe CivicSight Map

MAP LEGEND:

-  EDGE OF PAVEMENT
-  CITY LIMITS
-  PARCELS
- MONROE_20 ORTHO (Image)

Reference Map



Map Scale: 1 Inch = 310 feet
Map Date: 5/12/2009
Data Date: April 23, 2009



Sources: City of Monroe, River's Edge GIS, LLC.

Disclaimer:
DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. The user acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by the User, its employees or agents, or third parties which arise out of the User's access or use of data provided.

Resolution #09-XXX

1 **WHEREAS**, Industrial Facilities Exemption Certificate #98-572 was granted by
2 the State Tax Commission to IKO Monroe, Inc., pursuant to Act No. 198 of the Public
3 Acts of 1974, as amended, for property located at 1151 West Elm Avenue, Monroe,
4 Michigan, within a designated Plant Rehabilitation District; and

5 **WHEREAS**, Quality Food Brands, Inc. has retained the property and operation
6 located at 1151 West Elm Avenue; and

7 **WHEREAS**, Quality Food Brands, Inc. has submitted a request to transfer
8 Industrial Facilities Exemption Certificate #98-572 from IKO Monroe, Inc. to Quality
9 Food Brands, Inc.; and

10 **WHEREAS**, the request was reviewed by the City of Monroe Economic
11 Development Review Committee with no objections and a Public Hearing was set and
12 held by Monroe City Council on May 18, 2009 for property owners, taxpayers, the City
13 Assessor, the applicant and representatives of the affected taxing units on the transfer of
14 Industrial Facilities Exemption Certificate #98-572 and no objections were filed.

15
16 **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of
17 Monroe hereby approves the request to transfer Industrial Facilities Exemption
18 Certificate #98-572 from IKO Monroe, Inc. to Quality Food Brands, Inc.

19 **BE IT FURTHER RESOLVED**, that Quality Food Brands, Inc. shall be subject
20 to all requirements agreed to and placed upon by the granting of Industrial Facilities
21 Exemption Certificate #98-572.

22 **BE IT FURTHER RESOLVED**, that the Mayor and Clerk/Treasurer be
23 authorized to execute an Agreement of the parties pursuant to Public Act 334 of 1993 and
24 that a copy of said Agreement be filed by the Clerk/Treasurer with the Michigan
25 Department of Treasury.

RESOLUTION

R98-062

WHEREAS, pursuant to Act 198 of the Public Acts of 1974 as amended, the Monroe City Council has the authority to establish a Plant Rehabilitation District, (PRD), within the City of Monroe; and,

WHEREAS, IKO Monroe, Inc. has petitioned the City of Monroe Economic Development Review Committee and City Council to establish a Plant Rehabilitation District on it's property located at 1151 W. Elm Street, Monroe, Michigan; and,

WHEREAS, the City of Monroe finds and has made a determination that more than 50% of the State Equalized Valuation of the property proposed for the district is obsolete for industrial development and reconstruction, acquisition, alteration, rehabilitation or any installations of a proposed facility has not commenced at the time of filing the request to establish the Plant Rehabilitation District, (PRD); and,

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the general public by publishing a Public Notice in the local newspaper on the establishment of the proposed PRD; and,

WHEREAS, on July 6, 1998, a Public Hearing was held at which time all the owners of real property within the proposed PRD and all residents and taxpayers of the City of Monroe were afforded an opportunity to be heard thereon,

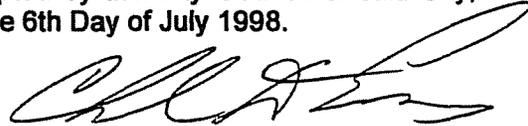
NOW, THEREFORE BE IT RESOLVED that the Monroe City Council deems it to be in the public interest of the City that the following described parcel of land situated in the City of Monroe, County of Monroe and State of Michigan, be established as a Plant Rehabilitation district pursuant to the provisions of Act No. 198 of the Public Acts of 1974 to be known as the IKO Monroe, Inc. Plant Rehabilitation District No.1:

A parcel of land being a part of private claim 62, City of Monroe; Monroe County, Michigan and being more particularly described as follows: Commencing at a monument box at the point of intersection of the northerly right-of-way line of Elm Street with the westerly line of private claim 62; commencing 18.92 feet S 76d 30m 00s E, 620 feet N 24d 50m 34s E and 18.98 feet S 65d E being true POB, thence S 65d E 232 feet, thence N 25d E 43 feet, thence S 65d E 80 feet, thence N 25d E 87 feet, thence N 65d W 12 feet, thence 25d E 75 feet, thence N 25d E 75 feet, thence, N 65d W 300 feet, thence S 25d W 205 feet to POB.

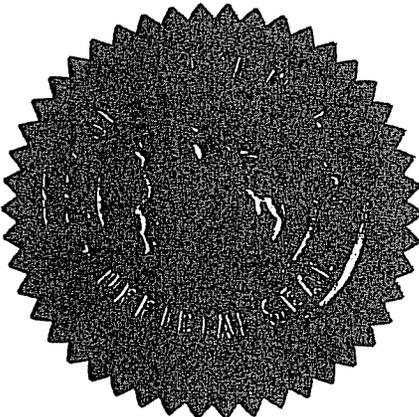
Motion by: Councilman Worrell
Supported by: Councilman Sievert
Ayes: 7 Nays: 0

RESOLUTION DECLARED ADOPTED

I, Charles D. Evans, City Clerk-Treasurer of the City of Monroe, County of Monroe, State of Michigan, do hereby certify that the foregoing is an exact copy of a Resolution adopted by the City Council of said City, at a regular meeting thereof held on the 6th Day of July 1998.



Charles D. Evans
City Clerk-Treasurer





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: FY 2008 Assistance to Firefighters Grant, FEMA grant number EMW-2008-FO-03274

DISCUSSION: The Monroe Fire Department was awarded a FEMA Assistance to Firefighters Grant for \$56,700.00 with a 10% City match of \$5,670.00. The grant was originally mandated by FEMA to purchase 6 new SCBA's with the remainder to be used to upgrade 13 additional SCBA's to CBRNE standards. It was determined after receipt of the grant that it was not possible to upgrade our existing SCBA's. A request was made and granted by FEMA to change the grant to allow for the purchase of additional new SCBA's. We have researched all available products and have determined that Sperian SCBA's are the choice of this Department. Sperian is the parent company of Survivair brand which is the SCBA presently used by the Monroe Fire Department. Uniformity in SCBA's is important for the safety of the Firefighters that use them. The cost of each unit is \$5,045.00 for a total of \$30,270.00.

I recommend the City of Monroe purchase 6 Sperian SCBA's from Douglas Safety Systems, LLC to maintain consistency, uniformity, quality and safety. Douglas is the regional distributor for Sperian.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Joseph R. Mominee, Fire Chief

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Fire Department

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 30,270.00
Cost of This Project Approval	\$ N/A
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
FY 2008 FEMA Grant Funds	101-55.336-977.000		\$ 26,791.24
FY 2009 Funds	101-55.336-977.000		\$ 3,478.76
			\$ N/A
			\$ N/A
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph R. Mominee

REVIEWED BY: Joseph R. Mominee, Fire Chief

DATE: 5/11/09

COUNCIL MEETING DATE: May 18, 2009



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Request for a burn permit in accordance with Ordinance 09-005

DISCUSSION: The Sisters, Servants of the Immaculate Heart of Mary, 610 W. Elm Avenue, have submitted a request for a burn permit in accordance with Ordinance 09-005. They hired David Borneman, LLC to perform the prescribed burn of a specified area on their property. David Borneman has submitted a prescribed burn plan, certificate of insurance and a permit fee to the Chief of Fire. The contractor has satisfied the requirements of the Fire Chief and the Fire Department is ready to sign off on the permit.

I recommend the Monroe City Council grant this request for a burn permit in accordance with Ordinance 09-005.

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Joseph R. Mominee, Chief of Fire

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Fire Department.

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph R. Mominee

DATE: 5/11/09

REVIEWED BY: Joseph Mominee, Chief of Fire

DATE: 5/11/09

COUNCIL MEETING DATE: Monday, May 18, 2009



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Ventower Industries LLC a/k/a Great Lakes Towers Brownfield Plan, Land Conveyance, and MDEQ Grant/Loan

DISCUSSION: The Port of Monroe (Port), the City of Monroe Brownfield Redevelopment Authority (MBRA), and the City of Monroe (City) have been working with Ventower to develop a financing plan for brownfield activities and infrastructure improvements related to Ventower's proposed project at the Port. The proposed project would manufacture towers for wind turbines. Ventower proposes to invest \$19.0 million in equipment, buildings, and related improvements on land owned by the Port, and create up to 290 new Michigan jobs including 152 directly by Ventower. In order for this project to be viable for Ventower, certain local economic incentives will be necessary. You are asked to approve three items that will be necessary for the project to move forward. They are (1) the Brownfield Plan for the project; (2) approval of the Port to sell land to Ventower for the location of their project; and (3) authorization for the Brownfield Redevelopment Authority to repay a Clean Michigan Initiative Loan from MDEQ, if needed, subject to subsequent Council approval if awarded. Three resolutions will need to be adopted to approve these items.

The Brownfield Plan for the project estimates the total "eligible" costs. Eligible costs are those that can be funded by brownfield tax increment revenues. The plan also develops a financing mechanism for some of the eligible costs. The plan reports total eligible costs of \$8,490,400. It is not the intent, at this time, of the City, BRA, or Port to finance all of those eligible costs. The current contemplated plan would be for the City and BRA to finance approximately \$3.0 million of those costs with debt issues of one type or another. The remaining costs would need to be funded by grants, other loans, or Ventower. The debt issued by the City or BRA is planned to be repaid by tax increment revenue captured from the site and/or user fees associated with the project. Approval of this plan does not approve borrowing funds at this point. Additional approvals from the City Council and/or the BRA will be required before any new funds are borrowed. Total eligible costs can be found on page 3&4 of the attached plan in section (a). The financing plan can be found in section (d) of the attached plan on page 5. There are tables at the back of the plan that show the estimated financial projections. The Brownfield Plan would extend for 19 years.

The second item you are being asked to approve is a resolution approving the sale and conveyance of land owned by the Port to Ventower. The attached resolution describes the land that the Port is considering selling to Ventower.

The third item you are being asked to approve is a resolution authorizing the Brownfield Redevelopment Authority to repay a Clean Michigan Initiative Loan from the MDEQ, if needed, subject to subsequent City Council approval if awarded.

The first Resolution, No. 1, would approve the attached Brownfield Plan, as amended for Brownfield Site 20 – Ventower Industries LLC. It is recommended that the Mayor and City Council approve the first resolution, No. 1 attached, following a public hearing at its May 18, 2009 City Council meeting.

The second Resolution, No. 2, would authorize the Port of Monroe to sell and convey land to Ventower Industries LLC or its assignee.

The third Resolution, No. 3, will authorize the Brownfield Redevelopment Authority to repay a CMI loan from the MDEQ, if needed, and subject to subsequent City Council approval if awarded.

It is recommended that the Mayor and City Council approve the three (3) resolutions attached.

CITY MANAGER RECOMMENDATION:

- For *M. Sawyer*
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: 5/18/2009

REASON FOR DEADLINE: State of Michigan Approval Process

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Pamela D. Stanley, Economic Development Director, City & Port of Monroe

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: BRA and Port of Monroe

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:	City	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Pamela D. Stanley, Economic Development Director

DATE: 5/12/2009

REVIEWED BY: *Pam Stanley*

DATE: 5/13/2009

COUNCIL MEETING DATE: May 18, 2009



CITY OF MONROE

Brownfield Redevelopment Authority

Harry F. Borchert
Administration Building
2929 East Front Street
P.O. Box 585
Monroe, MI 48161-0585
PHONE (734) 241-6480
FAX (734) 241-2964

NOTICE OF PUBLIC HEARING RESCHEDULED FOR SITE NO. 20 BROWNFIELD PLAN

TO: County of Monroe
Jefferson Public Schools Board of Education
Lake Erie Transit Corporation
Monroe County Community College Board of Trustees
Monroe County Intermediate School District Board
Monroe County Library Board
Monroe Public Schools Board of Education

SUBJECT: SITE NO. 20 – Great Lakes Towers, LLC
At Port of Monroe

DATE: May 1, 2009

Please take notice that the public hearing previously scheduled for Monday, March 16, 2009 at 7:30 pm before Monroe City Council that was cancelled, has been rescheduled for Monday, May 18, 2009. The Brownfield Plan for Site No. 20 was previously mailed out to the above taxing jurisdictions on February 27, 2009. If an amendment to the Plan is required, it will be mailed out to the taxing jurisdictions prior to the date of the public hearing.

The Monroe City Council will entertain and accept the written views and recommendations of the taxing jurisdictions identified above until 12:00 NOON, Monday, May 18, 2009. Written comments should be mailed or delivered to the City of Monroe Brownfield Authority, Office of the Port of Monroe, 2929 E. Front Street, P.O. Box 585, Monroe, MI 48161, ATTN. Ms. Pamela D. Stanley.

It is expected that the Monroe City Council will conduct a public hearing and consider the Brownfield Plan for Site No. 20, together with any views or comments received, at a regular meeting on Monday, May 18, 2009, beginning at 7:30 p.m. or as soon thereafter as the matter may be heard. After the public hearing, the City Council may approve or reject the plan, or approve it with modifications.

If you have any questions regarding the proposed Brownfield Plan for Site No. 20, please feel free to contact Pamela D. Stanley at (734) 241-6480.

**PUBLIC HEARING NOTICE
CITY OF MONROE
BROWNFIELD REDEVELOPMENT AUTHORITY**

On Monday, May 18, 2009, at 7:30 P.M., the Monroe City Council shall conduct a PUBLIC HEARING at the Monroe City Hall, 120 E. First Street, Monroe, MI 48161, for the purpose of reviewing a proposed Brownfield Plan for Site No. 20.

Property subject to the proposed Brownfield Plan for Site No. 20 is located at the Port of Monroe, on a parcel of land totaling 38.21 acres and contained within Tax Parcel ID No. 58-55-49-01527-002.

The proposed Brownfield Plan is available for public inspection at the Office of the Port of Monroe, 2929 E. Front Street, Monroe, MI 48161 or at the City of Monroe Clerk's Office, 120 E. First Street, Monroe, MI 48161. Further information may be obtained by contacting the Office of the Port of Monroe, 734-241-6480. Written comments received by the Office of the Port of Monroe before 12:00 NOON on Monday, May 18, 2009 will also be considered at the Public Hearing.

Pamela D. Stanley
Economic Development Director
City and Port of Monroe

PUBLISH: May 7, 2009
May 11, 2009

RESOLUTION

1 **WHEREAS**, the Monroe City Council is authorized by the provisions of Act 381, Public Acts of Michigan, 1996, as
2 amended (Act 381) to create a brownfield redevelopment authority, and on January 21, 1997, the City Council adopted
3 a resolution to create such an authority;

4 **WHEREAS**, on February 26, 2009 the City of Monroe Brownfield Redevelopment Authority adopted a First Brownfield
5 Plan for Site No. 20, also known as Great Lakes Towers LLC, for property located at the Port of Monroe to be divided
6 from Tax Parcel ID No. 49-01527-002; and

7 **WHEREAS**, all notices as required by law have been duly given; and

8 **WHEREAS**, the City of Monroe Brownfield Redevelopment Authority has submitted this First Brownfield Plan for Site
9 No. 20, as amended for review and approval by the Monroe City Council, and the Monroe City Council has conducted
10 a public hearing on the matter as required by Act 381.

11 **NOW, THEREFORE BE IT RESOLVED THAT** the Monroe City Council finds that the First Brownfield Plan for Site No.
12 20 constitutes a public purpose under the following considerations:

- 13 1. The First Brownfield Plan for Site No. 20 meets the requirements of Section 13 of Act 381;
- 14 2. The proposed method of financing under the First Brownfield Plan for Site No. 20 is feasible;
- 15 3. The costs of eligible activities for the First Brownfield Plan for Site No. 20 is reasonable and
16 necessary to carry out the provisions of Act 381; and
- 17 4. The amount of captured taxable value estimated by the First Brownfield Plan for Site No. 20 is
18 reasonable.

19 **BE IT FURTHER RESOLVED THAT** given the above findings, the Monroe City Council hereby approves the First
20 Brownfield Plan for Site No. 20 for implementation by the City of Monroe Brownfield Redevelopment Authority.

21

PORT OF MONROE

RESOLUTION DECLARING
THAT A CERTAIN PARCEL OF LAND IS NO LONGER NEEDED
FOR THE PURPOSE OF THE PORT DISTRICT

Minutes of a Special Meeting of the Monroe Port Commission, County of Monroe, Michigan (the "Port") held on the 11th day of May 2009 at 3:00 o'clock p.m., prevailing Eastern Time.

Present: Thomas A. Krzyston, Dale H. Brose, Larry C. Miller, Kenyon Calender and Thomas Myers.

Absent: None

Excused: None

The following Preamble and Resolution was offered by Vice Chairman Brose and supported by Commissioner Myers:

Whereas, Ventower Industries, a/k/a Great Lakes Towers, LLC, a Michigan limited liability company (Company) has expressed its intention to locate a manufacturing facility on a parcel of land owned by the Port of Monroe described and depicted on Exhibit A (Property) consisting of 38.21 acres; and

Whereas, the Company intends to manufacture and distribute towers for wind turbines around the Great Lakes and the eastern United States (Project); and

Whereas, the Company has represented to the State of Michigan and to the City of Monroe that it will invest approximately \$19 Million for manufacturing equipment and a manufacturing facility with approximately 106,000 square feet along with land improvements and create approximately 150 new jobs; and

Whereas, the Company has expressed its preference to be located on the Property because of its proximity to 1) rail service from the Canadian National Railroad and the Norfolk Southern Railroad; 2) the Federal Interstate Highway System including I-75, I-275, I-80, I-90, I-94 and US 23; and 3) the Monroe Harbor for the transshipping of steel plate and completed wind turbine towers over the Port's wharf and docks by lake barges and tugs to and from areas around the Great Lakes and the eastern United States; and

Whereas, the Monroe Harbor was established by an Act of Congress in 1835 under the US Army Corps of Engineers and all of the public wharfs and docks in the harbor are under the control of the Port of Monroe which is operated by the Monroe Port Commission as established by the electors of the city in 1932 pursuant to Public Act 234 of 1925; and

Whereas, Act 234 authorizes the Monroe Port Commission to acquire and sell property; subject to the following:

MCL 120.23 Sale of property; approval

Sec 23. Each port commission shall have power to sell and convey any property in anywise acquired and owned by the port district whenever the port commission of such district shall have by resolution declared such property to be no longer needed for the purpose of the port district; Provided, That the power herein granted to the commission shall not be exercised without first obtaining the approval therefor by a 2/3 vote of the members elect of the board of supervisors of the county or counties in which such property is located.

and;

Whereas, Act 234 provides that when the port district is coterminous with a city, the governing body and local officers of said city substitute for the elected county governing body and officers, as follows:

MCL 120.34a Port districts coterminous with cities and townships; powers of local governing bodies.

Sec 34a. In construing this act, port districts coterminous with a city or township shall follow the same procedure, as near as may be, substituting the local governing body and local officers where applicable for the board of supervisors and county officials, shall enjoy the same powers and be subject to the same conditions as set forth for county port districts, and port districts coterminous with 2 or more cities or townships shall in the same manner follow the same procedure, as near as may be, shall enjoy the same powers and be subject to the same conditions as set forth for port districts coterminous with 2 or more counties.

and;

Whereas, the Port has held the Property for the purpose of promoting industrial development that would create jobs, provide new tax base, and utilize the transshipping facilities that are in close proximity to the Port lands; and

Whereas, the Property is no longer needed for the purpose of the port district.

NOW, THEREFORE BE IT RESOLVED, that the Monroe Port Commission does hereby declare that the Property described in attached Exhibit A is no longer needed for the purpose of the port district and may be sold in accordance with such terms and conditions as may be determined by the Monroe Port Commission.

BE IT FURTHER RESOLVED that the Monroe Port Commission hereby requests approval from the Monroe City Council for the authority to convey the Property to the Company or its assignee for the Project in accordance with such terms and conditions that are agreed upon by the Port Commission and the Company.

Voting Yes: Krzyston, Brose, Miller, Calender and Myers

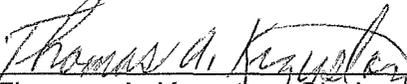
Voting No: None

Resolution Declared Adopted by the Port Commission Secretary on May 11, 2009.



Larry C. Miller, Secretary

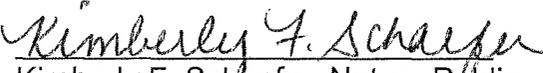
Attest:



Thomas A. Krzyston, Chairman

STATE OF MICHIGAN)
COUNTY OF MONROE) ss.

On May 11, 2009, the foregoing instrument was acknowledged before me by Larry C. Miller, Secretary, and Thomas A. Krzyston, Chairman.



Kimberly F. Schaefer, Notary Public
Monroe County, Michigan
My Commission Expires: 12-13-2011

KIMBERLY F. SCHAEFER
NOTARY PUBLIC
MONROE COUNTY, MICHIGAN
MY COMMISSION EXPIRES 12-13-2011

TOTAL PARCEL

A PARCEL OF LAND LYING IN PRIVATE CLAIM 349, CITY OF MONROE, MONROE COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

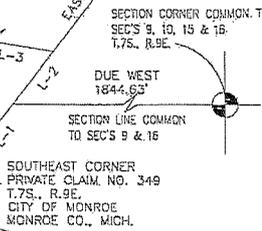
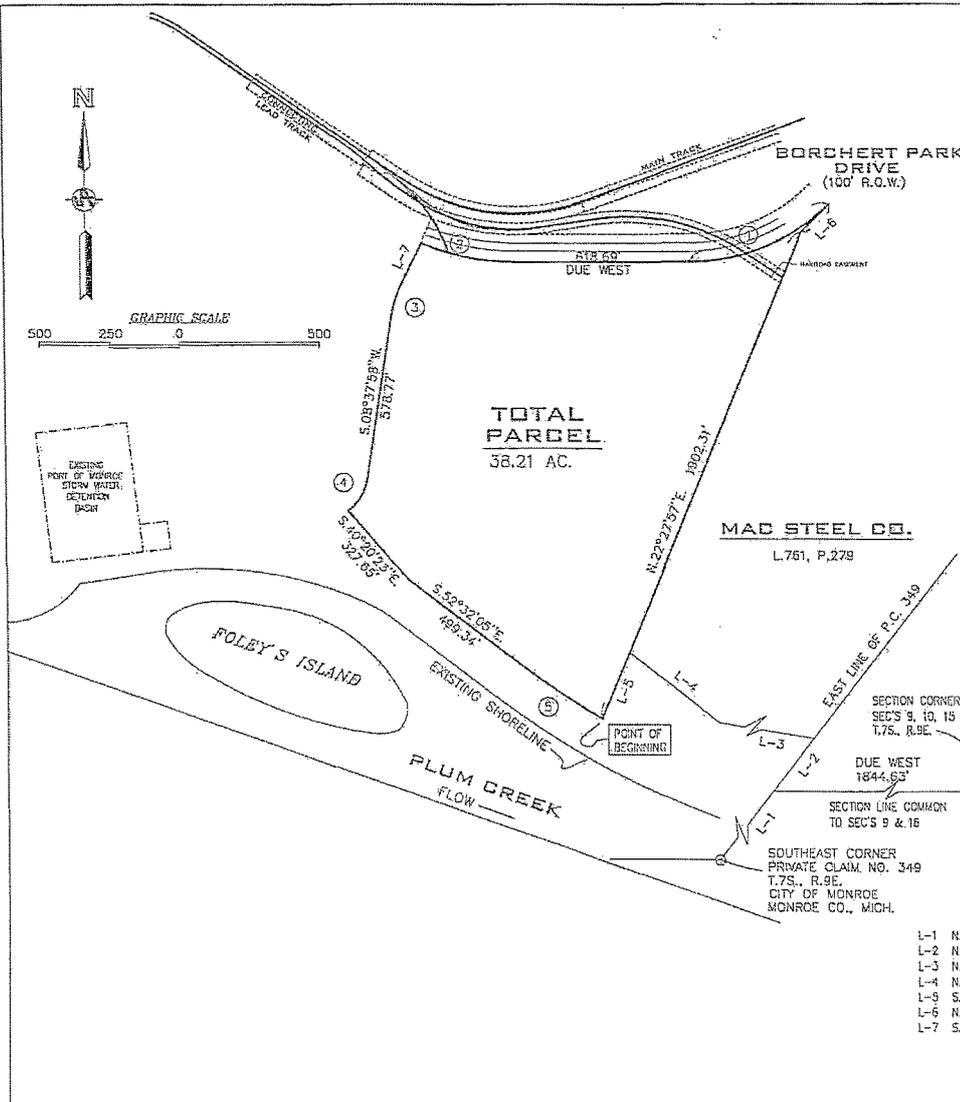
COMMENCING AT THE SOUTHEAST CORNER OF PRIVATE CLAIM 349; THENCE ALONG THE EAST LINE OF PRIVATE CLAIM 349, NORTH 37 DEGREES 37 MINUTES 00 SECONDS EAST, 599.20 FEET TO A POINT ON A LINE COMMON TO SECTION 9 AND SECTION 16, SAID POINT BEING DUE WEST 1844.63 FEET FROM THE SECTION CORNER COMMON TO SECTION 9, 10, 15 AND 16, T.7S., R.9E.; THENCE CONTINUING ALONG THE EAST LINE OF PRIVATE CLAIM 349, NORTH 37 DEGREES 37 MINUTES 00 SECONDS EAST, 205.50 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE OF NORTH STAR STEEL COMPANY, SAID PROPERTY IS DESCRIBED IN LIBER 761, PAGE 279, MONROE COUNTY RECORDS; THENCE ALONG THE PROPERTY LINE OF SAID NORTH STAR STEEL COMPANY THE FOLLOWING TWO (2) COURSES; NORTH 80 DEGREES 28 MINUTES 56 SECONDS WEST, 925.62 FEET; NORTH 51 DEGREES 26 MINUTES 01 SECONDS WEST, 409.25 FEET; THENCE SOUTH 22 DEGREES 27 MINUTES 57 SECONDS WEST, 260.26 FEET TO THE POINT OF BEGINNING; THENCE NORTH 22 DEGREES 27 MINUTES 57 SECONDS EAST, 1902.31 FEET; THENCE NORTH 44 DEGREES 19 MINUTES 30 SECONDS EAST, 143.19 FEET TO A POINT ON THE SOUTHERLY LINE OF THE EXISTING RIGHT-OF-WAY KNOWN AS BORDHERT PARK DRIVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES; 598.02 FEET ALONG THE ARC OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 45 DEGREES 49 MINUTES 30 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 57 DEGREES 09 MINUTES 45 SECONDS WEST, 543.37 FEET; DUE WEST, 618.69 FEET; 350.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 888.78 FEET, A CENTRAL ANGLE OF 22 DEGREES 35 MINUTES 54 SECONDS AND A CHORD BEARING AND DISTANCE OF NORTH 78 DEGREES 42 MINUTES 03 SECONDS WEST, 348.28 FEET; THENCE SOUTH 25 DEGREES 49 MINUTES 24 SECONDS WEST, 161.86 FEET; THENCE 135.01 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 17 DEGREES 11 MINUTES 26 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 17 DEGREES 13 MINUTES 41 SECONDS WEST, 134.51 FEET; THENCE SOUTH 08 DEGREES 37 MINUTES 58 SECONDS WEST, 578.77 FEET; THENCE 143.21 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 41 DEGREES 01 MINUTES 39 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 29 DEGREES 03 MINUTES 47 SECONDS WEST, 140.17 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 23 SECONDS EAST, 327.65 FEET; THENCE SOUTH 52 DEGREES 32 MINUTES 05 SECONDS EAST, 480.34 FEET; THENCE 350.82 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 2802.79 FEET, A CENTRAL ANGLE OF 07 DEGREES 10 MINUTES 18 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 56 DEGREES 07 MINUTES 14 SECONDS EAST, 350.59 FEET TO THE POINT OF BEGINNING, CONTAINING 38.21 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

- ① RADIUS = 700.00'
ARC = 598.02'
DELTA = 45°49'30"
CHORD = 543.37'
CH.BRG = S.67°09'45"W.
- ② RADIUS = 888.78'
ARC = 350.54'
DELTA = 22°35'54"
CHORD = 348.28'
CH.BRG = N.78°42'03"W.
- ③ RADIUS = 450.00'
ARC = 135.01'
DELTA = 17°11'26"
CHORD = 134.51'
CH.BRG = S.17°13'41"W.
- ④ RADIUS = 200.00'
ARC = 143.21'
DELTA = 41°01'39"
CHORD = 140.17'
CH.BRG = S.29°08'47"W.
- ⑤ RADIUS = 2802.79'
ARC = 350.82'
DELTA = 07°10'18"
CHORD = 350.59'
CH.BRG = S.56°07'14"E.

Exhibit
A.

L-1	N.37°37'00"E.	599.20'
L-2	N.37°37'00"E.	205.50'
L-3	N.80°28'56"W.	925.62'
L-4	N.51°26'01"W.	409.25'
L-5	S.22°27'57"W.	260.26'
L-6	N.44°19'30"E.	143.19'
L-7	S.25°49'24"W.	161.86'



Johnson & Anderson, Inc.
CONSULTING ENGINEERS
4494 ELIZABETH LAKE ROAD
WATERFORD, MICHIGAN 48328
(248) 681-7800

**GREAT LAKES
TOWERS, L.L.C. PROJECT**

PROPERTY LOCATED IN
PRIVATE CLAIM 349
CITY OF MONROE, MONROE COUNTY, MICH.

DATE: 01/23/09	DRAWN: JKM	CHECKED: TWW	JOB NO. 16161
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1
2 **RESOLUTION 3**
3
4

5 **WHEREAS**, the State of Michigan, through its Michigan Department of Environmental
6 Quality, has made funding available for brownfield redevelopment through the Clean
7 Michigan Initiative Implementation, Parts 195, 196, and 201, of the Natural Resources
8 and Environmental Protection Act, 1994 PA 451, as amended (NREPA); and
9

10 **WHEREAS**, the proposed Port of Monroe site for which the CMI funds will be used is
11 the largest area of undeveloped industrial property remaining in the City of Monroe,
12 lying south of E. Front Street, north of Plum Creek Bay and east of I-75; and
13

14 **WHEREAS**, the City of Monroe has prioritized development of this acreage in its
15 economic development plan; and
16

17 **WHEREAS**, the Brownfield Redevelopment Authority has submitted an application to
18 the Michigan Dept. of Environmental Quality for funding through the Clean Michigan
19 Initiative for a \$1,000,000 Brownfield Redevelopment Grant; \$70,000 Assessment
20 Grant, and a \$1,000,000 Brownfield Redevelopment Loan; and
21

22 **WHEREAS**, the proposed use of the CMI funds applied for by the Brownfield
23 Redevelopment Authority will be used to conduct Baseline Environmental Activities
24 and other DEQ approved eligible activities; and
25

26 **WHEREAS**, the new proposed industry will compliment and support Michigan's green
27 energy initiative with its fabrication of towers for wind driven electrical generators; and
28

29 **WHEREAS**, this project will generate additional tax base for the City of Monroe and
30 provide good paying jobs for our citizens.
31

32 **NOW, THEREFORE, BE IT RESOLVED THAT** the Monroe City Council, subject to the
33 following paragraph, authorizes repayment of the \$1,000,000 Brownfield
34 Redevelopment Loan by the Monroe Brownfield Redevelopment Authority from tax
35 increment revenues captured from the taxes paid by the new proposed industry and
36 other brownfield projects; and further, acknowledges that a default in repayment of the
37 loan may result in loss of City revenue sharing, and further acknowledges that the loan
38 is secured by the City's full faith and credit.
39

40 **BE IT FURTHER RESOLVED** that the Brownfield Redevelopment Authority shall seek
41 approval from the Monroe City Council prior to entering into any agreements with the
42 State of Michigan related to any Brownfield Redevelopment Loan.
43
44



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Fire Department flashover training provided by Oakland Community College Fire Training Center

DISCUSSION: The Monroe Fire Department will be conducting live fire training on June 6, 2009. This training is an excellent program instructing Firefighter's to recognize the signs of flashover. Flashover conditions are one of the leading dangers that kill many Firefighter's each year. This live training will involve Firefighter's from the Monroe Fire Department as well as our mutual aid departments of Monroe and Frenchtown Townships.

I recommend approval to contract with Oakland Community College for flashover training in the amount of \$6,500.00

CITY MANAGER RECOMMENDATION:

- For
- For, with revisions or conditions
- Against
- No Action Taken/Recommended

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Joseph R. Mominee, Fire Chief

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Fire Department

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 6,500.00
Cost of This Project Approval	\$ N/A
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

<u>City</u>	<u>Account Number</u>	<u>Amount</u>
101-55.336-860.000		\$ 6,500.00
		\$ N/A
<u>Other Funds</u>		\$ N/A
		\$ N/A
		\$ N/A
		\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph R. Mominee

REVIEWED BY: Joseph R. Mominee, Fire Chief

DATE: 5/11/09

COUNCIL MEETING DATE: May 18, 2009