
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 week's 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 SPECIAL MEETING MONDAY, OCTOBER 5, 2009 6:30 P.M.

- I. CALL TO ORDER.
- II. ROLL CALL.
- III. INVOCATION/PLEDGE OF ALLEGIANCE.
- IV. CITY COUNCIL CLOSED SESSION REGARDING COLLECTIVE BARGAINING.
- V. ADJOURNMENT.

RULE OF THE CHAMBER

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Those who want to use audio and image recording equipment in Council Chambers that requires a monopod, tripod or other auxiliary equipment for the audio and image devices shall notify the City Clerk before the meeting begins. Arrangements will be made to accommodate the request in a manner that minimizes the possibility of disrupting the meeting. No additional illuminating lights may be used in Council Chambers unless a majority of City Council members consent. Additionally, cell phones and pagers should be set to vibrate or silent mode when inside Council Chambers.

Should any person fail or refuse to comply with any Rules of the Chamber, after being informed of such noncompliance by the presiding officer, such a person may be deemed by the presiding officer to have committed a breach of the peace by disrupting the public meeting, and the presiding officer may then order such person excluded from the public meeting under Section 3 (6) of Open Meetings Act, Act 267 of 1976.

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.

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**AGENDA - CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 5, 2009**

I. CALL TO ORDER.

II. ROLL CALL.

III. INVOCATION/PLEDGE OF ALLEGIANCE.

IV. PRESENTATIONS.

Presentation by Dan Stefanski regarding the Commission on the Environment activities in the Raisin River and future possibilities for our waterway.

V. PROCLAMATIONS.

225 Month of October as "United Way of Monroe County Month."

VI. PUBLIC HEARINGS.

224 Public hearing for the purpose of reviewing and hearing comments on the Paving Special Assessment District No. 331 – Revised Resolution 2 to correct several errors in the compilation of the assessment district boundaries, and the ownership details of some of the parcels of the special assessment district which includes Mason Run Boulevard and Baptiste avenue north of Noble Avenue, East of Lorain Street from Mason Run Drain to Baptiste Avenue, and all of Elliot Street, Lapointe Avenue, and McDougall Street. There are no comments on file in writing in the Clerk-Treasurer's Office.

VII. 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 Minutes of the Regular Meeting held on, Monday, September 21, 2009, the minutes of the Special Meeting held on Monday, September 28, 2009 and the minutes of the Work Session Held on Monday, September 28, 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.
- 226 Request of a New SDM License – 1285 N. Monroe Street.
1. Communication from the City Manager’s Office, reporting back on a request from Walgreens Co. for a new SDM licensed business to be located at 1285 N. Monroe Street, Monroe, Michigan., and recommending that Council approve this request for a new SDM license.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 227 17th Annual Holiday Season Kick-Off and Christmas Tree Lighting.
1. Communication from the City Manager’s Office, reporting back on a request from the Main Street Monroe/DDA to hold the 17th Annual Holiday Season Kick-Off and Christmas Tree Lighting on November 20, 2009, from 6:30 p.m. – 9:00 p.m., for electrical access for the pavilion and all electrical needs for the entertainment and tree lighting, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 228 COMEA Unit II/Ratification.
1. Communication from the Director of Human Resources, submitting the tentative agreement between the City of Monroe and COMEA Unit II, and recommending that Council formally approve the COMEA Unit II, 2008-2011 Collective Bargaining Agreement.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 229 City Policies and Procedures.
1. Communication from the Director of Human Resources, submitting four (4) new policies and procedures for all regular full-time, non-union employees and appointed officials addressing: 1. Vacations, 2. Hiring, 3. Holidays and, 4. Dental Care Benefits, and recommending that Council approve Policy numbers 008, 009, 010, and 011 and direct City administration to proceed with implementation.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 230 ICMA-RC Deferred Compensation Loans.
1. Communication from the Director of Human Resources, reporting back on the ICMA-RC Deferred Compensation Plan Loan Guidelines Agreement, and recommending that Council approve the amended Loan Guidelines Agreement, and that the Mayor and Clerk/Treasurer be authorized to sign the Agreement on behalf of the City of Monroe.

2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 231 Traffic Committee Minutes and Traffic Control Orders.
1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on September 23, 2009, and recommending that Council accept and place on file the minutes from the September 23, 2009 Mayor's Traffic Committee meeting, and approve Traffic Control Orders 004-004, 050-004, 056-012, 104-007, 109-002, and 173-005.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 232 City Hall Plaza Renovation Bids.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the renovation of the plaza area between City Hall and the Monroe County Courthouse, and recommending that Council award the contract in the amount of \$135,400 to Andrews Construction Co. Inc. and that a total of \$156,000 be encumbered to include a contingency of 15% for the project, and further recommending that the Mayor and Clerk/Treasurer be authorized to sign the contracts on behalf of the City of Monroe.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 233 Veterans Park Riverbank Stabilization Project – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2007 Veterans Park Riverbank Stabilization project, and recommending that Council approve the final payment to Shumaker Brothers Construction for the Veterans Park Riverbank Stabilization Project in the amount of \$8,727.07, and further recommending that the Finance Director be authorized to transfer the funds as detailed.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 234 Final Paving of Mason Run II Streets – Paving Special Assessment District No. 331 – Resolution No. 3.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 3 delineating the estimated costs and their distribution between parcels within the district, and includes Mason Run Boulevard and Baptiste Avenue north of Noble Avenue, East Lorain Street from Mason Run Drain to Baptiste Avenue, and all of Elliot Street, LaPointe Avenue, and McDougall Street, and recommending that Resolution No. 3 be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 235 Final Paving of Mason Run II Streets – Paving Special Assessment District No. 331 – Resolution No. 4

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing on the assessment roll, and recommending that the attached Resolution No. 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 19, 2009 at 7:30 p.m. in the City Council Chambers.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 236 Michigan Avenue Bridge Replacement – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Michigan Avenue Bridge Replacement project, and recommending that Council approve an additional allocation to Liberty Mutual Insurance for the Michigan Avenue Bridge Replacement project in the amount of \$3,470.85, and further recommending that the Finance Director be authorized to transfer the funds as detailed.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 237 National Park Service Grant for the River Raisin Battlefield National Park.
1. Communication from the Interim Director of Planning & Recreation, reporting back on a \$350,000 grant from the National Park Services to fund activities related to the River Raisin Battlefield and recommending that Council take action to officially accept the funds and to authorize the Mayor, in conjunction with the City Manager's Office, to undertake projects related to restoration, planning and design of the River Raisin Battlefield, as well as undertake negotiations for the properties that may become available.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 238 Building Maintenance & Renovations – Central Fire Station Bid Award.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for various projects at the Central and West Side Fire Stations, and recommending that Council award a contract for Item 5 to Staelgraeve-Turner Electric, Inc. in the amount of \$12,200, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 239 Replacement of City Hall Security System.
1. Communication from the Building Official, reporting back on bids received for the installation of electronic locks for the security of City Hall, and recommending that Council award the contract to Security Corporation for the amount of \$9,875.00 and that a total of \$11,356.25 be encumbered to include a contingency of 15% for the project, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.

2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 240 Replacement of City Hall Fire Detection and Alarm System.
1. Communication from the Building Official, reporting back on bids received for the replacement of the City Hall Fire Detection and Alarm System, and recommending that Council award the contract in the amount of \$27,900 to Geal Electric and that a total of \$32,085.00 be encumbered to include a contingency of 15% for the project, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 241 Equalizer Software Upgrade – Hardware Purchase.
1. Communication from the Finance Director, reporting back on prices for the purchase of an upgrade to the Equalizer software and thirty (30) Dell desktop computers, and recommending that Council approve the purchase of thirty (30) desktop computers from Dell in the amount of \$27,916.20; and further recommending that Council approve paying its 60% portion of the server, server software, and database software cost related to the Equalizer.Net software upgrade in the amount of \$5,739.33.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 242 2008 Water Main Rehabilitation Program – Concrete Patches Contract – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Water Main Rehabilitation Program – Concrete Patches Contract, and recommending that Council approve a change order for Huber Drive concrete patches in the amount of \$5,738.57 to Andrews Construction Co. Inc. to the 2007 ADA Ramp Program.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 243 City Hall Improvements Financing – Installment Purchase Agreement.
1. Communication from the Finance Director, reporting back on bids received for financing of the improvements to city hall, and recommending that Council adopt the attached resolution that would approve the City of Monroe to enter into an installment purchase agreement with Monroe Bank & Trust in an amount not to exceed \$280,000 at an interest rate of 4.85% and further recommending that Council give the City Manager and Finance Director authority to size the final financing amount based on the final contract amounts approved for the city hall plaza improvements, city hall carpeting project, city hall fire detection and alarm system, and the central fire station fire sprinkler system.
 2. Supporting Document.
 3. Action: Accept, place on file and the resolution be adopted.

244 Replacement of City Hall Carpet.

1. Communication from the Building Official, reporting back on bids received for the replacement of the City Hall carpet, and recommending that Council award the above contract in the amount of \$62,100.00 to Cohn's Commercial Floor Covering and that a total of \$71,415.00 be encumbered to include a contingency of 15% for the project, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

VII. MAYOR'S COMMENTS.

IX. CITY MANAGER COMMUNICATION.

X. COUNCIL COMMENTS.

XI. CITIZEN COMMENTS.

XII. ADJOURNMENT.

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

WHEREAS, the United Way of Monroe County has been assisting local residents since 1926; and

WHEREAS, the annual campaign of the United Way begins mid-September and runs thru the end of October; and

WHEREAS, the United Way of Monroe County generates and allocates funds to about 25 area agencies that supply residents with emergency and basic needs, health care and research, senior citizen services, day care, youth development and recreation, substance and physical abuse help, counseling and advocacy, and specialized transportation; and

WHEREAS, this year's campaign theme will be "**LIVE UNITED GIVE UNITED**"; and

WHEREAS, campaign chairman Paul Assenmacher and vice chairman Diane Kamprath will be assisted by over 100 volunteers from community leaders, as well as hundreds of individuals and corporate volunteers, to raise the necessary funds to help the United Way meet its 2009 goal.

NOW, THEREFORE, I, Mark G. Worrell, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim the month of October 2009, as "**UNITED WAY OF MONROE COUNTY MONTH**" in Monroe, and we take this opportunity to extend our appreciation to all of the volunteers and agencies involved in this campaign for their caring and dedication for their community and we urge the citizens of Monroe to contribute to this worthwhile cause to the best of their ability.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Monroe to be affixed this 21st day of September 2009.

Mark G. Worrell, Mayor

Council Members:

Robert E. Clark, Precinct 1

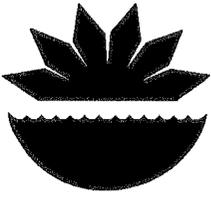
Edward F. Paisley, Precinct 2

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: REQUEST FROM WALGREENS CO. FOR A NEW SDM LICENSE TO BE LOCATED AT 1285 N. MONROE STREET, MONROE, MI

DISCUSSION: The City received a request from Walgreen Co. (An Illinois Corporation) for a new SDM license to be located at 1285 N. Monroe Street, Monroe, MI.

The request was reviewed by the administrative staff and there were no objections to the request. Inspections were conducted by the Police, Fire and Building Departments and there were no code violations.

Therefore, it is recommended, that City Council approve this request for a new SDM license.

CITY MANAGER RECOMMENDATION:

- For
 - For, with revisions or conditions
 - Against
 - No Action Taken/Recommended
- [Handwritten signature]*

APPROVAL DEADLINE:

REASON FOR DEADLINE:

STAFF RECOMMENDATION: For Against

REASON AGAINST:

INITIATED BY:

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED:

FINANCES

COST AND REVENUE PROJECTIONS:

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

<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: City Manager's Office

DATE: 9/28/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 10/05/09

mailed 9/17/2009
085



Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

LOCAL GOVERNMENT 15-DAY NOTICE
[Authorized by R 436.1105 (2d) and (3)]

July 14, 2009

Monroe City Council
Attn: Clerk
120 E First St
Monroe, MI 48161

Request ID #: 522488

RECEIVED
CHARLES D. EVANS
SEP 21 2 22 PM '09

The Michigan Liquor Control Commission has received an application from Walgreen Co. (An Illinois Corporation) for a new SDM license to be located at 1285 N Monroe, Monroe, MI, Monroe County.

Contact: Eric Lyles, 104 Wilmot Road, Deerfield, IL 60015 (847) 315-3404

Specially Designated Merchant (SDM) licenses permit the sale of beer and wine for consumption off the premises only. Specially Designated Distributor (SDD) licenses permit the sale of alcoholic liquor, other than beer and wine under 21 per cent alcohol by volume, for consumption off the premises only.

For your information, part of the investigation of the application is conducted by the local law enforcement agency and investigative forms will be released to them either in person or by mail.

Although local governing body approval is not required by the Michigan Liquor Control Code, Rules and Related Laws for off-premise licenses, the local governing body, or its designee, may notify the Commission at the above address within 15 days of receipt of this letter if the applicant location will not be in compliance with all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, or if the applicant is considered ineligible due to other factors.

All conditions of non-compliance must be outlined in detail, indicating the applicable laws and ordinances. A copy of the law and/or ordinance may be submitted with the notification.

If you have any questions, contact the appropriate unit (On Premises, Off Premises or Manufacturers & Wholesalers) at (517) 322-1400.

dmb

RECEIVED

SEP 22 2009

MAYOR'S OFFICE

LC-3104(Rev. 09/05)
Authority: R436.1105(2d) and (3)
Completion: Mandatory
Penalty: No License

DELEG is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities. Michigan Liquor Control Commission 7150 Harris Drive • P.O. Box 30005 • Lansing, Michigan 48909-7505 www.michigan.gov/lcc • (517) 322-1345 Lansing Office



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: 17th ANNUAL HOLIDAY SEASON KICK-OFF AND CHRISTMAS TREE LIGHTING

DISCUSSION: The City received a request from the Main Street Monroe/DDA to hold the 17th Annual Holiday Season Kick-Off and Christmas Tree Lighting on November 20, 2009, from 6:30 p.m. – 9:00 p.m. Specifically the request is for electrical access for the pavilion and all electrical needs for the entertainment and tree lighting, assistance in decorating and permission to light the tree in front of the County Courthouse, free horse carriage/wagon rides around the central business district, and reserve parking spaces for loading/unloading passengers on the west side of Washington Street at E. First Street.

The MSM/DDA would also like to invite area service groups to join the celebration by setting up tables in the Square for various fundraising or informational efforts.

The request was reviewed by the administrative staff and there were no objections to the request subject to insurance requirements being met and that emergency vehicle access being maintained.

Therefore, it is recommended, that City Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

CITY MANAGER RECOMMENDATION:

- For *JM*
 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:

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: DPS, Police, Finance, Recreation, and Manager

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: City Manager's Office

DATE: 9/28/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 10/05/09



RECEIVED
SEP 11 2009
BUILDING DEPARTMENT
City of Monroe, Mich.

September 10, 2009

City of Monroe
Honorable Mayor and City Council
120 E. First St.
Monroe, MI 48161

Dear Mayor and Council,

The Main Street Monroe/Downtown Development Authority is hereby submitting a Special Event Application for the 17th Annual Holiday Season Kick-Off (tree-lighting) on Friday, November 20, 2009 from 6:30-9:00pm in Loranger Square and the adjacent area.

The event will follow the same course as past years. We have already scheduled the free horse-drawn wagon rides that will take the same route as last year (described as Washington to East Front to South Monroe to East First and back to Washington Street). I have also included that route on the enclosed map. We would also like to invite area service groups to join our celebration by setting up tables in Loranger Square for various fundraising or informational efforts. Santa will be available for children to get free pictures taken and Mrs. Claus will visit with the children, holiday characters will be passing out candy, prizes will be given away, live music will be enjoyed throughout the event and more.

I would like to meet with City Staff to go over the details of the event, application requirements and discuss those services that we will request from the City including electrical access and assistance in decorating the tree in front of the Courthouse once we receive approval from the County of Monroe (which we have requested.)

If you have any questions or comments please feel free to contact me at 734-240-2458 or director@monroemainstreet.com.

Thank you,

Andrea Jones
Executive Director, Main Street Monroe/Downtown Development Authority

Enclosures

RECEIVED
SEP 15 2009
MAYOR'S OFFICE

RECEIVED

CITY OF MONROE
TEMPORARY USES, SALES, BUILDINGS;
SEASONAL OR SPECIAL EVENTS
APPLICATION

SEP 11 2009
BUILDING DEPARTMENT
City of Monroe, Mich

Name of Applicant (Organization): Main Street Monroe / Downtown Development Authority

Contact Person: Andrea Jones

Address: 118 E. Front St.

Phone: 240-2458 Fax: 240-2457

Dates Requested: November 20

Location Requested: City Park Private Property Public Property

PROJECT LOCATION (Address): Loranger Square

PROPERTY OWNER INFORMATION

Name: County of Monroe

Address: 125 E. Second St.

Phone: 240-7000 Fax: _____

EVENT DESCRIPTION:

Annual tree-lighting and holiday season
kick-off

TYPE OF BUSINESS ON SITE: none

Application Fee \$ 150.00

\$20.00 wk \$ _____

Total Fee \$ _____

SIGNATURES (I/we hereby apply for a temporary use/special event permit in accordance with Section 12.69.25 of the City of Monroe Zoning Ordinance. The information, plans and materials submitted herewith in support of this application are, to the best of my/our knowledge, true and correct):

OWNER: _____

DATE: _____

APPLICANT: Andrea Jones

DATE: 9/10/09

RECEIVED

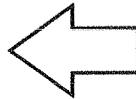
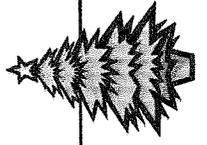
SEP 11 2009

BUILDING DEPARTMENT
City of Monroe, Mich

E. FRONT ST.

WASHINGTON ST.

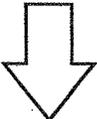
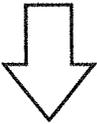
E. FIRST ST.



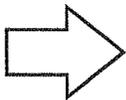
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CANOPY



S. MONROE ST.





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: COMEA UNIT II/RATIFICATION

DISCUSSION: The City of Monroe and COMEA Unit II have reached a tentative agreement.

Based on a favorable ratification vote by the Association on Friday, September 25, 2009, I wish to recommend that City Council approve the COMEA UNIT II, 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: October 5, 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: COMEA UNIT II

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 Amount	Account	Number
		\$ N/A
Other Funds		\$ N/A
		\$ N/A
		\$ N/A
		\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Peggy A. Howard, Human Resources Director *Peggy A. Howard* **DATE:** 9/25/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 10/05/09

**THE CITY OF MONROE
AND COMEA UNIT II**

SETTLEMENT HIGHLIGHTS

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

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

 - **Superintendent of Water Distribution will be upgraded from Grade 2 to Grade 3, effective upon ratification by Council.**

 - **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.

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 75.0 hours of vacation credit. Employees who have completed between 8-15 years of service will be entitled to a maximum of 112.5 hours of vacation credit. Employees who have completed between 16 or more years of service will be entitled to a maximum of 150.0 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. **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.

6. **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.

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.

7. **Retiree Health Care.** Employees who retire on or after 7/01/08 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.

8. **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).
9. All other tentative agreements will remain as agreed to between the parties throughout the negotiations.

Human Resources/pah

**Financial Impact Analysis
 COMEA II Settlement**

Base Wages (Current): (4 Employees Budgeted - Fiscal 2009)	\$ 283,878	
Fringe Benefits (Current):	<u>171,498</u>	60.41% *
Total Wage and Fringe Benefit Cost (Current):	<u>\$ 455,376</u>	
	B	

* - 22.91% Retiree Health Care

Analysis of Changes Made to Contract: Note: All costs include associated fringe benefit cost changes		Year of Contract			Long Term	Footnotes
		1	2	3		
1	Wages (0%, 0%, 2%) 3 Year Contract	-	-	7,732		
1a	Water Dist. Upgraded from Grade 2 to 3	-	4,146	5,528		
2	Eliminate Longevity - New Hires	-	-	-	(3,499)	**/A
3	Eliminate Retirement Termination Bonus equivalent to sick pay bonuses paid during employees career	-	(6,551)	(6,774)		
4	Health Care Plan Change	-	(7,178)	(7,178)		
5	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	-	-	-	?	E
6	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)	-	-	-	(62,354)	X/A
7	Other New Hire Changes: 2 personal leave days vs. 3 days Minimum Vacation 10 days vs. 12 days Maximum Vacation 20 days vs. 27.0 days					

Total Cost/(Savings)	\$	-	\$ (9,583)	\$ (692)
		0.00%	-2.10%	-0.15%

B - COST BASED ON AMOUNTS BUDGETED FOR FISCAL YEAR 2009

X - ULTIMATE ANNUAL BUDGET REDUCTION IF ALL EMPLOYEES WERE ON RETIREE HEALTH SAVINGS PLAN. REDUCES CURRENT CONTRIBUTION RATE OF 22.91% TO 3%.

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

** - FY2009 AMOUNT BUDGETED FOR LONGEVITY

E - 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: CITY POLICIES AND PROCEDURES

DISCUSSION: As the City continues to strive to develop employment policies and procedures to effectively communicate its expectations, attached please find four (4) new policies addressing:

- 1) Vacations
- 2) Hiring
- 3) Holidays
- 4) Dental Care Benefits

After review and input from the Appointed Staff, I am recommending that the Mayor and City Council approve the attached Policies and direct City administration to proceed with implementation.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE:

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Peggy A. Howard, Human Resources Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED:

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: Peggy A. Howard, Human Resources Director *Peggy A. Howard* **DATE:** 9/23/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 10/05/09



Section Name: Employee Relations Effective Date: October 5, 2009
 Section Number: 400 Date of Revision:
 Policy Number: 008
 Page: 1 of 2

Subject: Vacations

1. Purpose: The purpose of this policy is to establish procedures for providing vacation leave for all regular full-time, non-union employees and appointed officials.

2. Statement of Policy:

2.1 All regular full-time employees and appointed officials shall be entitled to the vacation time with pay set forth in the following schedule. In order to be eligible for vacation credit, the employee or appointed official must be on the payroll for at least ten (10) days during the month for which it is earned.

On the anniversary of their date of hire, employees and appointed officials are permitted to carry over up to two (2) years of unused vacation hours. Any unused vacation time in excess of this amount shall be forfeited, except as otherwise approved in writing by the City Manager. The City Manager may extend the deadline to use such forfeited vacation hours/days for up to 90 days in the case where an employee or appointed official has provided sufficient evidence that his/her inability to use vacation was due to circumstances beyond his/her control. A request for an extension must be submitted in writing to the City Manager no less than 30 days prior to the forfeiture date, including an explanation of the circumstances that might justify the extension.

<u>Years of Full-Time Completed Service¹ Over</u>	<u>Vacation Hours Accrued Monthly</u>	<u>Maximum Vacation Hours Earned Annually</u>	<u>Maximum (2 yr.) Carry Over</u>
1-5 years	6.25	75.00	150.0
6	6.88	82.50	165.0
7	7.50	90.00	180.0
8	8.13	97.50	195.0

¹ Determined on an employee's anniversary date of hire.

9	8.75	105.00	210.0
10	9.38	112.50	225.0
11	10.00	120.00	240.0
12	10.63	127.50	255.0
13	11.25	135.00	270.0
14	11.88	142.50	285.0
15	12.50	150.00	300.0
16	12.81	153.75	307.5
17	13.13	157.50	315.0
18	13.44	161.25	322.5
19	13.75	165.00	330.0
20	14.06	168.75	337.5
21	14.38	172.50	345.0
22	14.69	176.25	352.5
23	15.00	180.00	360.0
24	15.31	183.75	367.5
25	15.63	187.50	375.0
26	15.63	187.50	375.0
27	16.25	195.00	390.0
28	16.25	195.00	390.0
29 Maximum	16.88	202.50	405.0

2.2. When an employee or appointed official terminates his/her employment, is discharged, retires or dies prior to his/her anniversary date, the employee (or his/her estate) shall be paid for all unused accrued vacation hours at his/her current rate of pay. The current year's accrual shall be prorated. Such prorated amount shall be determined by dividing the number of weeks worked by the employee since his/her last anniversary date by fifty-two (52) and multiplying that result by the number of vacation hours reflected on the above schedule for the employee's or appointed official's years of service.

3. Definitions: None.
4. Application: This policy shall apply to all full-time non-union employees and appointed officials of the City of Monroe.
5. Responsibility: The Human Resources Director will have the responsibility of implementing and overseeing this policy.
6. Administrative Procedure: None
7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated October 5, 2009.



Section Name: Employee Relations Effective Date: October 5, 2009
Section Number: 400 Date of Revision:
Policy Number: 009
Page: 1 of 3

Subject: Hiring

1. Purpose: The purpose of this policy is to establish the authority and responsibility of City personnel in the employee recruitment, selection and appointment of exempt and non-exempt positions. To maximize the City efforts and resources in the selection of the best employees available.

2. Statement of Policy:
 - 2.1 The City of Monroe is an equal opportunity employer. Individuals will be hired solely on the basis of their qualifications and ability to do the job to be filled.

 - 2.2 Department Heads, who need to fill a job opening, must submit an Employee Requisition Form to the Human Resources Director. The City Manager, the Finance Director, and the Human Resources Director must approve all requests.

 - 2.3 Personal referrals, walk-ins, newspaper advertisements, employment agencies and other private or public entities, may be utilized in recruiting qualified applicants for positions. The Human Resources Department may use other recruitment methods for positions which are difficult to fill or require specialized skills.

 - 2.4 The City may also use the above recruitment methods for exempt positions as well, but may also use the services of executive search firms when appropriate. For executive level positions, such as Department Heads, "a search committee" may be established as determined by the City Manager.

 - 2.5 The City may give consideration to any known qualified internal individuals.

 - 2.6 If candidates from within City Government are to be considered for job openings, the Human Resources Department will post the openings in accordance with the City's posting procedures.

- 2.7 If candidates from outside City Government are to be considered for job openings, the Human Resources Department will be responsible for recruiting the candidates and may use the recruitment methods and sources it considers appropriate to fill the openings.
 - 2.8 During the recruitment and hiring process, no statement, oral or written, will be made promising employment.
 - 2.9 Former employees who left the City in good standing may be considered for reemployment. Former employees who resigned without written notice or who were dismissed for disciplinary reasons may not be considered for reemployment. A former employee who is reemployed will be considered a new employee from the date of reemployment.
3. Definitions: None
 4. Application: This policy shall apply to all departments of the City of Monroe.
 5. Responsibility: The City Manager and the Human Resources Director will be responsible for establishing specific guidelines on the proper methods of recruiting applicants for approved positions.
 6. Administrative Procedure.
 - 6.1 When candidates are to be considered for job openings, the following procedures will be followed:
 - (a) Any candidate for employment must fill out and sign an employment application form in order to be considered for hiring.
 - (b) The Human Resources Director will consider requests for accommodation of disabilities and will determine what, if any, accommodation will be made.
 - (c) Applicants determined to be qualified for consideration for available job openings will be screened by the Human Resources Director and given any tests required for the job.
 - (d) If the Human Resources Director determines that the applicant is qualified for employment and compatible with the work environment, the application will be forwarded to the Department Head.
 - (e) Following a decision to hire the applicant, the Human Resources Department will conduct a thorough background check. If the

applicant accepts the offer and a medical examination is required, the Human Resources Department will make the necessary arrangements.

- (f) If the background, medical, or any other subsequent investigation discloses any misrepresentation on the application form or information indicating that the individual is not suited for employment with the City, the applicant will be refused employment, or if already employed, may be terminated.
- (g) The Human Resources Department is responsible for orientation of new employees and the processing of their employment forms and the supervisor is responsible for any necessary on-the-job training.

6.2 In compliance with the Immigration Reform and Control Act of 1986 and Title VII of the Civil Rights Act of 1964 and pursuant to the City of Monroe's commitment to employ only U.S. citizens or aliens authorized to work in the United States, upon hire all employees are required to complete and sign the verification form (I-9) designated by the Immigration and Naturalization Service to certify that they are eligible for employment and to provide copies of the documentation required for verification of U.S. citizenship or legal alien status.

A photocopy will be made and attached to the completed I-9 form of documentation (i.e., social security card, driver's license, birth certificate, passport, etc.) presented by new employees to verify their citizenship.

If so requested, the Human Resources Department will provide officials of the Immigration and Naturalization Service or the Department of Labor with copies of completed I-9 forms for inspection.

7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated October 5, 2009.

Revised pursuant to action of the Monroe City Council, dated
_____.



Section Name: Employee Relations Effective Date: October 5, 2009
Section Number: 400 Date of Revision:
Policy Number: 010
Page: 1 of 2

Subject: Holidays

1. Purpose: The purpose of this policy is to establish when City offices will be closed in recognition of official holidays.

2. Statement of Policy:
 - 2.1 All regular full-time, non-union employees shall be paid for the following holidays:
 - New Year's Day (January 1)
 - Martin Luther King Day (Third Monday in January)
 - President's Birthday (Third Monday in February)
 - Good Friday
 - Memorial Day (Last Monday in May)
 - Independence Day (July 4)
 - Labor Day (First Monday in September)
 - Veteran's Day (November 11)
 - Thanksgiving Day (Fourth Thursday in November)
 - Mayor's Day (Day following Thanksgiving)
 - Christmas Eve Day (December 24)
 - Christmas Day (December 25)
 - New Year's Eve Day (December 31)

 - 2.2 When a holiday occurs on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the holiday as determined by the City.

3. Definitions: None.

4. Application: This policy shall apply to all departments of the City of Monroe.

5. Responsibility: The Human Resources Director shall have the responsibility of overseeing and implementing this policy.

6. Administrative Procedure: None

7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated October 5, 2009.



Section Name: Employee Relations Effective Date: October 5, 2009
Section Number: 400 Date of Revision:
Policy Number: 011
Page: 1 of 2

Subject: Dental Care Benefits

1. Purpose: The purpose of this policy is to designate the dental care benefits that will be made available for all regular full-time non-union employees and appointed officials of the City of Monroe.

2. Statement of Policy:

2.1 The City shall provide regular, full-time employees (and their eligible dependents¹) the dental care benefits, subject to such terms, conditions, exclusions, limitations, deductibles, co-payments and other provisions of the plan.

Coverage shall commence on the 91st calendar day of continuous employment.
Plan benefits include the following:

<u>Covered Services</u>	<u>Plan Pays</u>	<u>Employee Pays</u>
<u>Class I Benefits</u>		
Diagnostic and Preventive Services (includes exams, cleanings, fluoride, and space maintainers)	100%	0%
Emergency Palliative Treatment (temporarily relieve pain)	100%	0%
Radiographs - X-rays	100%	0%
<u>Class II Benefits</u>		
Oral Surgery Services	50%	50%
Endodontic Services	50%	50%
Periodontic Services	50%	50%

¹Eligible participants include the employee, legal spouse, and unmarried dependent children to the end of the calendar year in which they turn 19. Dependents who are between age 19 and age 25 may continue coverage under the Plan until the end of the year in which they turn 25, if they meet the requirements as defined and provided for in the respective plan documents.

Relines and Repairs	50%	50%
Minor Restorative Services	50%	50%
Major Restorative Services	50%	50%

Class III Benefits

Prosthetic Services	50%	50%
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Class IV Benefits

Orthodontic Services (to age 19)	50%	50%
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Maximum Payment - \$800 per person total per benefit year on Class I, Class II and Class III Benefits. Class IV Benefits will not exceed a lifetime maximum of \$1,500 per eligible person.

Subject to insurance carrier underwriting requirements and approval, and except as otherwise provided in other leaves of absences, and Policy No. 003, Family and Medical Leave, when on an authorized unpaid leave of absence the employee will be permitted to continue his/her participation in the City's dental plan for the period he/she is not on the active payroll.

Employees electing to continue such coverage shall pay the full cost of such continued coverage. Upon return from a leave of absence, an employee's dental care coverage shall be reinstated commencing with the employee's return.

Except as otherwise expressly provided in the City's Policies, an employee's dental care benefits shall terminate at the end of the month in which the employee goes on a leave of absence, terminates, retires, or is laid off. An employee who is on layoff or who terminates may elect to continue the dental care coverage herein provided at his/her own expense as provided under COBRA.

3. Definitions: None
4. Application: This policy shall apply to all non-union employees of the City.
5. Responsibility: The Human Resources Director shall have the responsibility of implementing and overseeing this policy.
6. Administrative Procedure: None
7. Legislative History of Authority for Creation or Revision:

Adopted pursuant to action of the Monroe City Council, dated October 5, 2009.

Revised pursuant to action of the Monroe City Council, dated _____.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ICMA-RC Deferred Compensation Loans

DISCUSSION: The City currently offers two (2) Deferred Compensation Programs, one with ICMA-RC and another program with Nationwide. As you know, these programs allow employees the opportunity to voluntarily contribute a portion of their wages to a special account and to direct these contributions to one or more investment options, as well as offer a valuable savings alternative that can be used to supplement their retirement income and save for their future at no cost to the City. These funds are contributed by the employee and transferred by the City into an account held by ICMA-RC or Nationwide, the third party administrators. While the funds are held by the third party administrators, the City of Monroe is still responsible for decisions such as borrowing potential.

Currently the City allows employees to borrow funds from the ICMA-RC Deferred Compensation Plan but only in **cases of hardship**. ICMA-RC defines a hardship as, "unreimbursed medical expenses, buying or rehabilitating the participant's principal residence, and paying for college education for the participants or his/her children. Withdrawals cannot be made for car loans, car repairs, and the purchase or repair of a vacation or rental property".

As a result of the state of the economy, i.e., loss of jobs, loss of personal income, high unemployment rate and the current housing market, it is my recommendation that the City allow employees the ability to withdraw funds through loans from their ICMA-RC deferred account for **any reason** and not just for hardship cases.

Attached you will find the amended Loan Guidelines Agreement, as well as a Resolution that was previously approved by City Council back on October 17, 2005.

IT IS RECOMMENDED that City Council approve the attached Loan Guidelines Agreement and that the Mayor and Clerk/Treasurer be authorized to sign the Agreement on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE:

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Peggy A. Howard, Human Resources Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED:

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>
			\$ 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: 9/22/09

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: 10/05/09

**RESOLUTION FOR A LEGISLATIVE BODY
RELATING TO AMENDING A DEFERRED
COMPENSATION PLAN TO PERMIT LOANS**

R05-056

ICMA-RC Account# 301766

Name of Employer: City of Monroe

State: Michigan

WHEREAS, the City of Monroe has employees rendering valuable services; and

WHEREAS, the City of Monroe has established a deferred compensation plan for such employees which serves the interest of the City of Monroe by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the City of Monroe has determined that permitting participants in the deferred compensation plan to take loans from the Plan to serve these objectives;

NOW THEREFORE BE IT RESOLVED that the Plan will permit loans.

Motion: Councilman Burkett

Seconded by: Councilwoman Edwards

Ayes: 6 Nays: 0

RESOLUTION DECLARED ADOPTED

I, Charles D. Evans, Clerk/Treasurer of the City of Monroe, do hereby certify that the foregoing resolution, proposed by Councilman Burkett, was duly passed and adopted in the City Council Chambers of the City of Monroe at a regular meeting thereof assembled this 17th day of October, 2005, by the following vote:



Charles D. Evans
City Clerk-Treasurer

LOAN GUIDELINES AGREEMENT FOR A RETIREMENT PLAN



INSTRUCTIONS

(Please refer to the previous section, "A Guide to Implementing a Loan Program")

These Loan Guidelines must be completed before loans can be made from your retirement plan. You should consider each option carefully before making your selections because your selections will apply to all loans made while the selection is in effect. If you later change any provision, the changes will apply only to loans made after the change is adopted. Loans in existence at the time of any future changes will continue to operate under the guidelines that were in effect at the time the loan was originally made.

Note: If loans are available to your employees from other plans (e.g. other Section 457 deferred compensation plans or other Section 401 plans), calculation of the maximum loan amount must consider the aggregate of all loans from all 401 and 457 plans in which the employee participates. See the Maximum Loan Amount Worksheet on page 7 of *A Guide to Implementing a Loan Program*, found in this packet.

Name of Plan (please state the Employer's complete name, including state): City of Monroe
120 E. First St., Monroe, Mi. 48161

Plan Type: 401(a) Money Purchase Plan 401 Profit-Sharing Plan 457 Deferred Compensation Plan

ICMA-RC Plan Number: 301766

I. Purpose

The purpose of these guidelines is to establish the terms and conditions under which the Employer will grant loans to participants. This is the only official Loan Provision Document of the above named Plan.

II. Eligibility

Loans are available to all active employees. Loans will not be granted to participants who have an existing loan in default. Loans will be pro-rated among all the funds in which the participant is invested at the time the loan is made.

For 401 plans only:

Loans are available from the following sources: [select one or both]

- Employer Contribution Account (vested balances only)
- Participant Contribution Accounts (pre- and post-tax, if applicable, including Employee Mandatory, Employee Voluntary, Employer Rollover, and Portable Benefits Accounts, but excluding the Deductible Employee Contribution/Qualified Voluntary Employee Contribution Account)

For Roth 401(k) plans only:

A participant's Designated Roth Account balance can be used to secure a participant loan.

Designated Roth Account balances [select one]

- will not (default option) be available as a source for loans under the Plan.
- will be available as a source for loans under the Plan. (Note: Using the Roth source for loans may have negative tax consequences for participants.)

For all plan types:

Loans are available for the following purposes: [select one]

- All purposes
- Loans shall only be granted in the event of a participant's hardship or for the purpose of enabling a participant to meet certain specified financial situations. The employer shall approve the participant's loan application after determining, based on all relevant facts and circumstances, that the amount of the loan is not in excess of the amount required to relieve the financial need. For this purpose, financial need shall include, but not be limited to: unreimbursed medical expenses of the participant or members of the participant's immediate family, establishing or substantially rehabilitating the principal residence of the participant, or paying for a college education (including graduate studies) for the participant or his/her dependents.

III. Frequency of loans [select one]

- Participants may receive one loan per calendar year. Moreover, participants may have only one (1) outstanding loan at a time.
- Participants may receive one loan per calendar year. Moreover, no participant may have more than five (5) loans outstanding at one time.

IV. Loan amount

The minimum loan amount is \$1,000.

The maximum amount of all loans to the participant from the plan and all other plans sponsored by the Employer that are qualified employer plans under section 72(p)(4) of the Code is the *lesser* of:

- (1) \$50,000, reduced by the highest outstanding balance of all loans from any 401 or 457 plans for that participant during the one-year period ending on the day before the date a loan is to be made, or
- (2) one half of the participant's vested account balance, reduced by the current outstanding balance of all 401 and 457 loans from all plans for that participant.

If a participant has any loans outstanding at the time a new loan is requested, the new loan will be limited to the maximum amount calculated above reduced by the total of the outstanding loans.

A loan cannot be issued for more than the above amount. The participant's requested loan amount is subject to downward adjustment without notice due to market fluctuation between the time of application and the time the loan is made.

V. Length of loan

A loan must be repaid in substantially equal installments of principal and interest, at least monthly, over a period that does not exceed five (5) years.

Loans for a principal residence must be repaid in substantially equal installments of principal and interest, at least monthly, over a period that does not exceed 5 years [state number of years] years (maximum 30 years).

VI. Loan repayment process

Loan repayments for active employees must be through (choose one):

- Payroll deduction only.
PL642(2) = 2
- ACH debit only.
PL642(2) = 0
- Employee may choose either payroll deduction or ACH debit.
PL642(2) = 1

If payroll deduction repayment is allowed, and the employee wishes to use this method, the employee must notify the Employer so that the Employer can ensure that repayment will begin as soon as practicable on a date determined by the Employer's payroll cycle. Failure to begin payroll deduction in a timely way could lead to the employee's loan entering delinquency status. Payroll deduction should begin within two payroll cycles following the employee's receipt of the loan.

Repayments through payroll deduction will be sent via check or wire by the Employer to ICMA-RC on the following cycle (**choose one**):

- Weekly (52 per year)
- Bi-weekly (26 per year)
- Semi-monthly (24 per year)
- Monthly (12 per year)

If ACH debit repayment is allowed, debits from the employee's designated bank account will begin approximately one month following the date the employee's signed ACH authorization form is received and processed by ICMA-RC, or, in the case of online loans, approximately one month following the date the loan check has been cleared for payment. Debits will normally be made on a monthly basis.

Loans outstanding for former employees or employees on a leave of absence must be repaid on the same schedule as if payroll deductions were still being made unless they reamortize their loans and establish a new repayment schedule that provides that substantially equal payments are made at least monthly over the remaining period of the loan.

Loan payments, including loan payments from former employees, are allocated to the participant's current election of investment options on file with ICMA-RC.

The participant may pay off all or a portion of the principal and interest early without penalty or additional fee. Extra payments are applied forward to both principal and interest as specified in the original repayment schedule, unless the additional payment is for the balance due.

VII. Loan interest rate

The rate of interest for loans of five (5) years or less will be based on prime plus 0.5%.

The rate of interest for loans for a principal residence will be based on the FHA/VA rate.

Interest rates are determined on the last business day of the month preceding the month the loan is disbursed. The interest rate is locked in at the time a loan is approved and remains constant throughout the life of the loan.

The prime interest rate is determined on the last business day of each month using www.nfsn.com as the source. The FHA/VA interest rate is also determined on the last business day of each month using www/bankofamerica.com as the source.

Loan interest rates for new loans taken in different months may fluctuate upward or downward monthly, depending on the movement of the prime and FHA/VA interest rates.

The employer may modify the manner in which loan interest rates will be determined, but only with respect to future loans.

VIII. Loan application procedure

Loans must be requested using the following method (**check one**):

- Online only:** All loans must be requested online by employees through ICMA-RC's Account Access site at www.icmarc.org, with Employer pre-authorization as outlined in italics below.

If an employee is married at the time of application, and spousal consent is required by the Plan for the loan, the employee's spouse must consent, in writing, to the loan and the consent must be witnessed by a plan representative or notary public. Such consent must be received in writing by ICMA-RC no more than ninety (90) days before the loan request is submitted through Account Access.

The promissory note, truth-in-lending rescission notice and disclosure statement are presented to the employee online through Account Access at the time the employee submits the loan request. The employee confirms receipt and acceptance of these documents by clicking on the affirmative buttons on the Account Access program.

The employer hereby authorizes all future loans requested through the online process via Account Access, as well as any requests that employees submit on paper forms, pending review of the application by ICMA-RC. Notice of loan issuance will be provided to the Employer via reports posted on the EZLink site.

The loan amount will generally be redeemed from the employee's account on the same day as the employee's successful submission of the loan request through Account Access, if it is submitted prior to 4:00 p.m. ET on a business day. If not, the loan amount will be redeemed on the next business day following submission. The loan check is generally issued on the next business day following redemption, and will be mailed directly to the employee. The employee's presentment of the loan check for payment constitutes an acknowledgment that the employee has received and read the loan disclosure information provided by ICMA-RC and agrees to the terms therein.

Loan repayment will begin as soon as practicable following the employee's presentment of the loan check for payment.

Online and through Direct Loan application: All loans must be requested either online by employees through ICMA-RC's Account Access site at www.icmarc.org, or through the Direct Loan application, both of which require pre-authorization by the Employer as outlined in italics below.

If an employee is married at the time of application, and spousal consent is required by the Plan for the loan, the employee's spouse must consent, in writing, to the loan and the consent must be witnessed by a plan representative or notary public. Such consent must be received in writing by ICMA-RC no more than ninety (90) days before the loan request is submitted through Account Access. In the case of the Direct Loan Application, spousal consent should be sent along with the application.

The promissory note, truth-in-lending rescission notice and disclosure statement are mailed to the employee along with the issued loan check. The employee confirms receipt and acceptance of these documents and terms at the time the endorsed check is presented for payment.

The Employer hereby authorizes all future loans requested through the online process via Account Access, as well as any requests that employees submit on paper forms, pending review of the application by ICMA-RC. Notice of loan issuance will be provided to the Employer via reports posted on the EZLink site.

The loan amount will generally be redeemed from the employee's account on the same day as either ICMA-RC's receipt of a loan application (complete and in good order), or the employee's successful submission of the loan request through Account Access, if it is submitted prior to 4:00 p.m. ET on a business day. If not, the loan amount will be redeemed on the next business day following submission. The loan check is generally issued on the next business day following redemption, and will be mailed directly to the employee. The employee's presentment of the loan check for payment constitutes an acknowledgment that the employee has received and read the loan disclosure information provided by ICMA-RC and agrees to the terms therein.

Loan repayment will begin as soon as practicable following the employee's presentment of the loan check for payment.

Direct Loan application only: All loans must be requested through the Direct Loan application, which requires pre-authorization by the Employer as outlined in italics below.

If an employee is married at the time of application, and spousal consent is required by the Plan for the loan, the employee's spouse must consent, in writing, to the loan and the consent must be witnessed by a plan representative or notary public. Such consent must be received in writing by ICMA-RC along with the Direct Loan Application.

The promissory note, truth-in-lending rescission notice and disclosure statement are mailed to the employee along with the issued loan check. The employee confirms receipt and acceptance of these documents at the time the endorsed check is presented for payment.

The employer hereby authorizes all future loans requested on paper forms, pending review of the application by ICMA-RC. Notice of loan issuance will be provided to the Employer via reports posted on the EZLink site.

The loan amount will generally be redeemed from the employee's account on the same day as ICMA-RC's receipt of a loan application (complete and in good order).

The loan check will generally be issued from the employee's account on the next business day following redemption. The loan check will be mailed directly to the employee. The employee's presentment of the loan check for payment constitutes an acknowledgment that the employee has received and read the loan disclosure information provided by ICMA-RC and agrees to the terms therein.

Loan repayment will begin as soon as practicable following the employee's presentment of the loan check for payment.

- Loan application through the Employer:** All loans must be requested in writing on an application approved by the plan administrator. The application must be signed by the participant. The Employer must review and approve each participant's application.

The participant will be required to sign a promissory note evidencing the loan and a disclosure statement that includes an amortization schedule prior to receiving a loan check. Loan checks will generally be issued on the next business day following ICMA-RC's receipt of a complete loan application. The loan check, promissory note, disclosure statement and truth-in-lending rescission notice will be sent to the employer, who will obtain the necessary signatures and deliver the check to the participant. All executed documents must be returned to ICMA-RC within 10 calendar days from the date the check is issued.

IX. Security/Collateral

That portion of a participant's account balance that is equal to the amount of the loan is used as collateral for the loan. The collateral amount may not exceed 50 percent of the participant's account balance at the time the loan is taken. Only the portion of the account-balance that corresponds to the amount of the outstanding loan balance is used as collateral.

X. Acceleration [select one]

- All loans are due and payable in full upon separation from service.
- All loans are due and payable when a participant receives a distribution of **all** of his/her account balance after separation from service. The amount of the outstanding loan balance will be reported as a distribution in addition to the amount of cash distributed from the plan.
- All loans are due and payable when a participant receives a distribution of **part** of his/her account balance after separation from service. The amount of the outstanding loan balance will be reported as a distribution in addition to the amount of cash distributed from the plan.

XI. Reamortization

Any outstanding loan may be reamortized. Reamortization means changing the terms of a loan, such as length of repayment period, interest rate, and frequency of repayments. A loan may not be reamortized to extend the length of the loan repayment period to more than five (5) years from the date the loan was originally made, or in the case of a loan to secure a principal residence, beyond the number of years specified by the employer in Section V above.

A participant must request the reamortization of a loan in writing on a reamortization application acceptable to the plan administrator. Upon processing the request, a new disclosure statement will be sent to the employer for endorsement by the participant and approval by the employer. The executed disclosure statement must be returned to the plan administrator within 10 calendar days from the date it is signed. The new disclosure statement is considered an amendment to the original promissory note, therefore a new promissory note will not be required.

A reamortization will not be considered a new loan for purposes of calculating the number of loans outstanding or the one loan per calendar year limit.

XII. Refinancing existing loans

If a participant has one outstanding loan, that loan may be refinanced. If a participant has more than one outstanding loan, no loans may be refinanced. Refinancing means concurrently repaying an existing loan and borrowing an additional amount through a new loan. Refinancing includes any situation in which one loan replaces another loan and the term of the replacement loan does not exceed the latest permissible term of the replaced loan.

In order to refinance an existing loan, a participant must request this in writing on an application approved by the plan administrator. Such request must be made at a time when the participant is eligible to obtain a loan as defined by the employer in Section III above. The amount of the additional loan amount requested for the purpose of refinancing is subject to the loan limits specified in Section IV above.

Because a refinancing is considered a new loan, only active employees may refinance an outstanding loan.

XIII. Reduction of Loan

If a participant dies prior to full repayment of the outstanding loan(s), the outstanding loan balance(s) will be deducted from the account prior to distribution to the beneficiary(ies). The unpaid loan amount is a taxable distribution and may be subject to early withdrawal penalties. The participant's estate is responsible for taxes or penalties on the unpaid loan amount, if any. A beneficiary is responsible for taxes due on the amount he or she receives. A Form 1099 will be issued to both the beneficiary and the estate for these purposes.

XIV. Deemed Distribution

Loan repayments must be made in accordance with the plan document, plan loan guidelines, and as reflected in the promissory note signed by the participant. If a scheduled payment is not paid within 30, 60, and/or 90 days of the due date, a notice will be sent to both the employee and the employer.

A loan will be deemed distributed when a scheduled payment is still unpaid at the end of the calendar quarter following the calendar quarter in which the payment was due. If the total amount of any delinquent payment is not received by ICMA-RC by the end of the calendar quarter following the calendar quarter in which they payment was due, the loan is considered a taxable distribution, and the principal balance, in addition to any accrued interest, is reported as a distribution to the IRS. However, no money is paid in this distribution, because the participant already has the loan proceeds.

The loan is deemed distributed for tax purposes, but it is not an actual distribution and therefore remains an asset of the participant's account. Interest continues to accrue. The outstanding loan balance and accrued interest are reported on the participant's account statement.

Repayment of a deemed distribution will not change or reverse the taxable event.

The loan continues to be outstanding, and to accrue interest, until it is repaid or offset using the participant's account balance. An offset can occur only if the participant is eligible to receive a distribution from the plan as outlined in the plan document.

Participants are required to repay any outstanding loan which has been deemed distributed before they can be eligible for a new loan. The deemed distribution and any interest accrued since the date it became a taxable event is taken into account when determining the maximum amount available for a new loan. New loans must be repaid through payroll deduction.

The employer is obligated by federal regulation to comply with the loan guideline requirements applicable to participant loans, and to ensure against deemed distribution by monitoring loan repayments, regardless of the method of repayment, and by advising employees if loans are in danger of being deemed distributed. The tax-qualified status or eligibility of the entire plan may be revoked in cases of frequent repayment delinquency or deemed distribution.

XV. Fees

Fees may be charged for various services associated with the application for and issuance of loans. All applicable fees will be debited from the participant's account balance and/or from the participant's loan repayments prior to crediting the repayment of principal and interest to the participant's account. A schedule of fees applicable to this plan is specified in ICMA-RC's current publication of *Making Sound Investment Decisions: A Retirement Investment Guide*.

XVI. Other

The employer has the right to set other terms and conditions as it deems necessary for loans from the plan in order to comply with any legal requirements. All terms and conditions will be administered in a uniform and non-discriminatory manner.

In Witness Whereof, the employer hereby caused these Guidelines to be executed this _____ day
of _____, 20 _____.

EMPLOYER

By: _____

Title: _____

Attest: _____

Accepted: ICMA RETIREMENT CORPORATION

By: _____

Title: _____

Attest: _____



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Traffic Committee Minutes of September 23, 2009 meeting, Traffic Control Orders

DISCUSSION: The Mayor's Traffic Committee meeting was held on September 23, 2009, and the minutes are attached for your review and approval. There are six (6) traffic control orders for approval at this time as a result of the meeting.

Traffic Control Order 004-004 now prohibits stopping, standing, and parking on both sides of Arbor Avenue from Maywood Avenue to the Cantrick School parking lot, as a result of this route now being used as the primary parent drop-off and pick-up route.

Traffic Control Order 050-004 was a referral back from the City Council regarding West Elm Avenue and the proper nomenclature of the SSIHM property. In fact, it was determined that the left turn lane that used to service the property has been removed. The Order has been amended to reflect this removal, but no physical changes are being made from the present condition.

Traffic Control Order 056-012 removes the angled parking on the south side of East First Street from Monroe Street to the alley west of Washington Street. It should be noted that the angled parking on the north side of the roadway is to remain. The Traffic Committee felt that traffic operations would be improved with allowing angled parking on only one side of the roadway, which will remain as one eastbound lane. It should be noted that Item 3 of this proposed order was apparently omitted when the angled parking was first installed, so it is now being added to officially authorize the angled parking on the north side of the roadway.

Traffic Control Order 104-007 eliminates a number of parking regulations and turn prohibitions for Lincoln Avenue, and now prohibits parking entirely on the east side of the roadway. The previous regulations are no longer needed now that Christianity School has been closed.

Traffic Control Order 109-002 now prohibits stopping, standing, and parking on the north side of West Lorain Street between Dane Drive and Donnalee Drive, as our crossing guards indicate that vehicles regularly stand in this area during school dismissal hours and block crosswalk visibility.

Traffic Control Order 173-005 extends the existing bus loading zone on East Sixth Street east of Washington Street by 70 feet at the request of Monroe Middle School. This is needed since there is one additional bus serving disabled individuals that has been serving the school this year.

IT IS RECOMMENDED that the City Council accept and place on file the minutes from the September 23, 2009 Mayor's Traffic Committee meeting, and approve Traffic Control Orders 004-004, 050-004, 056-012, 104-007, 109-002, and 173-005.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE:

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Engineering Department, Department of Public Services, Police Department, traveling public, adjacent residents

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
	<u>Other Funds</u>		

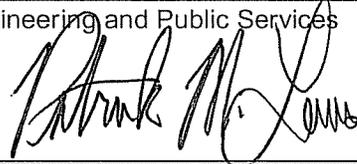
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Dir. of Engineering and Public Services **DATE:** 09/28/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009



CITY OF MONROE
MAYOR'S TRAFFIC COMMITTEE MINUTES
September 23, 2009

Meeting was called to order by Councilman Beneteau on Wednesday, September 23, 2009 at 5:00 P.M. in the City Council Chambers.

Members Present: Councilman Beneteau, Councilman Clark, Chief Michrina, Scott Davidson, Suzanne Gartz, Michael Milette

Members Excused: Mayor Worrell, James Crammond, Anthony Webb

Clerk / Staff: Patrick Lewis, Director of Engineering and Public Services

Citizens Commenting: Jeff Kreuger, 525 Stone Street
Walter Sonnichsen, 603 Maywood Avenue
Maureen Henson, Mercy Memorial Hospital

1. Report back on the request from Duffey Towing to repeal the "No Right Turn" sign on Telegraph Road at Stone Street.

Motion: It was moved by Suzanne Gartz and supported by Michael Milette to take no further action on this matter.

Action: The motion passed unanimously.

2. Request from citizen Walter Sonnichsen to prohibit parking during the school day on Arbor Avenue between Maywood Avenue and the Cantrick School Parking Lot.

Motion: It was moved by Michael Milette and supported by Chief Michrina to post sides of Arbor Avenue in this area as "No Stopping, Standing, or Parking" from 7:00 A.M. to 4:00 P.M., School days.

Action: The motion passed unanimously.

3. Report back from the Engineering Department on the traffic study of the intersection of North Macomb Street and Lemerand Street.

Motion: It was moved by Councilman Clark and supported by Suzanne Gartz to install ADA-compliant ramps and appropriate crosswalk markings at the intersection of North Macomb Street and Lemerand Street, and to investigate installation of flashing beacons in advance of crosswalks.

Action: The motion passed unanimously.

4. Request from citizen Patrick Barley to consider an all-way stop at the intersection of Godfroy Avenue and West Lorain Street.

Motion: It was moved by Michael Milette and supported by Suzanne Gartz to take no further action in this matter.

Action: The motion passed unanimously.

5. Report back from the request from Mayor Worrell to review the angled parking configuration on East First Street between Monroe and Washington Streets.

Motion: It was moved by Councilman Clark and supported by Scott Davidson to convert the south side of the roadway back to parallel parking.

Action: The motion passed unanimously.

6. Report back from the Engineering Department on the status of the Downtown Parking Permit program staff committee.

Action: No action was required, this item was a staff update on a pending item.

7. Request from the Engineering Department to repeal school-related traffic control items on Lincoln Avenue.

Motion: It was moved by Chief Michrina and supported by Suzanne Gartz to accept proposed Traffic Control Order 104-007.

Action: The motion passed unanimously.

8. Request from the Engineering Department to confirm temporary Traffic Control Orders 109 and 173 for parking changes in the vicinity of Monroe Middle School and Manor Elementary School.

Motion: It was moved by Michael Milette and supported by Suzanne Gartz to accept these orders, with the exception that the parking prohibition on West Lorain Street include "No Stopping, Standing, or Parking".

Action: The motion passed unanimously.

9. Referral back from the City Council to amend Traffic Control Order 050-003 to reflect changes in the St. Mary's Academy property.

Motion: It was moved by Suzanne Gartz and supported by Councilman Clark to accept the amended order, which eliminates the left turn lane into the subject property that has already been removed.

Action: The motion passed unanimously.

10. Action: Councilman Beneteau declared that there was no further business and the meeting was adjourned at 6:10 P.M.



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 004-004

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to Arbor Avenue:

Parking

1. "No Parking" from East Elm Avenue to the pavement width change north of East Lorain Street, east side.
2. **"No Stopping, Standing, or Parking" from Maywood Avenue to the north terminus of the roadway at Cantrick School, both sides, from 7:00 A.M. to 4:00 P.M., School Days", both sides.**
3. "No Parking" from the north line of the pavement of Marquette Drive to a location 120 feet north, east side.
4. Permitted parking, with no time limitations, in all other areas, both sides.

Intersection Control

5. Arbor Avenue shall STOP at East Elm Avenue.
6. Arbor Avenue shall STOP at East Noble Avenue.
7. Arbor Avenue shall STOP at Scottwood Avenue.
8. Arbor Avenue shall STOP at Parkwood Avenue.
9. Arbor Avenue shall STOP at Rosewood Avenue.
10. Arbor Avenue shall STOP at Maywood Avenue.
11. Arbor Avenue shall STOP at Linwood Avenue.
12. Arbor Avenue shall STOP at Greenwood Avenue.
13. Arbor Avenue shall STOP at Cole Road.

The following traffic control orders shall hereby be rescinded: 004-003

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 050-004

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to West Elm Avenue:

Parking

1. "No Parking" from North Telegraph Road to North Monroe Street, both sides.

Intersection Control

2. Traffic control signals with a special left turn phase for traffic turning from eastbound Elm Avenue onto northbound Custer Drive, and pedestrian signals in all directions shall be placed at the intersection of West Elm Avenue and Custer Drive.
3. Traffic signals with pedestrian signals shall be placed at the intersection of West Elm Avenue and North Roessler Street.
4. Traffic signals with pedestrian signals shall be placed at the intersection of West Elm Avenue and North Monroe Street.

Roadway Geometry

5. West Elm Avenue shall be a three-lane street from North Telegraph Road to just west of Lavender Street, with the center lane restricted to left turns only.
6. A special "Left Turn Only" lane shall be provided at North Monroe Street.
7. ~~A special "Left Turn Only" lane shall be provided at the entrance to St. Mary's Academy.~~
8. A special "Left Turn Only" lane shall be provided at Godfroy Avenue.
9. A pedestrian crosswalk shall be provided in front of St. Mary's Catholic Church, at a location 110 feet west of North Monroe Street.

The following Traffic Control Orders shall hereby be rescinded: 050-003

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 056-012

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to East First Street:

PAGE ONE

Parking

1. Designated "Disabled Parking" space with 1-hour time limitation, the first angled **parallel** space west of the alley west of Washington Street, south side.
2. Signed 1-hour angled **parallel** parking, with enforcement times of 8:00 A.M. to 5:00 P.M., Monday through Friday, all remaining spaces between Monroe Street and the alley west of Washington Street, south side.
3. **Signed 1-hour angled parking, with enforcement times of 8:00 A.M. to 5:00 P.M., Monday through Friday, between South Monroe Street and the alley west of Washington Street, north side.**
4. Signed 15-minute parking, one parallel space from the alley east of South Monroe Street to Washington Street, south side.
5. Signed 1-hour parallel parking, with enforcement times of 8:00 A.M. to 5:00 P.M., Monday through Saturday, all remaining spaces between the alley west of Washington Street and Washington Street, both sides.
6. Metered 2-hour parking at the rate of \$0.50 per hour, with enforcement times of 8:00 A.M. to 5:00 P.M., Monday through Saturday, all spaces between Washington Street and South Macomb Street, north side.
7. "Bus Parking Only, Tow Away Zone" between the hours of 6:00 A.M. and 6:00 P.M., Monday through Saturday, between Washington Street and South Macomb Street, south side.
8. "No Parking" from a location 125 feet east of South Macomb Street to Scott Street, north side.
9. "No Parking" from a location 120 feet east of South Macomb Street to Scott Street, south side.
10. Metered 2-hour parking at the rate of \$0.50 per hour, with enforcement times of 8:00 A.M. to 5:00 P.M., Monday through Friday, all remaining spaces between South Macomb Street and Scott Street, both sides.
11. "No Parking" from Scott Street to Winchester Street, north side.
12. "No Parking" from Scott Street to a location 75 feet east of Scott Street, south side.
13. "No Parking" from Wadsworth Street to a location 95 feet west of Wadsworth Street, south side.
14. Residential Parking District, with enforcement times of 7:00 A.M. to 6:00 P.M., Monday through Friday, from 75 feet east of Scott Street to 95 feet west of Wadsworth Street, south side.
15. Permitted parking, with no time limitations, from Wadsworth Street to Eastchester Street, south side.
16. Permitted parking, with no time limitations, from Winchester Street to Eastchester Street, north side.



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 056-012

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to East First Street:

PAGE TWO

Parking

17. "No Parking" from Eastchester Street to a location 550 feet east of Eastchester Street, south side.
18. "No Parking" from Eastchester Street to the eastern terminus of East First Street, north side.
19. Permitted parking, with no time limitations, from a location 550 feet east of Eastchester Street to a location 100 feet west of Conant Avenue, south side.
20. "No Parking" from a location 100 feet west of Conant Avenue to the eastern terminus of East First Street, south side.

Intersection Control

21. Traffic signals with pedestrian signals and a special left turn phase for southbound South Monroe Street traffic shall be placed at the intersection of East First Street and South Monroe Street.
22. "Four-way STOP" at Winchester Street
23. "Four-way STOP" at South Macomb Street.
24. "Four-way STOP" at Scott Street.

Roadway Geometry

25. East First Street traffic shall be one-way eastbound between South Monroe Street and South Macomb Street, and shall be a two-lane street in this area, except between South Monroe Street and the alley east of South Monroe Street, which shall be only one lane of moving traffic.

The following Traffic Control Orders shall hereby be rescinded: 056-011

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE

TRAFFIC CONTROL ORDER

ORDER NO. 104-007

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to Lincoln Avenue:

PAGE ONE

Parking

1. ~~"No Stopping, Standing, or Parking" from the north curb line of East Elm Avenue to a location 160 feet north of this line, east side.~~
 2. ~~"No Stopping, Standing, or Parking" from the south curb line of East Noble Avenue to a location 120 feet south of this line, east side.~~
 3. ~~"Bus Parking Only" from 120 feet south of the south curb line of East Noble Avenue to 175 feet south of the south curb line of East Noble Avenue, east side.~~
 4. ~~"No Stopping, Standing, or Parking" from a location 210 feet south of the south curb line of East Noble Avenue to a location 420 feet south of the south curb line of East Noble Avenue, including the bus turnout, east side.~~
 5. ~~Permitted parking, from 8:00 A.M. to 9:00 A.M. and 3:00 P.M. to 4:00 P.M., School Days, from a location 160 feet north of the north curb line of East Elm Avenue to a location 420 feet south of the south curb line of East Noble Avenue, east side.~~
 6. ~~Permitted parking, from 8:00 A.M. to 9:00 A.M. and 3:00 P.M. to 4:00 P.M., School Days, from a location 175 feet south of the south curb line of East Noble Avenue to a location 210 feet south of the south curb line of East Noble Avenue, east side.~~
 7. ~~"No Parking", except the times noted in Item 4 above, from a location 160 feet north of the north curb line of East Elm Avenue to a location 420 feet south of the south curb line of East Noble Avenue, east side.~~
 8. ~~"No Parking", except the times noted in Item 5 above, from a location 175 feet south of the south curb line of East Noble Avenue to a location 210 feet south of the south curb line of East Noble Avenue, east side.~~
 9. ~~15-minute parking, all days and hours, in the bus turnout located in front of Christiancy Elementary School, east side.~~ **"No Parking" from East Elm Avenue to East Noble Avenue, east side**
 10. Permitted parking, with no time limitations, from the north curb line of East Elm Avenue to a location 150 feet north of East Elm Avenue, west side.
-



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 104-007

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to Lincoln Avenue:

PAGE TWO

Parking

11. Residential Parking District, with enforcement times of 7:00 A.M. to 6:00 P.M., Monday through Friday, all other areas, west side between East Elm Avenue and East Willow Avenue.

12. Permitted parking, all other areas not otherwise regulated between East Willow Avenue and East Noble Avenue, west side.

Intersection Control

13. Lincoln Avenue shall STOP at East Elm Avenue.

14. Lincoln Avenue shall STOP at East Noble Avenue.

15. ~~"No Left Turn" at East Noble Avenue between 7:30 A.M. and 4:00 P.M. School Days.~~

16. ~~"Do Not Enter", from East Noble Avenue onto Lincoln Avenue, between 7:30 A.M. and 4:00 P.M. School Days, when posted by temporary signage placed within the roadway pavement.~~

The following Traffic Control Orders shall hereby be rescinded: 104-006

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 109-002

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to West Lorain Street:

Parking

1. "No **Stopping, Standing, or** Parking" from 8:00 A.M. to 4:00 P.M., School Days" from **Donnalee Drive** ~~Dane Drive~~ to a location 140 feet west of Dane Drive, north side.
2. "No Parking from 8:00 A.M. to 4:00 P.M., School Days" from Donnalee Drive to a location 150 feet west of Donnalee Drive, south side.
3. "No Parking" from a point 130 feet east of John Rolfe Drive to North Telegraph Road, both sides.
4. "No Parking" from North Telegraph Road to a point 180 feet east of North Telegraph Road, both sides.
5. Permitted parking, with no time limitations, in all other areas, both sides.

Intersection Control

6. Traffic signals shall be placed at the intersection of West Lorain Street and North Telegraph Road.
7. "Four-way STOP", including a private westbound driveway, at Huber Drive.
8. "Three-way STOP" at Toll Street.
9. "Four-way STOP" at North Roessler Street.
10. "Four-way STOP" at Lavender Street.
11. West Lorain Street shall STOP at Godfroy Avenue.
12. West Lorain Street shall STOP at North Monroe Street.
13. A STOP sign shall be placed to control a private driveway entering West Lorain Street from the property at 481 Village Green Lane.

Roadway Geometry

14. A special "Left Turn Only" lane shall be provided in both directions at North Telegraph Road.

The following Traffic Control Orders shall hereby be rescinded: 109-001

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 173-005

EFFECTIVE DATE: October 2009

When official traffic control signs conforming to the mandate of this order shall have been erected.

The following regulations shall apply to East Sixth Street:

Parking

1. "No Parking" from South Monroe Street to Scott Street, south side.
2. Designated "~~Disabled Drop-off Zone~~" "**Bus Loading Zone**" from a location 75 feet east of Washington Street to a location ~~420~~ **190** feet east of Washington Street, north side.
3. "15-minute loading zone" from 7:00 A.M. to 3:30 P.M. School Days" from South Monroe Street to Scott Street, north side, excepting the area described in item 2.
4. "No Parking" from Scott Street to Navarre Street, north side.
5. Permitted parking, with no time limitations, in all other areas, both sides.

Intersection Control

6. Traffic signals with pedestrian signals shall be placed at the intersection of East Sixth Street and South Monroe Street.
7. "Four-way STOP" at Washington Street.
8. "All way STOP" at Scott Street and LaPlaisance Road
9. East Sixth Street shall STOP at Navarre Street.
10. East Sixth Street shall STOP at Kentucky Avenue.
11. East Sixth Street shall STOP at Winchester Street.

Roadway Geometry

12. One-way westbound between Kentucky Avenue and Winchester Street.

The following Traffic Control Orders shall hereby be rescinded: 173-004

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: CITY HALL PLAZA RENOVATION - REPORT ON BID OPENING

DISCUSSION: As a part of the 2009-10 Capital Improvements Program, the City Council funded \$419,000 for various improvements for City Hall. One of these projects is the renovation of the plaza area between City Hall and the Monroe County Courthouse, which is owned by the City of Monroe. Two of the other projects, replacement of the carpeting and work on the fire alarm system, are being awarded separately on tonight's agenda. All of these projects are being funded by proceeds from an installment purchase, also on tonight's agenda.

Bids were opened for this project on Monday, September 14, there were three (3) bidders, and a bid tabulation is attached for your review. The low bidder for the project is Andrews Construction Co. Inc. of Manchester, Michigan. Their bid of \$135,400 is 35% above the Engineer's Estimate of \$100,310. Andrews Construction has performed a number of projects for the City of Monroe during the last few years, including the 2007-2009 ADA Ramp Replacement Program, 2008 and 2009 Sidewalk Replacement Program, and the "Alleyscape" project in 2008. They are very capable of performing this work, and currently meet the City's Labor Harmony requirements.

The project plans were developed by John D. Kohler Architect, and we have discussed the difference between the estimated costs and low bid costs with them, to determine if any revisions to the plans are necessary. Of the items that are substantially over the estimate, almost all are essential to the essence of the project, though in theory some minor revisions could be made to scale these items back. Obviously, we will look for efficiencies in the construction process, but at this point it seems prudent to assume that the full bid amount must be allocated, and we will work with the contractor to minimize the scope of a few of these items when a reasonable alternative exists. One contractor concern that may have been reflected in the higher than expected bid pricing is the difficulty in staging the work and maintaining safe pedestrian access, given the tight quarters and the need for trucks to access the work area while contending with buses and daily parking in the City Hall lot.

The Engineering Department originally intended to award this contract at the September 21 City Council meeting, which would have allowed 6-8 weeks of expected good weather for construction after the contracts were executed. However, since this project and the carpeting and fire alarm bids had to be received before the installment purchase agreement could be approved, this project start date would be pushed back to, at the earliest, the week of October 19. Given the concern about commencing such a comprehensive project this late in the year, the Engineering Department will entertain and will likely encourage postponement of this project until Spring 2010. Nonetheless, given the potential materials inflation that may be present next year following the full implementation of the Federal stimulus funding, it seems prudent to award this contract now rather than risk re-bidding it next year, even with some minor changes designed to save costs. Given that we have a good working relationship and recent project success of a similar nature with the low bid contractor, it is likely that we can work to reduce the project costs somewhat without having to re-bid the project to achieve the same result.

IT IS RECOMMENDED that the City Council award the above contract in the amount of \$135,400 to Andrews Construction Co. Inc. and that a total of \$156,000 be encumbered to include a contingency of 15% for the project. **IT IS FURTHER RECOMMENDED** that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: City would like to place all improvements under the same installment purchase agreement.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, Building Department, City Hall and Courthouse patrons

FINANCES

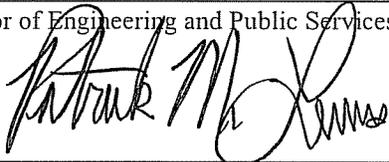
COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$156,000*
	Cost of This Project Approval	\$156,000*
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes 10% project contingency

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
	City Hall Improvements	401-95.265-975.000 09C04	\$156,000
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/28/09

REVIEWED BY:  **DATE:**

COUNCIL MEETING DATE: October 5, 2009



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: VETERANS PARK RIVERBANK STABILIZATION PROJECT – CHANGE ORDER AWARD

DISCUSSION: On July 2, 2007, the City Council awarded a contract for the Veterans Park Riverbank Stabilization project to Schumaker Brothers Construction of Ida in the amount of \$236,643.00. At bidding, this contract included replacement of the previous deteriorated concrete and block retaining wall with nearly a quarter mile of new engineered stacked block wall. To supplement the bank stabilization and to enhance park usage, a 5-foot sidewalk was added with a connection to the parking lot between monuments and the bicycle trail at the east end of the park. This project was begun in late 2007, but due to high river conditions throughout late 2007 and into Spring 2008, work was not commenced again until August 2008. Final seeding work was completed in Spring 2009, but heavy rains washing out the banks actually caused the contractor to re-seed the entire area at their expense. As a result, the Engineering Department is just now preparing to make final payment for this project.

Typically, the Engineering Department will encumber a contingency on a project of this type to allow for unforeseen items. However, upon researching the original award of this project in 2007, it was discovered that this had not been done, and instead the Engineering Department had pledged to scale back the sidewalk and aesthetic portions of the project should overruns appear likely. Since the bid award, the Community Foundation has donated funds for an "Access to Recreation" grant, which in this case partnered with the City to place musical instruments in locations along the new sidewalk pathway for the benefit of developmentally disabled individuals and others. One requirement of the Access to Recreation grant was that a 6-foot wide sidewalk be constructed instead of a 5-foot wide one, and that other minor modifications be made to the project. Due to these changes and other minor quantity overruns, the final contract price following completion of all work has been determined to be \$245,370.07, a project overrun of \$8,727.07, or slightly less than 4% of the original contract amount. Unfortunately, due to the desire to receive the full benefit of the Access to Recreation grant, some of the items that the Engineering Department had anticipated being able to scale back if the project ran over budget were integral to the grant and in fact had to be expanded in scope. This will now require a transfer of Capital Improvements Program funds from another source.

One project with substantial available funding is the 2009 Sidewalk Replacement Program, as the actual project costs have come in quite a bit lower than estimated. Given that most of the overruns on this project are due to the increase in width of a new pedestrian pathway, this is an appropriate project from which to transfer funding. Even with this budget transfer, there will still be substantial funding available to roll into the 2010 Sidewalk Program as well.

IT IS RECOMMENDED that the City Council approve the final payment to Schumaker Brothers Construction for the Veterans Park Riverbank Stabilization Project in the amount of \$8,727.07. **IT IS FURTHER RECOMMENDED** that the Finance Director be authorized to transfer the funds as detailed above.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Contractor has completed all work as directed by the Engineering Department and is entitled to final payment.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, park users

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$245,370.07
	Cost of This Project Approval	\$8,727.07
	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>
	Sidewalk Replacement Program	401-95.449-818.020 10C03	\$8,727.07
	<u>Other Funds</u>		

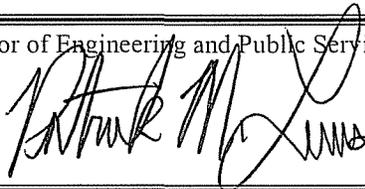
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/28/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009





CITY COUNCIL AGENDA FACT SHEET

**RELATING TO: FINAL PAVING OF MASON RUN II STREETS – PAVING SPECIAL ASSESSMENT DISTRICT NUMBER 331
– SPECIAL ASSESSMENT RESOLUTION NUMBER 3**

DISCUSSION: The Mason Run Development was begun in the late 1990s as part of a Brownfield Redevelopment project, and in general, this project has been successful in establishing a traditional neighborhood keeping with the historic character of the City of Monroe. The overall development area is roughly bounded by Elm Avenue on the south, East Lorain Street extended on the north, the Norfolk Southern railroad on the east, and the homes on the east side of Michigan Avenue on the west. The developer, Creative Land Design Inc. (CLD), is the development arm of Crosswinds Communities, a firm that has done substantial “traditional neighborhood” design throughout the state. Like most other residential projects within Michigan, work has stopped on outstanding infrastructure and home-building due to the extremely poor economy, and the portions of the site lying north of Noble Avenue have been left in a state of limbo, where some homes have been constructed and are occupied but the final 1-1/2-inch lift of asphalt has not been placed on the streets. Further, two other roadway projects that were intended to be completed have not yet been, including the extension of East Lorain Street across the Mason Run Drain, and raising Noble Avenue by roughly a foot to work around existing DTE underground electrical vaults.

Due to its unique characteristics, the Mason Run project was not platted like most subdivisions within the City, but is a site condominium development. However, unlike most site condominium projects, the streets are intended to be accepted as public streets by the City of Monroe when completed. The association for “Mason Run II”, which includes the lots north of Noble Avenue, is essentially non-functioning according to numerous residents of the development, as the developer still has control of the association, but has not been collecting dues nor providing services in well over a year. The Department of Public Services cannot safely plow these unfinished roadways with our standard under-body plow trucks (and plowing of private roadways is against City policy), and this caused considerable inconvenience to the residents during Winter 2008-09.

As it appears that the developer is making no progress in completing the roadway paving, the Department of Engineering and Public Services feels that it is imperative to arrange for final paving of all of the private roadways so that they can be accepted into the public system and can be safely plowed this Winter. The City is presently pursuing other means to compel the developer to complete other unfinished improvements, but at this time we feel the only practical way to complete the final paving expeditiously is through implementation of a Paving Special Assessment District. In keeping with past practices, the cost to complete all paving work plus a 15% contingency factor and 10% engineering costs has been divided between the parcels on a frontage basis. Also, pursuant to a previously adopted City resolution, “corner” lots receive a 50% discount on each frontage up to a total frontage of 150 feet. The final paving of all streets in this area has been included in the same district, and includes Mason Run Boulevard and Baptiste Avenue north of Noble Avenue, East Lorain Street from Mason Run Drain to Baptiste Avenue, and all of Elliot Street, LaPointe Avenue, and McDougall Street. The City of Monroe will be assuming all frontage costs for Elliot Park (between Elliot, McDougal, Baptiste, and Lapointe), plus the other 50% share of the corner lots.

The next step in this process is Resolution 3, which is attached for your approval. This resolution delineates the estimated costs and their distribution between parcels within the district, and establishes that this project is a public necessity. Also attached is a map showing the district boundaries, and a 2-page spreadsheet detailing the proposed assessment for each parcel. The assessments range from a low of \$671.98 to a high of \$1,479.63 for the residential parcels, all of which can be spread over 10 years if desired. The City itself would be liable for \$20,111.97 of the cost, including the corner share of both the condominium units and the common elements, and Elliot Park. Since the City plans to add this project as a Change Order to our 2009 Curb Replacement and Resurfacing Program, the estimated costs will not change through potential confirmation of this district, as the quantity pricing is known, though there have been some very minor adjustments to the roll since Resolution 2. This is classified as a City-Council initiated project, so any action would have to be by a 5-2 vote of City Council for this project to continue. In order to proceed as quickly as possible, Resolution 4, which sets up the public hearing on the assessment roll, has also been presented on this agenda for your approval as well.

IT IS RECOMMENDED that the attached Resolution 3 be adopted.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Final paving should occur by November 15, and at least one more City Council meeting is necessary to proceed to confirmation.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering and Public Services Department, adjacent property owners and residents

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$71,400*
	Cost of This Project Approval	\$N/A
	Related Annual Operating Cost	\$N/A
	Increased Revenue Expected/Year	\$N/A

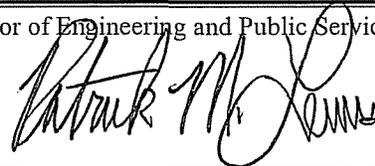
*Estimated cost includes 1-1/2" of paving, plus 15% contingencies and 10% engineering inspection costs.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	TBD	TBD	\$71,400
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/28/09

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: October 5, 2009

RESOLUTION NO. 3

WHEREAS, October 5, 2009 is the date set for the public hearing and consideration of hearing comments regarding the final paving work to service properties fronting Baptiste Avenue between East Noble Avenue and East Lorain Street, Lapointe Avenue between East Noble Avenue and Elliot Street, McDougal Street between Baptiste Avenue and Mason Run Boulevard, Elliot Street between Baptiste Avenue and Mason Run Boulevard, Mason Run Boulevard between East Noble Avenue and future East Lorain Street, and East Lorain Street between the Mason Run Drain and Baptiste Avenue, and

WHEREAS, affected property owners shall have the opportunity to provide verbal and written comments to the City Council regarding the necessity of the project at said public hearing; and

WHEREAS, one unofficial public hearing on the necessity of the project was already held on this topic on September 21, where citizens representing six (6) properties presented comments generally supporting the necessity of the project though expressing other concerns on the funding of said improvements; therefore be it

RESOLVED, that final paving work on Baptiste Avenue between East Noble Avenue and East Lorain Street, Lapointe Avenue between East Noble Avenue and Elliot Street, McDougal Street between Baptiste Avenue and Mason Run Boulevard, Elliot Street between Baptiste Avenue and Mason Run Boulevard, Mason Run Boulevard between East Noble Avenue and future East Lorain Street, and East Lorain Street between the Mason Run Drain and Baptiste Avenue is a public necessity; that the same be constructed according to the plans and specifications now on file; that the City of Monroe out of its Capital Improvement Fund or other fund as later deemed appropriate prior to district confirmation pay \$20,111.97 of the cost thereof; and that the balance of \$51,288.03 be assessed upon the property benefited by such construction and be it further

RESOLVED, that the special assessment district for this project, hereafter known as Paving Special Assessment District Number 331, be hereby established and confirmed as follows:

Commencing at the southeast corner of Lot 96, Assessor's Plat of Winkworth Plat, according to the plat thereof, as recorded in Liber 6 of Plats, Page 66, Monroe County Records, thence S. 67° 26' 16" E. 90.00 feet along the northerly right-of-way of East Noble Avenue to the Point of Beginning;

Thence N. 22° 22' 29" E. 1053.99 feet;

Thence S. 67° 41' 39" E., 130.00 feet;

Thence S. 22° 22' 29" W. 223.96 feet;

Thence S. 67° 37' 31" E., 692.91 feet;

Thence, S. 60° 09' 57" E., 80.11 feet;

Thence, S. 32° 07' 06" W., 30.64 feet;

Thence S. 67° 37' 31" E., 136.98 feet;

Thence, S. 32° 07' 06" W., 804.18 feet;

Thence, N. 67° 26' 16" W., 898.05 feet to the Point of Beginning;

Therefore, be it,

RESOLVED, that the City Assessor of the City of Monroe, Michigan be and hereby is instructed and directed to cause a special assessment roll to be prepared for Paving Special Assessment District Number 331, in which he is instructed to levy upon the property benefited by said improvement, and within this district, the sum of \$51,288.03, and report the same to this Council.

Mason Run II Final Street Paving - Paving Special Assessment District 331

Proposed assessable costs - based on frontage of all roadways within district

Note: "Corner lots" are entitled to 1/2 discount of each roadway frontage (75 feet maximum discount for each frontage) per City resolution.

Note: Parcels 59-01788-501 (Noble Park) and 59-01788-905 (future development) are general common elements and their frontage must be distributed among 62 parcels (61 condominium units and Elliot Park), not assessed separately

Note: Elliot Park not deeded from City to Creative Land Design. Elliot Park identified as public park in Master Deed, not common element.

Note: City Parcels do not receive corner lot discount, all frontage listed as P.O. share for these.

Parcel ID 59-01788-XXX	Property Address	Owner Name	Owner Property Address	Primary Frontage	Side Yard Frontage	Share of Common*	Total Frontage	City Share Frontage	P.O. Share Frontage	P.O. Projected Assessment
501	401 Baptiste	General common element	*Common element, must be divided 1/62 to each lot							
13	431 Baptiste	Washington, Allen R	431 Baptiste Avenue, Monroe, MI 48162	54.35	0.00	16.76	71.11	0.00	71.11	\$923.20
14	437 Baptiste	Wright, Garland B.	437 Baptiste Avenue, Monroe, MI 48162	48.02	0.00	16.76	64.78	0.00	64.78	\$841.02
15	443 Baptiste	Miller, Christian A & Jennifer A	443 Baptiste Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$840.76
16	449 Baptiste	Zimmerman, Robert & Renee	449 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
17	455 Baptiste	Wille, James M. & Carey Leigh	455 Baptiste Avenue, Monroe, MI 48162	49.00	0.00	16.76	65.76	0.00	65.76	\$853.74
18	459 Baptiste	Zavela, Corey N & Lori L	459 Baptiste Avenue, Monroe, MI 48162	49.00	0.00	16.76	65.76	0.00	65.76	\$853.74
19	463 Baptiste	Bux, Dennis M	463 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
20	467 Baptiste	Scoll, David & Kathryn	467 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
21	471 Baptiste	St. Bernard, Nicholas M	471 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
22	475 Baptiste	Country Wide Home Loans	7105 Corporate Dr. #PTX B-32, Plano, TX 75024	54.00	130.00	16.76	200.76	92.00	108.76	\$1,411.99
12	402 Baptiste	Blank St. Real Estate Investors	1200 17th st., STE 880, Denver, CO 80202	71.43	0.00	16.76	88.19	35.72	52.47	\$681.20
11	406 Baptiste	Lowenstein, Lisa	406 Baptiste Avenue, Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
10	410 Baptiste	Smith, Howard E & Theresa A	410 Baptiste Avenue, Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
9	414 Baptiste	Garner, Marty L & Andrea L	414 Baptiste Avenue, Monroe, MI 48162	42.07	0.00	16.76	58.83	0.00	58.83	\$763.77
500	444 Baptiste	City of Monroe - Elliot Park	120 East First Street, Monroe, MI 48161	111.18	431.18	16.76	559.12	0.00	559.12	\$7,258.87
8	902 McDougal	Gapuz, Raph & Angela L	902 McDougal Street, Monroe, MI 48162	123.95	44.50	16.76	185.21	84.23	100.98	\$1,310.99
7	906 McDougal	Aicher, Todd S & Torrie M	906 McDougal Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
6	910 McDougal	Thompson, Debra S	910 McDougal Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
5	914 McDougal	Renwick, Thomas L Jr. & Nicole M	914 McDougal Street, Monroe, MI 48162	50.00	110.00	16.76	176.76	80.00	96.76	\$1,256.20
1	401 Lapointe	Mancini, Dino A & Sally	401 Lapointe Avenue, Monroe, MI 48162	70.15	0.00	16.76	86.91	35.08	51.83	\$672.89
2	405 Lapointe	Fritz, Brian David & Andrea	405 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
3	409 Lapointe	Carpenter, Jeffrey G & Heather M	409 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
4	413 Lapointe	Rickard, Kenneth L & Kimberly D	413 Lapointe Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$840.76
23	402 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	70.52	0.00	16.76	87.28	35.26	52.02	\$675.36
24	406 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
25	410 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
26	414 Lapointe	Umfress, Andrea L	414 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
27	418 Lapointe	Brent Huber	336 Baptiste Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
28	422 Lapointe	Ibershoff, James G & Evelyn J	422 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
29	426 Lapointe	Woolf, Charles F & Debra A	426 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
30	430 Lapointe	Lavanway, Jon L & Anita O	430 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
31	434 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
32	438 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
33	442 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
34	446 Lapointe	Seely, Russell G & Lisa M	446 Lapointe Avenue, Monroe, MI 48162	50.00	122.00	16.76	188.76	86.00	102.76	\$1,334.10
35	938 Elliot	Medlin, Janell	938 Elliot Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
36	942 Elliot	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
37	946 Elliot	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
38	950 Elliot	Hughes, Thomas G & Debra A	950 Elliot Street, Monroe, MI 48162	80.21	114.21	16.76	211.18	97.21	113.97	\$1,479.63
46	401 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	71.30	0.00	16.76	88.06	35.65	52.41	\$680.42
45	407 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.03	0.00	16.76	51.79	0.00	51.79	\$672.37
44	411 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.07	0.00	16.76	51.83	0.00	51.83	\$672.89
43	415 Mason Run	Hall, Willie R & Darleen L	415 Mason Run Blvd., Monroe, MI 48162	50.21	0.00	16.76	66.97	0.00	66.97	\$869.45
42	419 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	49.38	0.00	16.76	66.14	0.00	66.14	\$858.67
41	425 Mason Run	Palmer, Jeremiah T & Renee M	425 Mason Run Blvd., Monroe, MI 48162	35.41	0.00	16.76	52.17	0.00	52.17	\$677.31
40	429 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.55	0.00	16.76	52.31	0.00	52.31	\$679.12

Paving Special Assessment District 331

Proposed Cost Breakdown

Prepared by Patrick M. Lewis, P.E., Director of Engineering and Public Services

Mason Run II Final Street Paving - Paving Special Assessment District 331

Proposed assessable costs - based on frontage of all roadways within district

Note: "Corner lots" are entitled to 1/2 discount of each roadway frontage (75 feet maximum discount for each frontage) per City resolution.

Note: Parcels 59-01788-501 (Noble Park) and 59-01788-905 (future development) are general common elements and their frontage must be distributed among 62 parcels (61 condominium units and Elliot Park), not assessed separately

Note: Elliot Park not deeded from City to Creative Land Design. Elliot Park identified as public park in Master Deed, not common element.

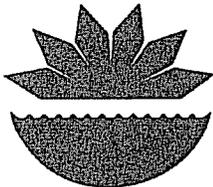
Note: City Parcels do not receive corner lot discount, all frontage listed as P.O. share for these.

Parcel ID 59-01788-XXX	Property Address	Owner Name	Owner Property Address	Primary Frontage	Side Yard Frontage	Share of Common*	Total Frontage	City Share Frontage	P.O. Share Frontage	P.O. Projected Assessment
39	433 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	51.07	0.00	16.76	67.83	0.00	67.83	\$880.61
47	402 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	87.73	0.00	16.76	104.49	43.87	60.62	\$787.01
48	408 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
49	414 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	60.00	0.00	16.76	76.76	0.00	76.76	\$996.55
50	420 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	55.00	0.00	16.76	71.76	0.00	71.76	\$931.64
51	426 Mason Run	Stephanie Gessner	426 Mason Run Blvd., Monroe, MI 48162	45.00	0.00	16.76	61.76	0.00	61.76	\$801.81
52	432 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	45.00	0.00	16.76	61.76	0.00	61.76	\$801.81
53	438 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	55.00	0.00	16.76	71.76	0.00	71.76	\$931.64
54	444 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	55.00	0.00	16.76	71.76	0.00	71.76	\$931.64
55	450 Mason Run	O'Grady, Michael & Christina	450 Mason Run Blvd., Monroe, MI 48162	45.00	0.00	16.76	61.76	0.00	61.76	\$801.81
56	456 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	60.00	0.00	16.76	76.76	0.00	76.76	\$996.55
57	462 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	58.00	0.00	16.76	74.76	0.00	74.76	\$970.58
58	468 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
59	474 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	45.00	0.00	16.76	61.76	0.00	61.76	\$801.81
60	480 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
61	486 Mason Run	U.S. Bank National Association	155 N. Lake Ave., Pasadena, CA 91101	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
905	E. Noble - Vacant	General common element	*Common element, must be divided 1/62 to each lot							
903	E. Noble - Vacant	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	130.00	0.00	0.00	130.00	65.00	65.00	\$843.87
Project Totals				3208.63	951.89	1039.12	5199.64	690.02	4509.62	\$58,546.90

Assessable Frontage less corner lot of common	5199.64
Corner Lot Share of Common Elements	300.00
Total Assessable Frontage	5499.64
Projected Assessable Cost (w/eng. & Contingencies)	\$71,400
Assessable Cost per front foot	\$ 12.9827

Note: City corner lot share not accounted for in above table (Parcel nos. 59-01788-501 [75 feet] and 59-01788-905 [225 feet])

Property Owner Costs (Less Elliot Park)	\$51,288.03
City Costs (Elliot Park)	\$7,258.87
City Costs (Corner Frontage of Condominium Units)	\$8,958.30
City Costs (Corner Frontage of Common Elements)	\$3,894.80
Total Project Costs	\$71,400.00



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: FINAL PAVING OF MASON RUN II STREETS – PAVING SPECIAL ASSESSMENT DISTRICT NUMBER 331
– SPECIAL ASSESSMENT RESOLUTION NUMBER 4

DISCUSSION: Earlier on this City Council agenda, Resolution 3, declaring this project a public necessity, was presented for your approval. The discussion on that earlier Fact Sheet provides the background for the necessity of this project. Since the estimated costs were based on pricing that we will use should this project be confirmed, there is no difference between the estimated costs and actual “bid” costs, so it is appropriate to proceed immediately from the determination of necessity, should it be determined, to the public hearing on the assessment roll. Please see the attachments with and the discussion for the agenda item for Resolution 3 for the proposed distribution of the assessment roll.

The next step in this process is Resolution 4, which schedules the final public hearing on the assessment roll. The resolution, attached, schedules a public hearing for the October 19, 2009 City Council meeting, and we will recommend confirmation of the Special Assessment at that meeting as well.

IT IS RECOMMENDED that the attached Resolution 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 19, 2009 at 7:30 P.M. in the City Council Chambers.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Final paving should occur by November 15, and at least one more City Council meeting is necessary to proceed to confirmation.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering and Public Services Department, adjacent property owners and residents

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$71,400*
Cost of This Project Approval	\$N/A
Related Annual Operating Cost	\$N/A
Increased Revenue Expected/Year	\$N/A

*Estimated cost includes 1-1/2" of paving, plus 15% contingencies and 10% engineering inspection costs.

<u>SOURCE OF FUNDS:</u>	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	TBD	TBD	\$71,400
	<u>Other Funds</u>		

Budget Approval: _____

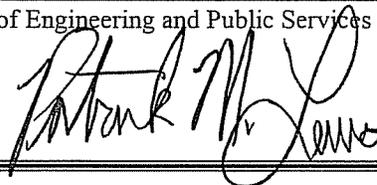
FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 09/28/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009



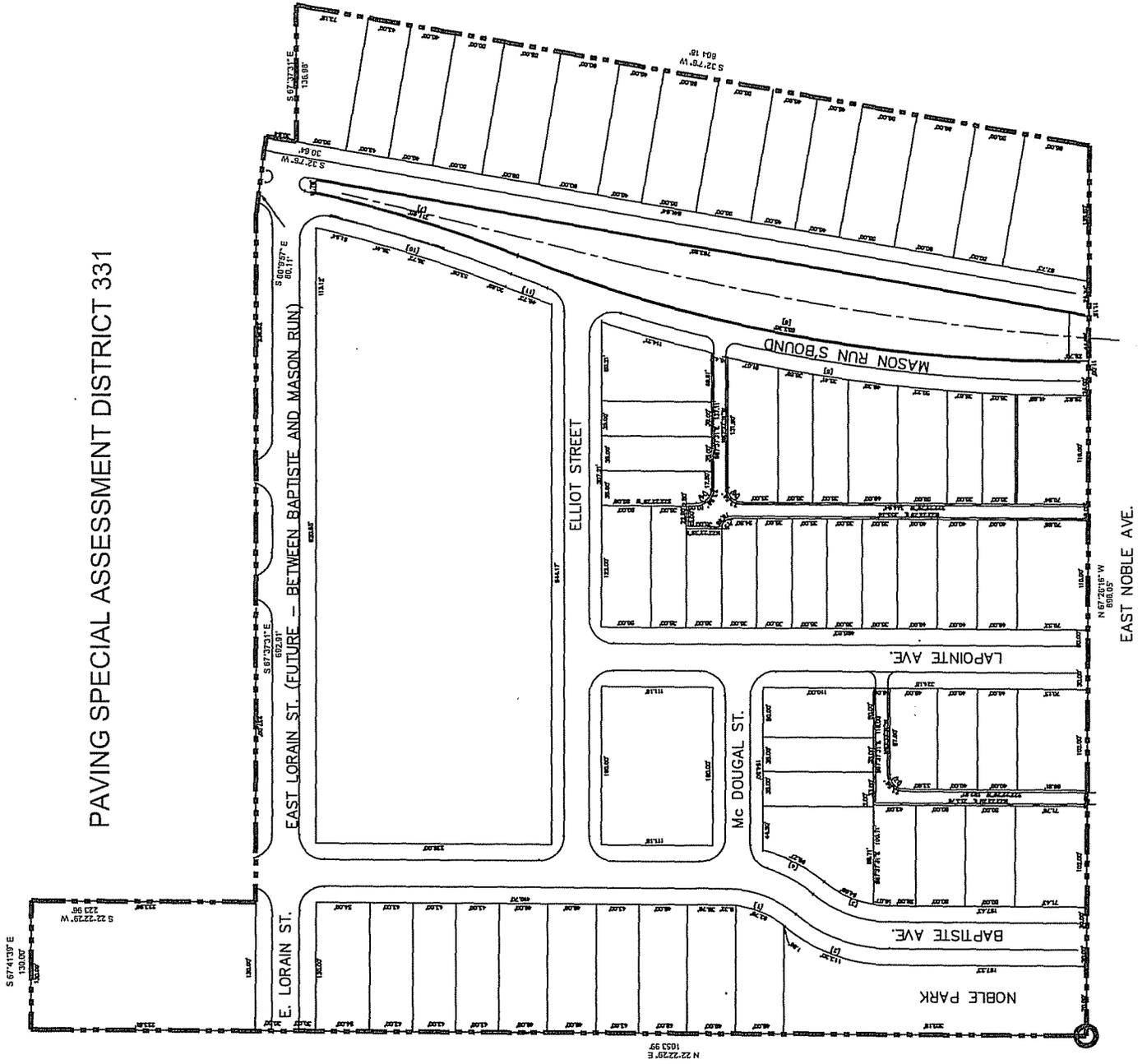
RESOLUTION NO. 4

WHEREAS, the City Assessor has reported and filed a special assessment for final paving work to service properties fronting Baptiste Avenue between East Noble Avenue and East Lorain Street, Lapointe Avenue between East Noble Avenue and Elliot Street, McDougal Street between Baptiste Avenue and Mason Run Boulevard, Elliot Street between Baptiste Avenue and Mason Run Boulevard, Mason Run Boulevard between East Noble Avenue and future East Lorain Street, and East Lorain Street between the Mason Run Drain and Baptiste Avenue, known and designated as Paving Special Assessment District 331; therefore be it;

RESOLVED, that the special assessment costs be spread over a period of ten (10) years with equal principal payments and interest charged at a rate of 4.37% on the unpaid balance, and be it further;

RESOLVED, that on October 19, 2009, at the Council Chambers in the City of Monroe, Michigan at 7:30 P.M., the Council will meet to review the special assessments so made; and that the City Clerk-Treasurer is directed to give notice of such review as required by the Charter.

PAVING SPECIAL ASSESSMENT DISTRICT 331



Mason Run II Final Street Paving - Paving Special Assessment District 331

Proposed assessable costs - based on frontage of all roadways within district

Note: "Corner lots" are entitled to 1/2 discount of each roadway frontage (75 feet maximum discount for each frontage) per City resolution.

Note: Parcels 59-01788-501 (Noble Park) and 59-01788-905 (future development) are general common elements and their frontage must be distributed among 62 parcels (61 condominium units and Elliot Park), not assessed separately

Note: Elliot Park not deeded from City to Creative Land Design. Elliot Park identified as public park in Master Deed, not common element.

Note: City Parcels do not receive corner lot discount, all frontage listed as P.O. share for these.

Parcel ID	Property Address	Owner Name	Owner Property Address	Primary Frontage	Side Yard Frontage	Share of Common*	Total Frontage	City Share Frontage	P.O. Share Frontage	P.O. Projected Assessment
501	401 Bapliste	General common element	*Common element, must be divided 1/62 to each lot							
13	431 Bapliste	Washington, Allen R	431 Bapliste Avenue, Monroe, MI 48162	54.35	0.00	16.76	71.11	0.00	71.11	\$923.20
14	437 Bapliste	Wright, Garland B.	437 Bapliste Avenue, Monroe, MI 48162	48.02	0.00	16.76	64.78	0.00	64.78	\$841.02
15	443 Bapliste	Miller, Christian A & Jennifer A	443 Bapliste Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$840.76
16	449 Bapliste	Zimmerman, Robert & Renee	449 Bapliste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
17	455 Bapliste	Wille, James M. & Carey Leigh	455 Bapliste Avenue, Monroe, MI 48162	49.00	0.00	16.76	65.76	0.00	65.76	\$853.74
18	459 Bapliste	Zavela, Corey N & Lori L	459 Bapliste Avenue, Monroe, MI 48162	49.00	0.00	16.76	65.76	0.00	65.76	\$853.74
19	463 Bapliste	Bux, Dennis M	463 Bapliste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
20	467 Bapliste	Scoll, David & Kathryn	467 Bapliste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
21	471 Bapliste	St. Bernard, Nicholas M	471 Bapliste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$775.84
22	475 Bapliste	Country Wide Home Loans	7105 Corporate Dr. #PTX B-32, Plano, TX 75024	54.00	130.00	16.76	200.76	92.00	108.76	\$1,411.99
12	402 Bapliste	Blank St. Real Estate Investors	1200 17th st., STE 880, Denver, CO 80202	71.43	0.00	16.76	88.19	35.72	52.47	\$681.20
11	406 Bapliste	Lowenstein, Lisa	406 Bapliste Avenue, Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
10	410 Bapliste	Smith, Howard E & Theresa A	410 Bapliste Avenue, Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$866.72
9	414 Bapliste	Garner, Marty L & Andrea L	414 Bapliste Avenue, Monroe, MI 48162	42.07	0.00	16.76	58.83	0.00	58.83	\$763.77
500	444 Bapliste	City of Monroe - Elliot Park	120 East First Street, Monroe, MI 48161	111.18	431.18	16.76	559.12	0.00	559.12	\$7,258.87
8	902 McDougal	Gapuz, Raph & Angela L	902 McDougal Street, Monroe, MI 48162	123.95	44.50	16.76	185.21	84.23	100.98	\$1,310.99
7	906 McDougal	Aicher, Todd S & Torrie M	906 McDougal Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
6	910 McDougal	Thompson, Debra S	910 McDougal Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
5	914 McDougal	Renwick, Thomas L Jr. & Nicole M	914 McDougal Street, Monroe, MI 48162	50.00	110.00	16.76	176.76	80.00	96.76	\$1,256.20
1	401 Lapointe	Mancini, Dino A & Sally	401 Lapointe Avenue, Monroe, MI 48162	70.15	0.00	16.76	86.91	35.08	51.83	\$672.89
2	405 Lapointe	Fritz, Brian David & Andrea	405 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
3	409 Lapointe	Carpenter, Jeffrey G & Heather M	409 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
4	413 Lapointe	Rickard, Kenneth L & Kimberly D	413 Lapointe Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$840.76
23	402 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	70.52	0.00	16.76	87.28	35.26	52.02	\$675.36
24	406 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
25	410 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
26	414 Lapointe	Umfress, Andrea L	414 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$736.90
27	418 Lapointe	Brent Huber	336 Bapliste Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
28	422 Lapointe	Ibershoff, James G & Evelyn J	422 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
29	426 Lapointe	Woolf, Charles F & Debra A	426 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
30	430 Lapointe	Lavanway, Jon L & Anita O	430 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
31	434 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
32	438 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
33	442 Lapointe	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
34	446 Lapointe	Seely, Russell G & Lisa M	446 Lapointe Avenue, Monroe, MI 48162	50.00	122.00	16.76	188.76	86.00	102.76	\$1,334.10
35	938 Elliot	Medlin, Janell	938 Elliot Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$671.98
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43	415 Mason Run	Hall, Willie R & Darleen L	415 Mason Run Blvd., Monroe, MI 48162	50.21	0.00	16.76	66.97	0.00	66.97	\$869.45
42	419 Mason Run	Creative Land Design, Inc.	41050 Vincenti Court, Novi, MI 48375	49.38	0.00	16.76	66.14	0.00	66.14	\$858.67
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Paving Special Assessment District 331

Proposed Cost Breakdown

Prepared by Patrick M. Lewis, P.E., Director of Engineering and Public Services

Mason Run II Final Street Paving - Paving Special Assessment District 331

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City Costs (Elliot Park)	\$7,258.87
City Costs (Corner Frontage of Condominium Units)	\$8,958.30
City Costs (Corner Frontage of Common Elements)	\$3,894.80
Total Project Costs	\$71,400.00



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: MICHIGAN AVENUE BRIDGE REPLACEMENT – CHANGE ORDER AWARD

DISCUSSION: On November 3, 2008, the City Council awarded a contract for the Michigan Avenue Bridge Replacement project to DeAngelis Landscape, Inc. of Woodhaven in the amount of \$194,950.00. This contract included the replacement of a failed bridge across the Mason Run Drain. DeAngelis became insolvent in Spring 2009, but fortunately the bonding company, Liberty Mutual, was able to secure a replacement contractor and acted in good faith throughout the complete the project as quickly as possible. All work is now completed and we are working on finalizing the paperwork for the contract.

At the time of the project award, a contingency of 15%, or \$30,000, was awarded beyond the base contract of \$194,950.00, for a total Council authorization for contractual services of \$224,950.00. Ordinarily, this would be sufficient to complete the project work, but in this case one fairly major design omission was found, that being construction of four retaining walls to prevent the erosion of soil into the channel. In addition, additional deterioration was found on the adjacent roadway that needed to be corrected for the proper completion of the project. When combined with some quantity overruns, the final contract price has been determined to be \$228,420.85, or \$3,470.85 over the previously-encumbered amount. Upon review of other local street projects, it appears that there is adequate funding in the Engineering account for the Lavender Street project, which will be completed by the end of October and still has over \$25,000 in funding available.

IT IS RECOMMENDED that the City Council approve an additional allocation to Liberty Mutual Insurance for the Michigan Avenue Bridge Replacement project in the amount of \$3,470.85. **IT IS FURTHER RECOMMENDED** that the Finance Director be authorized to transfer the funds as detailed above.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Contractor has completed all work as directed by the Engineering Department and is entitled to final payment.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, traveling public

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$228,420.85
	Cost of This Project Approval	\$3,470.85
	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>
	Lavender Street Resurfacing	203-60.451-825.005 08L08	\$3,470.85
	<u>Other Funds</u>		

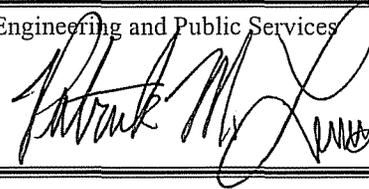
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/29/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: National Park Service Grant for the River Raisin Battlefield National Park

DISCUSSION: A \$350,000 grant has been awarded to the City of Monroe by the National Park Service to fund activities related to the River Raisin Battlefield. The city's Planning Office was assisted by Congressman Dingell's Office in securing the funding source and by the Park Service's Midwest Office during preparation of the grant application. The grant, which required no match by the city, is to be used for the "...acquisition, planning, design, and restoration of lands associated with the River Raisin Battlefield site..."

Due to the timing of the grant, the federal government's approaching fiscal year-end, and the immediate threat to specific parcels located adjacent to the battlefield, the Planning Office submitted the application for the city on September 18, 2009. Approximately one week later, the Finance Department was notified that funds had been transferred electronically to the city's account. The grant period runs from October 1, 2008 through September 30, 2013.

The Planning Office is recommending that City Council take action to officially accept the funds and to authorize the Mayor, in conjunction with the City Manager's Office, to undertake projects related to restoration, planning, and design of the River Raisin Battlefield, as well as undertake negotiations for properties that may become available.

CITY MANAGER RECOMMENDATION:

- For *J. P. ...*
 For, with revisions or conditions
 Against
 No Action Taken/Recommended

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE: Action required to accept funding

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: The Planning/Preservation Office, Department of Planning & Recreation, City Manager's Office

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: River Raisin Battlefield National Park

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$350,000
	Cost of This Project Approval	\$N/A
	Related Annual Operating Cost	\$N/A
	Increased Revenue Expected/Year	\$350,000

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
			\$
			\$
			\$
			\$
			\$
	<u>Other Funds</u>		\$
			\$
	National Park Service, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009		\$ \$350,000

Budget Approval: 

FACT SHEET PREPARED BY: Jeffrey Green, AICP, Interim Director, Planning & Recreation

DATE: 9/29/2009

REVIEWED BY: George Brown, City Manager

DATE: 9/30/2009

COUNCIL MEETING DATE: October 5, 2009

**UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE**

Applicant Name	Grant Number
CITY OF MONROE, MICHIGAN	GA6495-K-0021

Administering Agency
CITY OF MONROE, MICHIGAN

Grant Title
RIVER RAISIN NATIONAL BATTLEFIELD PARK

Grant Type
COMBINATION

Project Period
OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2013

Proposal Scope (description of proposal on individual site or project basis, with identification of each site):

In consideration of the language and the intent of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009, a component of the Omnibus Appropriations Act, 2009, as enacted by Public Law 111-8, the National Park Service is authorized to provide financial assistance to the City of Monroe, Michigan, for use in the acquisition, planning, design, and restoration of lands associated with the River Raisin battlefield site as further detailed in the project proposal.

Grant Cost		The following are hereby incorporated into this Agreement:
Total Cost	\$ <u>350,000</u>	1. <u>OMB Circulars A-87; A-102; A-133</u>
NPS Amount	\$ <u>350,000</u>	2. <u>National Environmental Policy Act</u>
Local Match	\$ <u>0</u>	3. <u>Rehabilitation Act of 1973</u>
Other	\$ <u>0</u>	4. _____

The United States of America, represented by the Regional Director, Midwest Region, National Park Service, United States Department of the Interior, and the Grants Recipient named above (hereinafter referred to as the Grantee), mutually agree to perform this agreement in accordance with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, assurances, and certificates attached hereto or retained by the Grantee and hereby made a part hereof.

The United States hereby promises, in consideration of the promises made by the Grantee herein, to obligate to the Grantee the amount of money referred to above, and to tender to the Grantee that portion of the obligation which is required to pay the United States' share of the costs of the above Grant. The Grantee hereby promises, in consideration of the promises made by the United States herein, to execute the Grant described above in accordance with the terms of this agreement.

The following special grant terms and conditions were added to this agreement before it was signed by the parties hereto:

The use of Federal financial support under this grant is subject to Section 106 of the National Historic Preservation Act of 1966. Under Section 106, grant sponsors adhere to a review process that evaluates changes in character or use of historic properties as a result of the federally financed undertaking. Because the initial phase of this grant is the acquisition of land, compliance with section 106 is hereby deferred until the sponsor creates development plans and ground disturbance is anticipated.

In witness whereof, the parties hereto have executed this agreement as of the dated entered below.

THE UNITED STATES OF AMERICA

GRANTEE

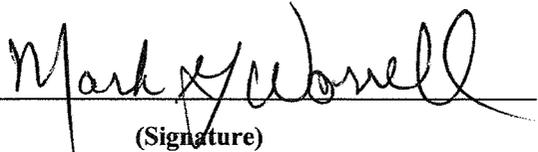
(Signature)

City of Monroe, Michigan

(Grantee Name)

Regional Director

(Title)



(Signature)

National Park Service

(Government Name)

Mark G. Worrell

(Typed Name)

(Date)

Mayor

(Title)

**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

2. DATE SUBMITTED 09/16/2009		Applicant Identifier N/A
TYPE OF SUBMISSION: Application	<input type="checkbox"/> Pre-application	3. DATE RECEIVED BY STATE
	<input type="checkbox"/> Construction	State Application Identifier
<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction	Federal Identifier

5. APPLICANT INFORMATION

Legal Name: Monroe, Michigan, a municipal corporation	Organizational Unit
Organizational DUNS: 068098755	Department: Planning & Recreation
Address: Street: 120 E. First Street	Division: N/A
City: Monroe	Name and telephone number of person to be contacted on matters involving this application (give area code)
County: Monroe	Prefix: Mr. First Name: Jeffrey
State: Michigan Zip Code 48161	Middle Name
Country:	Last Name Green
	Suffix:
	Email: jeffrey.green@monroemi.gov

6. EMPLOYER IDENTIFICATION NUMBER (EIN): 38-6004638	Phone Number (give area code) (734) 384-9106	Fax Number (give area code) (734) 243-8683
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8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)	7. TYPE OF APPLICANT: (See back of form for Application Types) B. Municipal Other (specify)
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10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Not applicable	9. NAME OF FEDERAL AGENCY: U.S. Department of Interior, National Park Service
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): City of Monroe, MI; County of Monroe, MI; State of Michigan; US	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Land Acquisition - River Raisin Battlefield National Park

13. PROPOSED PROJECT Start Date: 10/01/2008 Ending Date: 09/30/2013	14. CONGRESSIONAL DISTRICTS OF: a. Applicant John D. Dingell b. Project John D. Dingell
---	---

15. ESTIMATED FUNDING:	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
a. Federal \$ 350,000.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant \$	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372
c. State \$	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local \$	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
e. Other \$	<input type="checkbox"/> Yes if "Yes" attach an explanation. <input checked="" type="checkbox"/> No
f. Program Income \$	
g. TOTAL \$ 350,000.00	

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr.	First Name Mark	Middle Name G.
Last Name Worrell		Suffix
b. Title Mayor		c. Telephone Number (give area code) (734) 243-0700
d. Signature of Authorized Representative <i>Mark Worrell</i>		e. Date Signed 18 Sept 09



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: BUILDING MAINTENANCE & RENOVATIONS – CITY OF MONROE CENTRAL FIRE STATION – BID AWARD FOR HARD-WIRED SMOKE DETECTORS

DISCUSSION: At the September 21, 2009 City Council meeting, a full report on bids received for various projects for the Central and West Side Fire Stations was presented, and bids were awarded for the replacement of the flat roof over the office area, replacement of the HVAC unit, and installation of ice and snow guards on the metal roof to help limit large sheets of ice and snow from sliding onto the new flat roof.

At the past Council meeting, the Engineering Department requested that the recommended bid award for one item, installation of hard-wired smoke detectors for the Central Fire Station, be postponed for two weeks. This was done to ensure that the project had been properly scoped, as there was some question about whether additional work would be required to meet electrical and fire code requirements. A meeting was held with the low bid contractor (and in fact the only contractor bidding on this item), Fire Chief, architect, electrical inspector, and City Engineer, and it was determined that the item was indeed properly scoped and meets all code requirements, and the lone bid received for this item was satisfactory in cost. This lone bid was from Staelgraeve-Turner Electric Inc. of Monroe in the amount of \$12,200. They have worked with the City on numerous projects in the past, having performed in a very satisfactory fashion on all. Though they meet the City's Labor Harmony requirements, since their contract is for less than \$50,000, an agreement is not required. Since the previous Fact Sheet referenced the original bid item numbers, it has been attached again for your reference. This item in question is listed as Item 5, whereas Items 1, 2, 4, and 6 were awarded at the last meeting. Contingencies for this project were already awarded previously, so no additional funding beyond that is being requested separately for this item.

IT IS RECOMMENDED that the City Council award a contract for Item 5 to Staelgraeve-Turner Electric, Inc. in the amount of \$12,200. **IT IS FURTHER RECOMMENDED** that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Project completion date is November 15, bids are only good for 45 days.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, Fire Department

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$80,178*
	Cost of This Project Approval	\$12,200
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes \$19,178 in architectural services awarded at July 6, 2009 City Council meeting, which covers design for some future projects as well as those awarded under this contract, and \$48,800 in contractual services (including contingencies) at the September 21, 2009 City Council meeting.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	Central Fire Station Impr.	401-95.336-818.020 10C08	\$12,200.00
	<u>Other Funds</u>		

Budget Approval: _____

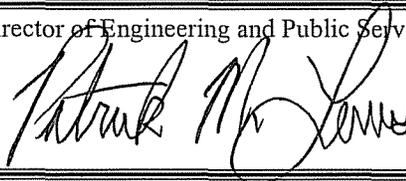
FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 09/30/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009



BUILDING MAINTENANCE AND RENOVATIONS - CITY OF MONROE FIRE STATIONS - BID TABULATION

BUILDING MAINTENANCE & RENOVATIONS - CITY OF MONROE FIRE STATIONS				PHOENIX CONTRACTORS, INC.	SIEB PLUMBING & HEATING, INC.	STAELEGRAEVE TURNER ELECTRIC, INC.
ITEM NO.	DESCRIPTION	UNITS	NO. OF UNITS	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT
1	BASE BID - RUBBER ROOFING SYSTEM	LS	1.0	\$ 31,000.00	\$ -	\$ -
2	BASE BID -METAL DECK REPL. (PROVISIONAL)	SFT	1.0	\$ 15.00	\$ -	\$ -
3	BASE BID - FIRE SUPPRESSION SYSTEM	LS	1.0	\$ 41,000.00	\$ -	\$ -
4	BASE BID - NEW FURNACE / CONDENSING UNIT	LS	1.0	\$ 26,000.00	\$ 9,950.00	\$ -
5	BASE BID - NEW HARD-WIRED SMOKE DETECTORS	LS	1.0	\$ -	\$ -	\$ 12,200.00
6	ALT. 1 - NEW ICE AND SNOW GUARDS ON EXISTING ROOF	LS	1.0	\$ 5,000.00	\$ -	\$ -
7	ALT. 2 - NEW HEATING CABLE AT S END OF EXIST. ROOF	LS	1.0	\$ -	\$ -	\$ 3,400.00
8	ALT. 3- NEW ANODIZED ALUMINUM FRAMING SYSTEM	LS	1.0	\$ 39,000.00	\$ -	\$ -
9	BASE BID - WEST SIDE STATION ARCH REPAIR	LS	1.0	\$ 8,500.00	\$ -	\$ -
10	BASE BID - WEST SIDE STATION ARCH DEMOLITION	LS	1.0	\$ 12,900.00	\$ -	\$ -
Recommended awards highlighted in bold print. Total rec. awards				\$ 54,450.00		



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Replacement of City Hall Security System

DISCUSSION: As part of the 2009-10 Capital Improvements Program, the City Council funded \$419,000 for various improvements for City Hall. One of these projects is the installation of electronic locks for the security of City Hall.

Bids were opened on Monday, September 28, 2009, there was only one bid for the amount of \$9,875.00 from Security Corporation. Security Corporation has done numerous projects for Monroe County Community Credit Union and received a high recommendation. In the process of preparing for this project we did receive a cost analysis from Wyandotte Alarm for the amount of \$12,512.00.

IT IS RECOMMENDED that the City Council award the contract to Security Corporation for the amount of \$9,875.00 and that a total of \$11356.25 be encumbered to include a contingency of 15% for the project.

IT IS FURTHER RECOMMENDED that the Mayor and Clerk-Treasure be authorized to sign the contract on the behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE: Council meeting on this date.

STAFF RECOMMENDATION: X FOR Against
REASON AGAINST: N/A

INITIATED BY: Building Department

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, City Hall Employees

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$11,356.25
	Cost of This Project Approval	\$11,356.25
	Related Annual Operating Cost	\$
	Increased Revenue Expected/Year	\$

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	City Hall Improvements	401-95.265-975.000 09C04	\$11,356.25
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph A. Lehmann, Building Official

DATE: 09/29/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE:





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Replacement of City Hall Fire Detection and Alarm System

DISCUSSION: As part of the 2009-10 Capital Improvements Program, the City Council funded \$419,000 for various improvements for City Hall. One of these projects is the replacement of the City Hall Fire Detection and Alarm System.

Bids were opened on Monday, September 28, 2009, there were three (3) bidders, and the bid tabulation is attached for your review. Bids were received from Geal Electric (\$27,900.00), Staelgrave Turner Electric (\$47,050.00) and Shaw Fire Detection Services (\$57,900.00). Geal Electric is a local electrical contractor that has been in business in Monroe County for more than forty years and they also are contracted by the City to monitor our panic alarms.

IT IS RECOMMENDED that the City Council award the above contract in the amount of \$27,900 to Geal Electric and that a total of \$ 32,085.00 be encumbered to include a contingency of 15% for the project.

IT IS FURTHER RECOMMENDED that the Mayor and City Clerk-Treasure be authorized to sign the contract on the behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE: Council meeting on this date.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Building Department

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, City Hall

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 32,085.00
Cost of This Project Approval	\$ 32,085.00
Related Annual Operating Cost	\$
Increased Revenue Expected/Year	\$

SOURCE OF FUNDS:

<u>City</u>	<u>Account Number</u>	<u>Amount</u>
City Hall Improvements	401-95.265-975.000 09C04	\$ 32,085.00
<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph A. Lehmann, Building Official

DATE: 09/29/09

REVIEWED BY:



DATE:

COUNCIL MEETING DATE:

BIDS RECEIVED FOR CITY HALL FIRE DETECTION & ALARM SYSTEM. BID
REQUESTS MAILED 9/14/09. BIDS DUE FRIDAY, SEPTEMBER 28, 2009.

	<u>BID AMOUNT</u>
SHAW FIRE DETECTION SERVICES 33200 SCHOOLCRAFT RD LIVONIA MI 48150	\$ 57,900.00 (BID BOND)
SIMPLEX GRINNELL FIRE ALARMS 3661 BRIARFIELD BLVD MAUMEE OH 43537	NO BID
MOSHER ELECTRIC PO BOX 1508 MONROE MI 48161	NO BID
STAELGRAVE TURNER ELECTRIC 1138 HUBER DR MONROE MI 48162	\$ 47,050.00 (BID DEPOSIT)
GEAL ELECTRIC 5740 N CUSTER RD MONROE MI 48162	\$ 27,900.00 (OFFICIAL CHECK)
WYANDOTTE ALARM CO 1409 OAK WYANDOTTE MI 48192	NO BID



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Equalizer Software Upgrade – Hardware Purchase

DISCUSSION: The 2010 Capital Improvements budget included approval of an upgrade to the Equalizer software that is used by all city departments. The Equalizer software is all of the city's financial, property tax, and assessing software packages. The budget amount approved was \$82,215. The contract for the purchase of the software was approved in June 2009 in order to lock in the discounts being offered by BS&A. We have not yet scheduled the actual implementation of the software, but we will be sharing the server, server software, and database software with Monroe County. Monroe County will be doing their upgrade in October and needs to get those items installed in advance of the implementation. In addition to the server and software, we will need to upgrade most of our personal computers for the main users of the Equalizer Software. None of our personal computers meet the minimum specifications required by the software.

The County, through its purchasing processes, has obtained prices for the server and the associated software. The City has significantly more Equalizer software products than the County and it is justifiable for the City to share in a larger portion of the cost of this purchase than the County. To that end, we have agreed to a 60/40 split on the cost of these items (server, server software, database software). The City and County are both standardized on Dell for hardware and therefore the server purchase will be from Dell. Our share of this cost will be \$5,739.33.

The City has also been standardized on Dell computers for a long time for its desktop computers. This standardization has increased the efficiency with which units can be serviced and maintained. The IT Staff of Monroe County, the current support of the City's computers and systems, are certified for Dell hardware and thus gain additional support advantages, direct from Dell, which the average, non-certified, technical support person does not. Total cost of ownership is decreased when a homogeneous PC environment exists.

The capital project budgeted for 30 new desktop computers related to this software upgrade. Governmental pricing from Dell has been received in the amount of \$930.54 per computer. The price does not include a monitor. Current monitors will continue to be used.

It is recommended that the Mayor and City Council approve the purchase of thirty (30) desktop computers from Dell in the amount of \$27,916.20; and further it is recommended that the Mayor and City Council approve paying its 60% portion of the server, server software, and database software cost related to the Equalizer .Net software upgrade in the amount of \$5,739.33.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: 10/5/2009

REASON FOR DEADLINE: County .Net implementation schedule

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Edward Sell, Finance Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: All Departments

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 82,215
Cost of This Project Approval	\$ 33,655.53
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>
Capital Projects Fund	401-95.915-818.020-10C07	\$ 33,655.53
		\$ N/A
<u>Other Funds</u>		\$ N/A
		\$ N/A
		\$ N/A
		\$ N/A

Budget Approval: 

FACT SHEET PREPARED BY: Edward Sell, Finance Director 

DATE: 9/30/2009

REVIEWED BY: 

DATE: 9/30/2009

COUNCIL MEETING DATE: October 5, 2009



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: 2008 WATER MAIN REHABILITATION PROGRAM – CONCRETE PATCHES CONTRACT / CHANGE ORDER AWARD

DISCUSSION: As you know, the City has been undertaking an extensive water main rehabilitation program, where existing water mains of adequate size are cleaned and lined rather than completely replaced. This process, rather than involving a continuous trench requiring full pavement replacement, limits pavement disruption to access pit, hydrant, and valve replacement locations in general.

The 2008 Water Main Rehabilitation Program contractor, Insituform Technologies, wished to utilize Andrews Construction of Manchester, Michigan for the replacement of their required concrete patches on Huber Drive. These patches in question were not a part of the original contract, as it was originally expected that the access pits would not require pavement replacement. Since Andrews is already under contract by the City for the 2007/08/09 ADA Ramp Program, it makes more financial sense to pay for these replacements at the unit prices in that contract than to pay the full pricing, including markup for this pavement, under the water main contract. There is sufficient available funding in the existing project to pay for this work. The total cost of these concrete patches is \$5,738.57, and the work has already been completed.

IT IS RECOMMENDED that the City Council approve a change order for Huber Drive concrete patches in the amount of \$5,738.57 to Andrews Construction Co. Inc. to the 2007 ADA Ramp Program.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Contractor has completed all work and is entitled to payment.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, Water Department, adjacent residents

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$5,738.57
Cost of This Project Approval	\$5,738.57
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>
Water System Improvements	591-40.538-972.000 08W12	\$5,738.57

Other Funds

Budget Approval: _____

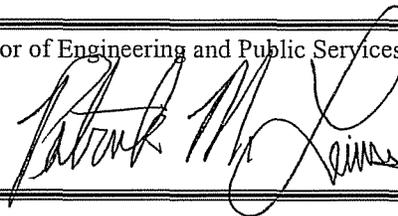
FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

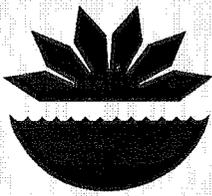
DATE: 09/30/09

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 5, 2009





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: City Hall Improvements Financing - Installment Purchase Agreement

DISCUSSION: Capital project budgets over the last two years have budgeted for improvements to city hall. The improvements planned included repairs and upgrades to the city hall plaza area, replacement of carpeting in city hall, replacement of city hall windows, a security system upgrade, and replacement of the fire detection and alarm system. The project in total is budgeted at \$459,000, with \$40,000 of that amount being funded by the General Fund and \$419,000 being financed through an installment purchase agreement, which is basically a tax exempt loan with a bank. All of these project costs are on your agenda for approval, except for the city hall windows. We are applying for federal energy efficiency grant funds to pay for the windows. The security system upgrade will be funded by the General Funded portion of the project.

The bids received for the city hall plaza area, city hall carpeting, and fire detection and alarm system amounted to approximately \$212,000. It was estimated that these bids might come in at as much as \$300,000. For that reason, financing bids were requested that would finance up to \$300,000. Since we are well under the amount that was estimated to be financed, we have considered adding the third floor of city hall to the carpeting project and the fire sprinkler system for the central fire station. It is estimated that these two items might add up to \$70,000 to the financing. The bid for the fire sprinkler system won't be available for approval until your October 19, 2009 meeting.

Bids were requested from all of the banks on the city's approved depository list for the financing. The terms of the financing are 10 year term, first payment of principal and interest due in one year from closing, and financing requested in the range of \$250,000 to \$300,000. Both Monroe Bank & Trust and United Bank & Trust submitted the low interest rate quotes of 4.85%.

It is recommended that the Mayor and City Council adopt the attached resolution that would approve the City of Monroe to enter into an installment purchase agreement with Monroe Bank & Trust in an amount not to exceed \$280,000 at an interest rate of 4.85%, and would also approve the Finance Director to adjust the final financing amount based on the final contract amounts approved for the city hall plaza improvements, city hall carpeting project, city hall fire detection and alarm system, and the central fire station fire sprinkler system.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: 10/5/2009

REASON FOR DEADLINE: City Hall Plaza work schedule

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Edward Sell, Finance Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: All Departments

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 280,000
Cost of This Project Approval	\$ 359,976
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

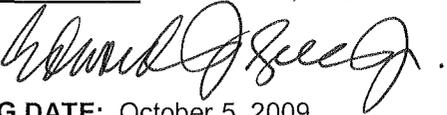
SOURCE OF FUNDS:

<u>City</u>	<u>Account Number</u>	<u>Amount</u>
Capital Projects Fund	401-95.265-975.000-09C04	\$ 280,000
		\$ N/A
<u>Other Funds</u>		\$ N/A
		\$ N/A
		\$ N/A
		\$ N/A

Budget Approval: 

FACT SHEET PREPARED BY: Edward Sell, Finance Director 

DATE: 9/30/2009

REVIEWED BY: 

DATE:

COUNCIL MEETING DATE: October 5, 2009

RESOLUTION AUTHORIZING
INSTALLMENT PURCHASE AGREEMENT
CITY OF MONROE
COUNTY OF MONROE, STATE OF MICHIGAN

Minutes of a regular meeting of the City Council of the City of Monroe, County of Monroe, State of Michigan, held in said City on the 5th day of October, 2009, at 7:30 p.m., prevailing Eastern Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Member _____ and supported by Member _____.

WHEREAS, a form of Installment Purchase Agreement (the "Agreement"), to be entered into among the City of Monroe, County of Monroe, Michigan (the "City"), Monroe Bank & Trust, Monroe, Michigan (the "Bank"), and the vendors (the "Vendors") of certain property, as described more fully in the Agreement (the "Property"), for the purchase of such Property, has been prepared; and

WHEREAS, under the provisions of Act 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the City is authorized to enter into contracts or agreements for the purchase of the Property to be paid for in installments over a period of not to exceed the useful life of the Property acquired as determined by resolution of the City; and

WHEREAS, the outstanding balance of all purchases by the City under Act 99, exclusive of interest, shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City at the date of such contract or agreement; and

WHEREAS, purchase of the Property pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases in excess of the limitation contained within Act 99 as set forth above; and

WHEREAS, the City has received an offer from the Bank for the financing of the Property; and

WHEREAS, the financed portion of the purchase price of the Property is expected not to exceed \$280,000 (the "Financed Purchase Price"), which shall be financed under the Agreement; and

WHEREAS, the Agreement is to be assigned to the Bank; and

WHEREAS, it is necessary to approve the Agreement and authorize the Mayor and City Clerk to execute the Agreement and authorize City officials to make certain determinations and execute certain other documentation relative thereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agreement substantially in the form as attached hereto at Exhibit A is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute, by manual signature, same and to deliver it to the Bank and the Vendors with such additions, changes or modifications as may be approved by Bond Counsel. The City shall incur the debt described in the preamble hereof through execution of the Agreement by the officers authorized herein which debt shall consist of the Financed Purchase Price of not to exceed \$280,000, which shall be payable in ten (10) annual installments of principal with interest thereon to be paid annually at a rate of 4.85%.

2. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement and deliver it to Vendors, substantially in the form as attached hereto at Exhibit A, with such additions, changes and modifications as shall be approved by the City's Bond Counsel, Miller, Canfield, Paddock and Stone, P.L.C., with the final principal amount and repayment schedule to be determined by the Finance Director based on the final purchase price of the Property.

3. The useful life of the Property is hereby determined to be not less than ten (10) years.

4. The Mayor, City Clerk/Treasurer and Finance Director are each hereby authorized and directed to execute such additional documentation and open such accounts as shall be necessary to effectuate the closing of the Agreement and the assignment thereof.

5. The assignment of the Agreement by the Vendors to the Bank is hereby approved.

6. The offer received from the Bank for the financing of the Property is hereby approved and accepted.

7. The City hereby agrees to include in its budget for each year commencing with the current fiscal year, a sum which will be sufficient to pay the principal of and interest on the Agreement coming due before the next fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and charter tax rate limitations.

8. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exemption of the interest on the obligations under the Agreement from general federal income taxation (as opposed to alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of proceeds of the Agreement and moneys deemed to be proceeds.

9. The City reasonably expects that it will not issue more than \$30,000,000 in tax exempt obligations in calendar year 2009. The City hereby designates its obligations under the Agreement as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of the Code.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members: _____

ABSTAIN: _____

NAYS: Members: _____

RESOLUTION DECLARED ADOPTED.

Clerk, City of Monroe

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Monroe, County of Monroe, Michigan, at a regular meeting held on October 5, 2009 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Clerk , City of Monroe

EXHIBIT A

[ATTACH FORM OF INSTALLMENT PURCHASE AGREEMENT HERE]

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

DELIB:3135811.1\061967-00051

INSTALLMENT PURCHASE AGREEMENT

This INSTALLMENT PURCHASE AGREEMENT (the "Agreement"), dated as of _____, 2009 by and between the City of Monroe, County of Monroe, Michigan (the "City"), _____, _____, (each individually, a "Vendor"; together, the "Vendors"), and Monroe Bank & Trust, as assignee of the Vendors (the "Assignee"), is as follows:

1. Purchase Price, Title and Useful Life. The City agrees to purchase and the Vendors agree to sell the property described on Exhibit A attached hereto and made part hereof, (the "Property"), pursuant to and in accordance with the instructions, terms and conditions as outlined in the specifications therefor (the "Specifications") for the sum of [\$ _____] (the "Purchase Price") of which [\$ _____] (the "Financed Purchase Price") shall be financed hereunder. The Financed Purchase Price will be payable as set forth on Exhibit B, attached hereto and made a part hereof, with annual installment payments of principal due to the Assignee on the 1st day of November commencing with the first payment of principal on November 1, 2010 to and including November 1, 2019. Interest will be payable annually beginning November 1, 2010 to and including November 1, 2019. The City's obligations under this Agreement shall be subject to prepayment prior to maturity at any time without penalty.

The City shall pay interest on the unpaid balance of the Financed Purchase Price to the Assignee as the assignee of this Agreement in accordance with Section 3 hereof, at a rate of interest equal to 4.85% per annum from the date funds are deposited by the Assignee as set forth in Section 3 hereof, computed on the basis of a 360-day year, which interest shall be payable commencing November 1, 2010, and annually thereafter, through the final date of payment of this Agreement. The Purchase Price includes the Property and other rights assigned and conveyed by the Vendors to the City. Upon delivery and acceptance by the City, title to the Property shall vest in the City. The City agrees that the useful life of the Property is at least equal to or longer than the date of the final payment hereunder.

2. Assignment to Assignee. On the date hereof the Assignee shall disburse an amount equal to the Financed Purchase Price to the City. The City shall keep and maintain as a separate fund not commingled with other moneys of the City a fund designated "2009 Property Acquisition Fund" (the "Fund") into which shall be deposited the moneys representing the Purchase Price. The City shall withdraw money from the Fund and disburse such money to pay each Vendor for the Property, pursuant to the terms of the applicable sales contract(s) and specifications. The moneys in the Fund may be invested in investments permitted by the laws of the State of Michigan for investment of City moneys. Any income or profit from investment of moneys in the Fund shall belong to the City and may be used to pay the costs of purchase of the Property and for no other purpose. Moneys in the Fund not required for the purchase of the Property shall be used by the City to pay interest owed to the Assignee under this Agreement.

The Vendors hereby irrevocably assign this Agreement immediately to the Assignee in consideration for an immediate payment from the Assignee or the City in the amount of the Purchase Price to the Vendors. The City hereby consents to said assignment, except with respect to the warranties and other obligations of the Vendors set forth in Paragraphs 3 through 6,

inclusive, of this Agreement, all of which shall, except as provided in Paragraph 6, remain the sole responsibility of the Vendors and shall not be assignable. With respect to the Assignee, the City hereby waives any defenses based upon warranty, failure or inability of the Vendors to perform their non-assignable obligations or the failure of the Property to perform its intended function. To the extent that funds are disbursed by the Assignee in accordance with this paragraph, the City's obligation to the Assignee is absolute and unconditional and shall remain in full force and effect, and such obligation shall not be affected, modified or impaired upon the happening from time to time of any event, including without limitation any of the following:

(a) Any failure of title with respect to the Vendors' interest in the Property specified herein or the invalidity, enforceability or termination of this Agreement;

(b) The modification or amendment (whether material or otherwise) of any obligation, covenant or agreement set forth in this Agreement;

(c) The voluntary or involuntary liquidation, dissolution, sale or other disposition of all or substantially all of the assets, marshalling of assets and liabilities, receivership, insolvency, bankruptcy, assignment for the benefit of creditors, reorganization, arrangement, composition with creditors or readjustment or other similar proceedings affecting the Vendors or any of their assets or any allocation or contest of the validity of this Agreement, or the disaffirmance of this Agreement in any such proceeding;

(d) To the extent permitted by law, any event or action which would, in the absence of this clause, result in release or discharge by operation of law of the Vendors from the performance or observation of any obligation, covenant or agreement contained in this Agreement; or

(e) The default or failure of the Vendors fully to perform any of their obligations set forth in this Agreement.

The City hereby consents to any future assignment of this Agreement by the Assignee.

Each Vendor respectively represents and warrants that the assignment to the Assignee of this Agreement does not violate any agreement, contract or loan agreement to which it is a party, and that the Agreement has been duly executed and delivered by the Vendor.

3. Date of Acceptance. The date of acceptance for the Vendors shall have been the date when all of the Property has been delivered to the City in accordance with the Specifications and the City has accepted the delivery of the Property in writing.

4. Warranty. Each Vendor warrants its Property as set forth in the applicable sales contract(s) and pursuant to the manufacturer's warranties and warrants its installation of the Property, if any. Any warranties, indemnifications, representations and any other obligations of each Vendor with respect to the Property shall not be assigned, but shall remain enforceable by the City. The Assignee makes no warranty as to the manufacture or assembly of the Property.

5. Entire Agreement. This Agreement and the documents expressly incorporated by reference herein constitute the entire agreement of the parties. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are hereby terminated.

6. Amendments. Any attempt to modify the terms of this Agreement or of any supporting document shall be ineffectual unless in writing, signed by all parties and the City agrees to secure the consent of Assignee to any such modifications, provided that the consent of the Vendors to the modification of any of the terms of payment by the City to the Assignee shall not be required.

7. Security and Tax Covenant. The obligation of the City to pay principal and interest under this Agreement is a general obligation of the City. The City shall include in its budget and pay each year, until this Agreement is paid in full, such sum as may be necessary each year to make all payments hereunder, when due. The City covenants to include in its budget annually a sum sufficient to meet its payment obligations under this Agreement and must levy sufficient taxes to provide that sum, subject to applicable charter, statutory and constitutional tax rate limitations. The City covenants that it shall comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), that must be satisfied subsequent to delivery of this Agreement in order that interest thereon be (or continue to be) excluded from gross income for federal income tax purposes. The City has designated this Agreement as a "qualified tax exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

8. Legislative Authorization. This agreement is made in accordance with and pursuant to Act 99, Public Acts of Michigan, 1933, as amended.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

9. Counterparts. This Agreement may be signed in any number of counterparts.

By: _____
Its: Authorized Representative
As Vendor

By: _____
Its: Authorized Representative
As Vendor

MONROE BANK & TRUST

By: _____
Its: Authorized Representative
As Assignee

CITY OF MONROE

By: _____
Its: Mayor

By: _____
Its: City Clerk

EXHIBIT A

ATTACH UNDERLYING SALES CONTRACTS AND SPECIFICATIONS

EXHIBIT B

PAYMENT SCHEDULE

DELIB:3135982.1\061967-00051



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Replacement of City Hall Carpet

DISCUSSION: As part of the 2009-10 Capital Improvements Program, the City Council funded \$419,000 for various improvements for City Hall. One of these projects is the replacement of the City Hall Carpet.

Bids were opened on Monday, September 28, 2009, there were three (3) bidders, and the bid tabulation is attached for your review. Bids were received from Cohn's Commercial Floor Covering (\$48,500.00), Airea Inc. (\$63,915.20) and Lakeside Interiors (\$73,440.00). The area of carpet that was put out for bid was for the first and second floor and after receiving the bids there was discussion with the Finance Director and the City Manager and it was decided to request a price to include the third floor hallway, conference room and break room. The addition cost is \$13,600.00 for a final cost of \$62,100.00.

IT IS RECOMMENDED that the City Council award the above contract in the amount of \$62,100.00 to Cohn's Commercial Floor Covering and that a total of \$ 71,415.00 be encumbered to include a contingency of 15% for the project.

IT IS FURTHER RECOMMENDED that the Mayor and City Clerk-Treasurer be authorized to sign the contract on the behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 5, 2009

REASON FOR DEADLINE: Council meeting on this date.

STAFF RECOMMENDATION: X For Against.

REASON AGAINST: N/A

INITIATED BY: Building Department

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council and All City Hall Staff

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ 71,415.00
	Cost of This Project Approval	\$ 71,415.00
	Related Annual Operating Cost	\$
	Increased Revenue Expected/Year	\$

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
	City Hall Improvements	401-95.265-975.000 09C04	\$ 71,415.00
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Joseph A. Lehmann, Building Official

DATE: 09/29/09

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: October 5, 2009

BIDS RECEIVED FOR CITY HALL CARPET REPLACEMENT. BID REQUESTS
MAILED 9/14/09. BIDS DUE FRIDAY, SEPTEMBER 28, 2009.

	<u>BID AMOUNT</u>
AIREA INC 23231 INDUSTRIAL PARK DR FARMINGTON HILLS MI 48335 ATTN: TIM DEIGHTON	\$ 63,915.20 (CASHIER'S CHECK)
CARPET WORKROOM 23000 VENTURE DR NOVI MI 48375 ATTN: JOHN LUKASIK	NO BID
MPS GROUP 2920 SCOTTEN ST DETROIT MI 48210 ATTN: BILL SINZHEIMER	NO BID
A&M INSTALLATIONS 23002 VENTURE DR NOVI MI 48375 ATTN: DARREN JAHNER	NO BID
SHOCK BROS FLOOR COVERING <u>CHARLES@SHOCKBROTHERS.COM</u>	NO BID
COHN'S COMMERCIAL FLOOR COVERING 47541 AVANTE DR WIXOM MI 48393	\$ 48,500.00 (BID BOND)
LAKESIDE INTERIORS 6630 MAUMEE WESTERN MAUMEE OH 43537	\$ 73,440.00 (BID BOND)