
RULE OF THE CHAMBER

Any person wishing to address City Council shall step up to the lectern, state their name and address in an audible tone of voice for the record, and unless further time is granted by the presiding officer, 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 lectern, 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.

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.

The City of Monroe will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon one weeks' notice to the City Clerk/Treasurer. Individuals with disabilities requiring auxiliary aids or services should contact the City of Monroe by writing or calling: City of Monroe, City Clerk/Treasurer, 120 E. First St., Monroe, MI 48161, (734) 384-9138. The City of Monroe website address is www.monroemi.gov.

**AGENDA - CITY COUNCIL REGULAR MEETING
MONDAY, FEBRUARY 7, 2011
7:30 P.M.**

I. CALL TO ORDER.

II. ROLL CALL.

III. INVOCATION/PLEDGE OF ALLEGIANCE.

IV. PROCLAMATION.

6 Rotary Recognition Day – February 23, 2011.

V. COUNCIL ACTION.

265 Postponed at the January 18, 2011 meeting.

Communication from the Building Official, reporting back on bids received for the demolition of a property located at 369 Armitage Drive, and recommending that Council award the contract to Earth Works Excavating, in the amount of \$8,300 and that a total of \$13,300 be encumbered to include a contingency of \$5,000 for the abatement of asbestos if identified, and further recommending that the Mayor or clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe. It was moved by Council Member Beneteau and seconded by Council Member Bica that item 265 be postponed until the February 7, 2011 Council Meeting and to modify the list so that the first three (3) items be completed by January 31, 2011 and if not complete, execute demolish of the property.

VI. 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 Work Session held on Tuesday, January 18, 2011 and the Minutes of the Regular Council Meeting held on Tuesday, January 18, 2011 and the Minutes from the Work Session held on Wednesday, January 26, 2011.

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

- 7 Traffic Committee Meeting.
 1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on January 26, 2011, and recommending that the City Council accept and place on file the Minutes from the January 26, 2011 Mayors Traffic Committee meeting, and approve Traffic Control Orders 058-002 and 158-003.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 8 Proposed Large Water User Agreement Between A Proposed Large Water User, City of Monroe and Exeter Township.
 1. Communication from the Director of Water & Wastewater Utilities, submitting a Large Water User Agreement between Ruhlig Farms, LLC (Proposed Large Water User), the City of Monroe and Exeter Township, and recommending that the attached agreement be approved and that the Mayor and City 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.
- 9 Monroe County Convention & Tourism Bureau Banner Request.
 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention & Tourism Bureau for permission to display a banner across Monroe Street from January 1 – May 15, 2012, announcing the Michigan State Bowling Association Tournament, and recommending that the request be approved, as modified, for up to a four week period.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 10 Storm Sewer Repair Work to Kentucky Avenue – Change Order.
 1. Communication from the Director of Engineering & Public Services, submitting a Change Order to the October 4, 2010 contract for water main replacement work on Kentucky Avenue from First to Front Streets, and recommending that Council award a Change Order to the 2010-11 Water Main Replacement Program for repairs to the storm sewer on Kentucky Avenue, to C & D Hughes, Inc., on a time and material basis not to exceed \$15,000, and further recommending that the Director of Engineering & Public Services be authorized to execute the change order on behalf of the City of Monroe.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 11 Arthur Lesow Community Center (ALCC) Building Improvements Bids – Alternate #1.
 1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the ALCC building improvements, and recommending that Council award a contract for Alternate #1 of the Building Improvements for the ALCC in the amount of \$73,550 to Erie Welding & Mechanical Contractors, Inc., with \$85,000 encumbered to include a 15 % contingency, 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.

12 Appointments Resolution.

1. Communication from the City Manager's Office, submitting a proposed resolution for appointment to various City Boards and Commissions, and recommending the proposed Resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

VII. MAYOR'S COMMENTS.

VIII. CITY MANAGER COMMUNICATION.

IX. COUNCIL COMMENTS.

X. CITIZEN COMMENTS

XI. CLOSED SESSION TO DISCUSS PENDING LITIGATION AND COLLECTIVE BARGANING.

XII. ADJOURNMENT.

PROCLAMATION

WHEREAS, Rotary International, founded on February 23, 1905 in Chicago, Illinois is the world's first and one of the largest non-profit service organizations; and

WHEREAS, there are over 1.2 million Rotary club members comprised of professional, business and community leaders in over 33,000 clubs in 200 countries and geographic areas; and

WHEREAS, the Rotary motto "Service Above Self" inspires members to provide humanitarian service, maintain high ethical personal and professional standards, and promote good will and peace in the world; and

WHEREAS, Monroe Rotarians fund and participate in service projects to address such critical issues as poverty, health care, hunger, illiteracy, and the environment in Monroe County, throughout the United States (particularly in rural Appalachia) and abroad, and

WHEREAS, the Rotary Club of Monroe County has actively improved the quality of life for Monroe County residents by providing food and clothing to those in need, assisting the homeless and unemployed, sponsoring events and providing support for Special Needs students of the Monroe Intermediate School District, aiding special case senior citizens by purchasing and building residential wheelchair ramps, enhancing area parks and recreation facilities by funding and building improvements such as the Munson Park PlayScape, and supporting community human services agencies and non-profit organizations monetarily and with volunteer manpower, and

WHEREAS, the Rotary Club of Monroe County actively and annually supports the educational achievement and endeavors of Monroe County children by providing dictionaries to all 3rd grade students in county school districts and provides college scholarships to deserving high school students, and

WHEREAS, the Rotary Club of Monroe encourages public service from students through school interact clubs at St. Mary's Catholic Central and Monroe High Schools, and

WHEREAS, the Rotary Club of Monroe fosters and promotes world understanding by supporting international exchange students from the Monroe area and welcomes and hosts international exchange students from Rotary clubs from around the world, and

WHEREAS, volunteers from Monroe Rotary regularly travel at their own expense to other nations to vaccinate populations against polio, teach fellow Americans and residents of third-world countries to produce sustainable clean drinking water and to cultivate sustainable food crops; provide health care, medicines and equipment through Rotary medical missions; and raise literacy and universal education by funding, building, maintaining and supplying schools.

NOW, THEREFORE, I, Robert E. Clark, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim February 23, 2011, as "**ROTOARY RECOGNITION DAY**" in Monroe, and we take this opportunity to commend and recognize the many contributions the Monroe Rotary Club has made to this community and we encourage all citizens to join us in recognizing Rotary International and The Rotary Club of Monroe, for exemplary, active and continuous work to improve the human condition, vanquish disease and suffering, promote peace and understanding and enhance education and literacy in Monroe and in communities around the world.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Monroe to be affixed this 7th day of February 2011.

Council Members:

Jeffery A. Hensley, Precinct 1

Christopher M. Bica, Precinct 3

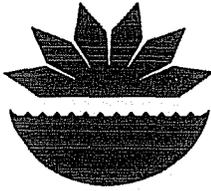
Mary V. Conner, Precinct 5

Robert E. Clark, Mayor

Edward F. Paisley, Precinct 2

Jeremy J. Molenda, Precinct 4

Brian P. Beneteau, Precinct 6



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Traffic Committee Minutes of January 26, 2011 meeting and Traffic Control Orders 058-002 and 158-003

DISCUSSION: The Mayor's Traffic Committee meeting was held on January 26, 2011, and the minutes are attached for your review and approval. There are two (2) traffic control orders for approval at this time as a result of the meeting.

Traffic Control Order 058-002 now restricts parking on the north side of Fountain Street as a result of resident surveys of the area following a citizen request. Traffic Control Order 158-003 provides for two changes in parking on South Roessler Street, one of which being the elimination of parking on the west side of the street south of West Fifth Street (the eastern section), and the other being the elimination of parking on the east side of the street between the two sections of West Fifth Street (which is an offset intersection at Roesser).

IT IS RECOMMENDED that the City Council accept and place on file the minutes from the January 26, 2011 Mayor's Traffic Committee meeting, and approve Traffic Control Orders 058-002 and 158-003.

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
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Other Funds

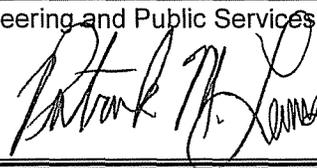
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Dir. of Engineering and Public Services **DATE:** 01/27/11

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: February 7, 2011



CITY OF MONROE
MAYOR'S TRAFFIC COMMITTEE MINUTES
January 26, 2011

Meeting was called to order by Councilman Beneteau on Wednesday, January 26, 2011 at 5:03 P.M. in the City Council Chambers.

Members Present: Councilman Beneteau (chaired meeting on behalf of Mayor Clark), Mayor Clark (arrived at 5:40), Councilman Hensley, Police Chief Moore, James Crammond (arrived at 5:05), Scott Davidson, Michael Milette, Dennis Polczynski

Members Excused: Anthony Webb

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

Citizens Commenting: Ellen Eoff, 511 South Roessler Street
Donna Cherba, County of Monroe
Theresa Kimbrough, Monroe Postmaster
Gary Mierick, Safety Manager, U.S. Postal Service
Eric Siedel, Assistant Postmaster, Monroe

1. Request from citizen Ellen Eoff to prohibit parking on the west side of South Roessler Street, south of West Fifth Street

Motion: It was moved by Michael Milette and supported by Councilman Hensley to prohibit parking on the west side of South Roessler Street south of West Fifth Street (eastern section).

Action: The motion passed unanimously (7-0).

2. Request from citizen Donna Cherba to provide additional in-street signage for the crosswalk on South Macomb Street between First and Second Streets.

Action: This item was referred back to the Engineering and Police Departments for further study by general consent.

3. Request from the Monroe Postmaster to replace individual delivery locations on Telegraph Road with cluster boxes or to relocate them to alternate locations.

Motion: It was moved by Michael Milette and supported by Councilman Hensley to endorse this concept and to direct the Engineering and Police Departments to work with the Post Office as appropriate.

Action: The motion passed unanimously (7-0).

4. Report back from the Engineering Department on the parking surveys for Fountain Street.

Motion: It was moved by Dennis Polczynski and supported by Scott Davidson to prohibit parking on the north side of Fountain Street.

Action: The motion passed unanimously (7-0).

5. Request from Councilman Hensley to restrict parking on the east side of South Roessler Street north of West Fifth Street (eastern section)

Motion: It was moved by Councilman Hensley and supported by Scott Davidson to prohibit parking on the east side of South Roessler Street between both sections of West Fifth Street.

Action: The motion passed unanimously (8-0, Mayor Clark entered the meeting prior to this item).

6. Request from the Engineering Department to review the new legislation on Complete Street to determine if action is desirable from the City of Monroe

Motion: It was moved by Councilman Hensley and supported by Michael Miletti to endorse the Complete Streets concept and direct the Engineering Department to prepare a draft resolution at the next Traffic Committee meeting.

Action: The motion passed unanimously (8-0).

7. Request from the Engineering Department to again consider removal of the traffic signals at the intersection of East Third Street and Winchester Street.

Motion: It was moved by Chief Moore and supported by Michael Miletti to refer this issue back to the Engineering Department for further study.

Action: The motion passed unanimously (8-0).

8. Action: With no further business, Councilman Beneteau adjourned the meeting at 5:56 P.M.



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 058-002

EFFECTIVE DATE: February 2011

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

The following regulations shall apply to Fountain Street:

Parking

1. Permitted parking, with no time limitations, in all areas, ~~both sides~~, **south side**.
2. **"No Parking, north side.**

Intersection Control

3. Fountain Street shall STOP at LaPlaisance Road.
4. Fountain Street shall STOP at Kentucky Avenue.

The following Traffic Control Orders shall hereby be rescinded: 058-001

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY OF MONROE

TRAFFIC CONTROL ORDER

ORDER NO. 158-003

EFFECTIVE DATE: February 2011

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

The following regulations shall apply to South Roessler Street:

Parking

1. "No Parking" from the River Raisin Bridge to West Front Street, both sides.
2. "No Parking" from West Front Street to a location 150 feet south of West Front Street, west side.
3. "No Parking" from West Front Street to a location 150 feet south of West Front Street, east side.
4. **"No Parking" between West Fifth Street (west section) and West Fifth Street (east section), east side.**
5. **"No Parking" between West Fifth Street (east section) and the cul-de-sac south of West Fifth Street, west side.**
6. "No Parking" in the cul-de-sac located south of West Fifth Street.
7. "No Parking" from West Seventh Street to West Eighth Street, west side.
8. Permitted parking with no time limitations, in all other areas, both sides.

Intersection Control

9. South Roessler Street shall STOP at West Seventh Street.
10. Traffic signals with pedestrian signals shall be installed at the intersection of South Roessler Street and West Front Street.

Roadway Geometry

11. Special "Left Turn Only" and "Right Turn Only" lanes shall be provided southbound at West Front Street.
12. The Roessler Street bridge, including approaches, shall be a four-lane street, with two lanes in each direction.

The following Traffic Control Orders are hereby rescinded: 158-002

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: PROPOSED LARGE WATER USER AGREEMENT BETWEEN A PROPOSED LARGE WATER USER, CITY OF MONROE, AND EXETER TOWNSHIP

DISCUSSION: Attached please find a Large Water User Agreement between Ruhlig Farms, LLC (Proposed Large Water User), the City of Monroe and Exeter Township (Township). As you recall, the executed Amendment to the existing Water Agreement between the City of Monroe and Exeter Township dated December 19, 2007 (Amendment) includes a section to manage large water users within the Township. A Large Water User (LWU) is defined as a user requiring meter size(s) larger than 1 inch. The proposed LWU Agreement is required in an effort to manage water users within the Township so as to allow the user to connect to the City water system while incorporating their water demands into the system so as to not negatively impact system operations and provide for limited water system growth.

The LWU property is zoned agricultural where a 2 inch water service and 2 inch compound water meter is being proposed for farm operations – growing plants and washing produce at 5810 Ohara Road and 11528 Sumpter Road (contiguous properties). The desired maximum capacity is 75,000 gallons per day which will not be included in the overall Exeter Township capacity as outlined in the Amendment.

A System Development Fee will be required from the LWU in accordance with the City Code such that this fee will not be used to reduce the Township Buy-in Cost for additional capacity as outlined in the Amendment. The LWU water rates will be the same rates as retail users in the Township (charged double commodity and debt service water rates, single administrative fee rate, and a re-pumping surcharge). If the LWU exceeds the allotted daily maximum water capacity, a 100% surcharge shall be charged for the additional water used.

The Township is completing construction of the water mains to provide water service to the residences in Special Assessment District No. 4A where the LWU is located. The South Custer Booster Station currently re-pumps water to the Township and other areas west of Raisinville Road where the pumping capabilities will be able to accommodate the LWU desired water capacity without negatively impacting the overall water system.

The attached agreement was reviewed by Tom Ready, City Attorney, such that he is familiar with the provisions. The agreement has been reviewed and executed by both the Township and the LWU.

IT IS RECOMMENDED that the attached agreement be approved and that the Mayor and City 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: ASAP

REASON FOR DEADLINE: Allow for the Large Water User to obtain water service from the City of Monroe.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:


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

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Water Department, Large Water User and Exeter Township.

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

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** January 26, 2011

REVIEWED BY: _____ **DATE:** _____

COUNCIL MEETING DATE: February 7, 2010

**LARGE WATER USER AGREEMENT
BETWEEN LARGE USER, CITY OF MONROE, AND EXETER TOWNSHIP**

**Use Black Ink Pen or Black Type*

This Agreement made and entered into this _____ day of _____, 2010, by and between Ruhlig Farms, LLC, located at 5810 Ohara Road, Carleton, MI 48117 ("User") the City of Monroe, a municipal corporation of the State of Michigan, located at 120 East First Street, Monroe, MI 48161, (the "City"), and Exeter Township, a Michigan municipal corporation, located at 6158 Scofield Road, Maybee, MI 48159, (the "Township").

RECITALS

WHEREAS, the TOWNSHIP and the CITY have entered into certain agreements for the provision of potable water services to the residents of the TOWNSHIP dated March 24, 1999 and December 19, 2007 and;

WHEREAS, the TOWNSHIP is constructing water mains to provide water service to residences in those areas within the TOWNSHIP known as Special Assessment District (SAD) No. 4A;

WHEREAS, the CITY recognizes the hardship within the TOWNSHIP to provide potable drinking water to its residents and;

WHEREAS, the CITY currently provides water service up to a maximum capacity of 325,000 gallons per day to its existing residents including SAD No. 1~4;

WHEREAS, the CITY provides potable water without regard to the classification of the individual benefactor of such service. Large water user connections (existing commercial, institutional, residential, agricultural, and future limited growth) are defined as users requiring meter sizes larger than 1 inch. Said large users are required to execute agreements with both Exeter Township and the City of Monroe such that the agreements shall include, but not limited to: specifying

the meter size, capacity, System Development Fee, and any other requirements imposed by either government agency. The large user capacity shall be separate and not included in the Township capacity.

WHEREAS, the CITY has made substantial investments and will be required to make further substantial investments in its potable water system to accommodate the USER and future demand of the TOWNSHIP and;

WHEREAS, the USER, CITY, and TOWNSHIP desire to reduce this amendment to writing.

NOW, THEREFORE, the USER, CITY, and TOWNSHIP agree as follows:

1. **Zoning / Intended Use**

The property and / or operations located at 5810 Ohara Road & 11528 Sumpter Road, Carleton, MI 48117 is currently zoned Agricultural and is located within SAD No. 4A. The TOWNSHIP and USER shall notify the City in writing of any efforts to change the zoning and of any actual change in the zoning classification of the property. The USER and / or operations currently reside at said location where the proposed intended use for utilizing a larger water service line and meter will be for Farm Operations – growing plants and produce washing.

2. **Desired Capacity / Meter Size / Service Line**

The USER desires to purchase up to a maximum of 75,000 gallons per day (GPD) as part of their operations intended use capacity. The USER shall draw water from the Monroe water system at as much of a uniform rate as may be practical over a 24-hour period. The capacity for USER will be separate and not included in any TOWNSHIP allocated capacities as outlined in prior CITY and TOWNSHIP agreements. The proposed intended use and associated demands shall be reviewed by the CITY in

which it will be determined if the proposed demand will negatively impact the water systems normal operations. If improvements to the water system are needed to maintain normal operations and provide for the intended use demands, the USER shall be responsible for all water system upgrades. In the event the USER regularly and systematically exceeds the maximum usage called for in this agreement, the CITY shall have the option of terminating the agreement at any time.

The USER intends to use a 2 inch diameter service line where pipe material and appurtenances shall be of approved materials in accordance with the CITY. A 2 inch diameter compound meter is proposed to be used by the USER for above said intended purposes. The service line (up to a size of 2 inch diameter) shall be installed up to and including the meter by the CITY. The service line and all respective costs associated with the installation shall be borne by the USER. The service line (up to 2 inch diameter) up to the meter shall be maintained by the CITY.

All service lines larger than 2 inch diameter shall be private water main lines designed by a licensed professional engineer and shall be reviewed, approved, inspected, and tested in accordance with CITY standards. The service line and all respective costs associated with the engineering, construction, and inspection shall be borne by the USER. The private water main (above 2 inch diameter) shall be maintained by the USER.

The meter in all cases shall be purchased from the CITY where the USER shall be responsible for all maintenance, replacement, and testing costs of said meter. The USER shall furnish and install all applicable backflow prevention devices and have said devices tested in accordance with CITY requirements.

3. **System Development Fee**

The USER will be required to pay System Development Fees (SDF) in accordance with the established fee table under section 699-7 of the CITY Code. The SDF required for use of a 2 inch diameter meter is \$ 11,200.00. SDF collected from large water users will not be used to reduce the TOWNSHIP Buy-In Cost for additional capacity cost as outlined in prior CITY and TOWNSHIP agreements.

4. **Water Rates**

It is recognized by the parties to this agreement that the CITY has invested and has in the past enlarged its water treatment facilities to provide water service to the TOWNSHIP and USER and that the current policy of charging double commodity and debt service water rates and single administrative fee rate to users outside of the CITY limits, and re-pumping charge partially offsets the costs of these required expansions. It is acknowledged that additional enlargement to the treatment works may be required to partially offset the costs of required expansions. The USER agrees not to contest any reasonable rate structure in effect for the length of this Agreement and will be subject to being charged double commodity and debt service water rates and single administrative fee rate and a re-pumping charge similar to existing TOWNSHIP users. If the USER exceeds the allotted daily maximum water of 75,000 GPD, the CITY shall impose a commodity and re-pumping surcharge for the additional water used. The surcharge

shall be 100 percent of the double commodity and re-pumping charge for all water used above the daily allotted maximum. The USER shall be subject to the established CITY and TOWNSHIP agreement requirements for water billing and collection.

It is agreed by the USER that during the use of the water they will at all times be bound by the rules and regulations pertaining to the use of water and water mains as now or hereafter placed into effect by the Water Department, and that the USER will at all times pay fees for the use of water as may from time to time be legally established by the general policy of the CITY equally applicable for all users not residents of the CITY of Monroe.

5. Termination

This agreement shall remain in effect until such time that the TOWNSHIP is no longer served water by the CITY. The USER may terminate from this agreement by notifying the CITY in writing. If the termination occurs within 2 years of the date of this agreement, USER shall be charged a termination fee in the amount of \$5,000.00.

6. The agreement is binding upon the parties and upon any successor or successors in interest of the USER.

SIGNATURE PAGES FOLLOW

RUHLIG FARMS, LLC

David Ruhlig

By: David Ruhlig, President, Co-owner, Operator, & Member

Rose Ruhlig

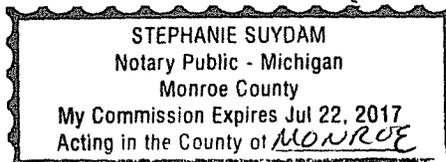
By: Rose Ruhlig, Vice-President, Co-owner, Operator & Member

STATE OF MICHIGAN)
)ss
COUNTY OF MONROE)

On this 25 day of JANUARY, 2011, before me, a Notary Public, in and for said County, personally appeared David Ruhlig, President, Co-owner, Operator & Member and Rose Ruhlig, Vice-President, Co-owner, Operator & Member who known by me, being duly sworn, did say that they signed this instrument and acknowledged that they did so as their free act and deed.

Stephanie Suydam
Notary Public
Monroe County, Michigan

My commission expires: _____



CITY OF MONROE

By: Robert E. Clark, Mayor

By: Charles D. Evans, Clerk-Treasurer

STATE OF MICHIGAN)
)ss
COUNTY OF MONROE)

On this ____ day of _____, 2011, before me, a Notary Public, in and for said County, personally appeared Robert E. Clark, Mayor and Charles D. Evans, Clerk-Treasurer who known by me, being duly sworn, did say that they signed this instrument and acknowledged that they did so as their free act and deed.

Notary Public
Monroe County, Michigan

My commission expires: _____

EXETER TOWNSHIP

Cheryl Baltrip

By: Cheryl Baltrip, Supervisor

Billie Lott

By: Billie Lott, Clerk

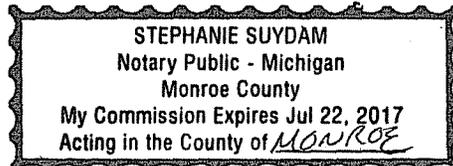
STATE OF MICHIGAN)
)ss
COUNTY OF MONROE)

On this 25 day of JANUARY, 2011, before me, a Notary Public, in and for said County, personally appeared Cheryl Baltrip, Supervisor and Billie Lott, Clerk who known by me, being duly sworn, did say that they signed this instrument and acknowledged that they did so as their free act and deed.

Stephanie Suydam

Notary Public
Monroe County, Michigan

My commission expires: _____





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: REQUEST FROM THE MONROE COUNTY TOURISM BUREAU FOR PERMISSION TO DISPLAY A BANNER ANNOUNCING THE MICHIGAN STATE BOWLING ASSOCIATION TOURNAMENT IN 2012

DISCUSSION: The City received a request from the Monroe County Convention & Tourism Bureau for permission to display a banner across Monroe Street from January 1 – May 15, 2012, announcing the Michigan State Bowling Association Tournament.

The request has been sent to the various departments for their review. The Engineering Department indicated that the DDA has requested that all overhead locations be reserved each year from November 15 – January 15 for holiday decorations, so the location is not available for that time frame. The City's Banner Policy states that the maximum time any banner can be displayed is up to 3 weeks, extended to 4 weeks, if no other entity requests the same location. There is no objection to this location during any of that time period; however the applicant needs to state what the preferred 4-week window is.

After Council approval, advance notification will be sent to MDOT.

Manager: The City Manager recommends approval of this request, as modified, for up to a four week period.

CITY MANAGER RECOMMENDATION:

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

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: 1/26/11

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 2/7/11



RECEIVED

JAN 4 2010

CITY MANAGER'S OFFICE

CITY OF MONROE, MICHIGAN BANNER APPLICATION

Name of Applicant John Paffaro
 Name of Organization Monroe County Council & Tourism Bureau
 Applicant's Affiliation with Organization President/CEO
 Applicant's Home Address 103 W. Front St.
 Mailing Address (if different) _____
 Day Phone 734.457.1030 Evening Phone SAME

Type of Banner **Overhead Banner (\$150)**

Overhead Banner Locations: (List as 1 for first choice, 2 for second...)

____ E. Front St. Dates Requested Jan. 1 - May 15, 2012
 ____ W. First St.
 Monroe St. * Michigan State Bowling Association Tournament

Type of Banner **Vertical Pole Banner (\$25/banner)**

Vertical Pole Banner Locations: (List the total number of banners to be displayed and choice of placement location.) Dates Requested _____

No. of Banners: ____ Monroe St. (42) Spring (March-May)
 ____ Elm Ave. (8) Summer (June-Aug.)
 ____ First St. (8) Fall (Sept.-Nov.)
 ____ Macomb St. (8) Winter (Dec.-Feb.)

Company Fabricating Banners: FLAGS SALES & SERVICE

Please provide a sketch complete with banner specifications and message to be displayed for City Council Review. Applications will be accepted up to eleven (11) months in advance and no later than four (4) weeks prior to proposed installation date.

On behalf of the organization listed above, I, as applicant, hereby acknowledge receipt of the Banner Policy of the City of Monroe.

Applicant covenants and agrees to hold harmless from, indemnify and defend the City, its agents, officers and employees against all suits, demands, claims, judgments, liens, cost of repair or replacement of any damaged poles or electrical equipment, costs, attorney fees and expenses which may arise out of, result from or be caused by Applicant's banner installation.

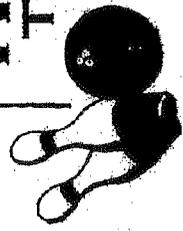
Applicant covenants and agrees to strictly comply with all terms and conditions of the Banner Policy, and further understands and agrees that the City Council, in its sole and absolute discretion, may approve, deny or set any conditions or limitations on any banner(s) which may be approved, or may at any time alter, amend, modify, rescind or revoke any approval, all without recourse or remedy by the Applicant, or liability of the City.

Applicant [Signature]

Date 12.31.10

WELCOME BOWLERS...
TO HISTORIC MONROE COUNTY!

BEST OF LUCK TO ALL OF YOU





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: KENTUCKY AVENUE STORM SEWER REPAIRS CHANGE ORDER AWARD

DISCUSSION: On October 4, 2010, the City Council awarded a contract for water main replacement work on Kentucky Avenue from First to Front Streets. This location, along with seven others City-wide, were bid and awarded as a part of the 2010-11 Water Main Replacement Program, which was split into two separate contracts. Group 2 was awarded to C & D Hughes of Charlotte, Michigan. They have completed main and service work on their other three work locations, and are planning to commence water main work shortly on the Kentucky Avenue work at any time.

For more than a year, the Department of Public Services has been aware of a collapse in the storm sewer that lies in the right-of-way of Kentucky Avenue east of the roadway and south of East Front Street. Unfortunately, since this existing clay pipe lies over twelve (12) feet in depth, and often River water fills the pipe and trench, we do not have the internal capability to perform the work ourselves. Further complicating matters is the fact that two gas mains have been identified in the immediate vicinity, such that extremely slow digging will be required, likely under direct supervision of Michigan Gas Utilities. This storm sewer line, though stable for the moment, should be repaired to prevent the damage from spreading to adjacent pipe sections or the sinkhole from expanding.

While projects over \$5,000 are typically bid, the nature of this work will be extremely difficult for contractors to bid without including a high degree of risk, and hence additional costs, within their bids. As a result, the Engineering Department solicited the services of C & D Hughes to perform this work on a "time and material" basis simultaneously with their water main project in the same area, especially since they will already be digging within 15 feet of this location. Repairs will be performed to completion, with the Engineering Department monitoring the work and making payment on a per hour basis for the actual labor and equipment used on the project. However, to ensure a reasonable top end cost, we are recommending awarding this work on a time and material basis with a "not to exceed" price of \$15,000. While this expenditure seems high for 12-15 feet of linear feet of pipe repairs, we do not believe that this work could be reliably bid for less, and now appears to be the opportune time to award to a contractor with no additional mobilization costs.

IT IS RECOMMENDED that the City Council award a change order to the 2010-11 Water Main Replacement Program for repairs to the storm sewer on Kentucky Avenue, to C & D Hughes, Inc. on a time and material basis not to exceed \$15,000. **IT IS FURTHER RECOMMENDED** that the Director of Engineering and Public Services be authorized to execute the change order on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: February 7, 2011

REASON FOR DEADLINE: Contractor will only be in the vicinity for a few weeks.

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

FINANCES

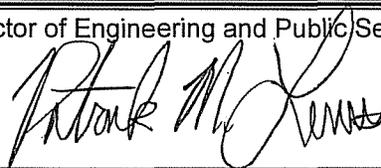
COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$15,000
	Cost of This Project Approval	\$15,000
	Related Annual Operating Cost	\$N/A
	Increased Revenue Expected/Year	\$N/A

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	Storm Sewer Replacement	401-95.449-818.020 07C10	\$15,000
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 02/01/11

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: February 7, 2011



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ARTHUR LESOW COMMUNITY CENTER (ALCC) BUILDING IMPROVEMENTS – RE-BIDDING OF ALTERNATE 1 - REPORT ON BIDS RECEIVED

DISCUSSION: As a part of the 2010-11 Capital Improvements Program (CIP), the City Council funded a total of \$262,500 for the complete overhaul of the mechanical / ventilation system at the Arthur Lesow Community Center (ALCC), located at 120 Eastchester Street. This work was identified as a high-priority need in the Engineering Facility Evaluation study of the center that was completed in 2009. Since the center serves a large number of low-to-moderate income persons, it is eligible for funding through the City's annual Community Development Block Grant (CDBG) entitlement funding.

At the May 17, 2010 City Council meeting, a design contract for a "Not to Exceed" amount of \$45,225 was awarded to James S. Jacobs Architects, PLLC of Monroe. It was decided at the time of this award that since the mechanical and electrical systems are very inter-twined, the design layout of the future electrical system (the next listed high priority project, originally planned for 2011-12) must be performed at the same time to ensure that the electrical system can support the new mechanical system loadings, and that conflicting elements are not installed. The base bid incorporates all building ventilation system improvements, and replacement of the electrical service panels and feeds with associated wiring to support all, whereas Alternate 1 essentially involves interior and exterior work for air conditioning of the lower level community room / boxing area, which is highly used by the center. The low bid for the base bid work was awarded at the December 6, 2010 City Council meeting to Sieb Plumbing & Heating, Inc. of Monroe in the amount of \$106,171, but due to some bid irregularities, the Engineering Department recommended that the Alternate 1 work be re-bid.

Bids for Alternate 1 were again opened for this project on Monday, January 31. There were three (3) bidders as follows, all from within Monroe County:

Erie Welding & Mechanical Contractors, Inc.	\$73,550.00
Sieb Plumbing & Heating, Inc.	\$76,889.00
Monroe Plumbing & Heating Co.	\$79,890.00

While the low bid was slightly higher (5.1%) than the expected estimate of \$70,000, at this point there appears to be no advantage to re-bidding this project. Erie Welding & Mechanical is qualified to perform this work, and we believe that they can meet Labor Harmony requirements, which as always are a contingent requirement of the bid.

IT IS RECOMMENDED that the City Council award a contract for Alternate #1 of the Building Improvements for the Arthur Lesow Community Center in the amount of \$73,550.00 to Erie Welding & Mechanical Contractors, Inc., with \$85,000 encumbered to include a 15% contingency. **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: Work on the base bid has already commenced, all work should be completed by Spring

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, ALCC users and staff

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$252,225*
	Cost of This Project Approval	\$85,000**
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes \$45,225 expended for design, \$122,000 encumbrance for base bid at 12/6/10 Council meeting, and this project award.

**Includes 15% contingency.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	ALCC Mechanical Sys. Upgr.	401-95.265-975.000 11C02	\$85,000
	<u>Other Funds</u>		

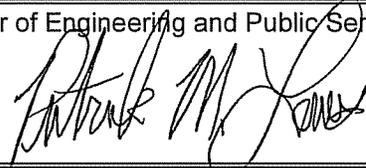
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 02/01/11

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: February 7, 2011





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Appointments

DISCUSSION: The attached Resolution recommends appointments to various City Boards and Commissions whose terms have expired and/or where there is a vacancy.

Therefore, it is recommended, that City Council approve the proposed Resolution making appointments to various City Boards and Commissions.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE: N/A

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Operations

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: Mayor's Office

DATE: 2/1/11

REVIEWED BY: Robert E. Clark, Mayor

DATE:

COUNCIL MEETING DATE: 2/7/11

R E S O L U T I O N

WHEREAS, there are terms on various Boards, Commissions, and Committees which have vacancies; and

WHEREAS, a diligent effort has been made to fill these appointments;

THEREFORE BE IT RESOLVED that the following people are hereby appointed to the office and the term hereinafter indicated, February 7, 2011:

BOARD OF REVIEW

Lisa Leachman (Precinct 2 / Alt. for 1)	1 year term to January 9, 2012
Willie Hall (Precinct 3)	1 year term to January 9, 2012
Scott Davidson (Precinct 6 / Alt. for 5)	1 year term to January 9, 2012