
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, SEPTEMBER 17, 2012
7:30 P.M.**

I. CALL TO ORDER.

II. ROLL CALL.

III. INVOCATION/PLEDGE OF ALLEGIANCE.

IV. PROCLAMATION.

179 Monroe Public Schools Bully Prevention Week – September 16 – 22, 2012.

180 United Way of Monroe County Month – October 2012.

V. PUBLIC HEARINGS.

172 Public hearing for the purpose of reviewing and receiving comments on sidewalk installation on the south side of North Dixie Highway between Detroit Avenue and Ternes Drive, Special Assessment District Number 19. There are no comments on file in writing in the Clerk-Treasurer's Office.

173 Public hearing for the purpose of reviewing and receiving comments on the installation of public street lighting to service properties located in Mason Run Phase 2, Special Assessment District Number 1. There are no comments on file in writing in the in the Clerk-Treasurer's Office.

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 Regular City Council Meeting held on September 4, 2012.

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

181 Appointments.

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

- 182 Michigan Municipal League Annual Meeting – October 3, 2012.
1. Communication from the City Manager's Office, submitting a request, by provisions of the League Bylaws, to designate an official representative to cast the vote of the municipality, and recommending that council chose an official representative and alternate representative.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 183 2012 Sanitary Sewer Rehabilitation Program – Change Order Award – Dam #5.
1. Communication from the Director of Engineering & Public Services, submitting a Change Order to the 2012 Sanitary Sewer Rehabilitation Program to include the 24" diameter sanitary sewer located behind Dam #5, and recommending that Council award a change order to the 2012 Sanitary Sewer Rehabilitation Program contract to Lanzo Lining Services, Inc. in the amount of \$72,920, and that a total of \$80,000 be encumbered to include a 10% project contingency, and further recommending that the competitive bidding process be waived for this award, for the reasons stated above, 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.
- 184 Sidewalk Installation on South Side of North Dixie Highway Between Detroit Avenue and Ternes Drive – Special Assessment Resolution Number 3 – Sidewalk Special Assessment District Number 19.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 3 in the special assessment process declaring the sidewalk installation on the south side of North Dixie Highway between Detroit Avenue and Ternes Drive a public necessity, and recommending that the attached Resolution 3 be adopted, and that this project be declared a public necessity.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.
- 185 Street Lighting Special Assessment District Number 1 – Mason Run Phase 2 – Special Assessment Resolution Number 3.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 3 in the special assessment process declaring the installation of public street lighting to service properties located in Mason Run Phase 2 a public necessity, and recommending that the attached Resolution 3 be adopted, and that this project be declared a public necessity.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.
- 186 Street Lighting Special Assessment District Number 1 – Mason Run Phase 2 – Special Assessment Resolution Number 4.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing date on the assessment roll, and recommending that the attached Resolution 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 1, 2012 at 7:30 p.m. in the City Council Chambers.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.

- 187 Wastewater Pump Station Electrical Service Upgrades Bids.
1. Communication from the Director of Water & Wastewater, reporting back on bids received for the Pump Station Electrical Service upgrades, and recommending that a purchase order in the amount of \$19,950 and a total amount of \$23,000 be encumbered to include a 15% contingency, be awarded to Staelgrave-Turner Electric, Inc out of Monroe for the Pump Station Electrical Service Upgrades project as part of an approved FY 2012-2013 CIP project in accordance with the bid specifications.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 188 Authorizing Distribution of the Draft Comprehensive Plan Amendment Related to the Stewart Road Corridor for Public Comment.
1. Communication from the Director of Economic & Community Development, submitting a request to authorize distribution of the Draft Comprehensive Plan Amendment related to the Stewart Road corridor for public comment, and recommending that Council authorize the distribution of the draft comprehensive plan (a.k.a. master plan) amendment related to the Stewart Road Corridor in conformance with Section 41 of the Michigan Planning Enabling Act (PA 33 of 2008) and direct Department of Economic & Community Development staff to send copies of the draft plan to the required entities, and further recommending that Council authorize expenditures for planning and zoning services from LSL Planning, Inc. in an amount not to exceed \$8,000, and that this amount be transferred from the Economic Development Fund.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 189 Accepting the Donation of Four Vacant Lots at 1110, 1114, 1124 & 1126 E. First Street.
1. Communication from the City Manager, reporting back on the donation of four vacant lots at 1110, 1114, 1124 & 1126 E. First Street, by the owners to the City and a letter of request to secure use of the properties from Tracy Palm, Executive Director of the Arthur Lesow Community Center (ALCC), and recommending that Council approve and authorize the acquisition of the properties noted above with the intention of allowing the ALCC to use the property to add to and expand its outdoor program offerings, subject to and subsequent to the following: The receipt of a formal, written commitment from the owners to transfer title to the property to the City, if the City chooses to accept ownership, the receipt of a satisfactory Phase I environmental report, the total costs to be incurred by the City to acquire clear and lien-free title to the property and to perform environmental due diligence does not exceed \$7,500, and also recommending that Council allocate and authorize the transfer of up to \$7,500 from Capital Project Fund reserve, to fund the costs related to the acquisition of the properties located at 1110, 1114, 1124 and 1126 E. First Street.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 190 2010-11 Water Main Replacement Program Group 2 – Settlement of Quantity and Extra Claims.
1. Communication from the Director of Engineering & Public Services, reporting back on the 2010-11 Water Main Replacement Program Group 2, settlement of quantity and extra claims, and recommending that Council authorize an increase in the total contract award for the 2010-11 Water Main Replacement Program – Group 2 to C & D Hughes, Inc. from \$2,715,000 to \$2,843,369.73, according to the terms and conditions detailed in the August 16, 2012 letter from the Engineering Department to the contractor, and further recommending that the Director of Engineering & Public Services be authorized to carry out necessary change orders to this effect.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.

191 East Reservoir Joint & Concrete Crack Repairs at the Water Treatment Plant – Change Order Award.

1. Communication from the Director of Water & Wastewater Utilities, submitting a change order to the East Reservoir Joint & Concrete Crack Repairs project at the Water Treatment Plant, and recommending that Council award a change order to the East Reservoir Existing Joint & Concrete Crack Repairs contract to Smith's Waterproofing, LLC in the amount of \$8,665.50, and that a total of \$11,300 be encumbered to include a 30% project contingency, and further recommending that the competitive bidding process be waived for this award, for the reasons stated above, and further recommending that the Director of Water & Wastewater be authorized to execute the change order on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

192 Recommendation for Approval of Land Division at 300 Detroit Avenue, Parcel # 59-00417-020.

1. Communication from the Director of Economic & Community Development, submitting a request from Brian McCarthy on behalf of Erin Development Company to divide a two (2) acre vacant parcel, #59-00417-020, commonly referred to as 300 Detroit Avenue, and recommending that Council approve the proposed land division of parcel #59-00417-020 and authorize staff to complete all required procedural steps and documentation to create the two (2) new parcels.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

VII. MAYOR'S COMMENTS.

VIII. CITY MANAGER COMMUNICATION.

IX. COUNCIL COMMENTS.

X. CITIZEN COMMENTS

XI. ADJOURNMENT.

PROCLAMATION

- WHEREAS,** our schools have the responsibility to ensure physically safe and emotionally secure environments for all students and school staff; and
- WHEREAS,** bullying creates a climate of fear among students, inhibiting their ability to learn and contributing to other anti-social behaviors; and
- WHEREAS,** it is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying; and
- WHEREAS,** bullying is a community-wide issue and students, families, and educators and the public at large all have a role in addressing bullying situations and changing school culture; and
- WHEREAS,** the Monroe County Intermediate School District and all of Monroe County's public schools are sponsoring an anti-bullying awareness program on Wednesday, September 19th at 7:00 p.m. at Monroe County Community College for parents and adults who are interested in helping to prevent bullying ; and
- WHEREAS,** the theme of the program is *"Stop Bullying Now!"*; and
- WHEREAS,** everyone should be involved in ending issues of bullying in schools and their communities.

NOW, THEREFORE, I, Robert E. Clark, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim September 16 - 22, 2012, as **"BULLY PREVENTION WEEK"** in Monroe, and we encourage all citizens to become involved and learn how we can end the issues of bullying in our schools and community.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Monroe to be affixed this 17th day of September 2012.

Council Members:	_____
	Robert E. Clark, Mayor
_____	_____
Jeffery A. Hensley, Precinct 1	Jerry McKart, Precinct 2
_____	_____
Christopher M. Bica, Precinct 3	Jeremy J. Molenda, Precinct 4
_____	_____
James R. Kansier, Precinct 5	Brian P. Beneteau, Precinct 6

PROCLAMATION

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 is "Give, Advocate, Volunteer, Live United"; and

WHEREAS, campaign Chair Susan Vanisacker, Vice Chair Molly Luempert-Coy, Labor Chair Mary Smith, and Labor Vice Chair Robin Perry 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 2012 goal.

NOW, THEREFORE, I, Robert E. Clark, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim the month of October 2012, 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 17th day of September 2012.

Council Members:

Robert E. Clark, Mayor

Jeffery A. Hensley, Precinct 1

Jerry McKart, Precinct 2

Christopher M. Bica, Precinct 3

Jeremy J. Molenda, Precinct 4

James R. Kansier, Precinct 5

Brian P. Beneteau, Precinct 6



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

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: Mayor's Office

DATE: 9/7/12

REVIEWED BY: Robert E. Clark, Mayor

DATE:

COUNCIL MEETING DATE: 9/17/12

RESOLUTION

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, September 17, 2012:

COMMISSION ON THE ENVIRONMENT AND WATER QUALITY

Isaac Owens, Jr. fill an unexpired term June 30, 2013

LOCAL OFFICERS COMPENSATION COMMISSION

Myron Smolinski 7 year term to October 1, 2019
Jacob McLaughlin fill an unexpired term to October 1, 2017

CITIZEN PLANNING COMMISSION

Joseph Robinson fill an unexpired term to January 12, 2015
Joseph Buick fill an unexpired term to January 13, 2014
Willie Hall 3 year term to January 12, 2015

MONROE HISTORIC DISTRICT COMMISSION

Lee Markham 3 year term to January 12, 2015
James Ryland 3 year term to January 12, 2015



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING – OCTOBER 3, 2012

DISCUSSION: Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the annual meeting as your official representative to cast the vote of the municipality at the annual meeting, and also choose an alternate.

Mayor Robert Clark and Councilman Jeff Hensley are registered to attend the convention.

It is recommended that you chose an official representative and alternate representative.

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: City Manager's Office

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: 9/6/12

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 9/17/12



Better Communities.
Better Michigan.

1675 Green Road
Ann Arbor, MI 48105

tel: 734.662.3246 800.653.2483
fax: 734.662.8083
web: www.mml.org

August 8, 2012

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held on Mackinac Island, October 3-5, 2012. The annual meeting is scheduled for 11:00 am on Wednesday, October 3 in the Terrace Room at the Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document. B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2).

A) In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

B) In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by September 3, 2012.
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than September 21, 2012.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the

principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus the deadline this year for the League to receive resolutions is September 3, 2012. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. Any resolution submitted by a member municipality will go to the League Board of Trustees, which serves as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.

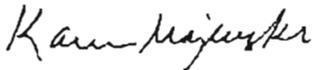
Further, “Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof.”

3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, October 3 at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Karen Majewski
President
Mayor of Hamtramck



Daniel P. Gilmartin
Executive Director & CEO
Enc.

RECEIVED

SEP - 7 2012

MAYOR'S OFFICE



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: 2012 SANITARY SEWER REHABILITATION PROGRAM – CHANGE ORDER AWARD – DAM #5

DISCUSSION: The City Council awarded a contract for the 2012 Sanitary Sewer Rehabilitation Program on January 17, 2012 to Lanzo Lining Services, Inc. of Deerfield Beach, Florida (with local office in Roseville, Michigan), in the amount of \$406,214, and they were subsequently awarded change orders on April 16 for \$70,180 for additional work in two other locations, and on July 2 for \$273,400 for additional work in three other locations. Thus far, our experience with them has been highly positive, and they have again completed all previous work. The contract thus far has consisted of rehabilitation using Cured-in-Place Pipe (CIPP) liner for nearly two miles of sanitary sewers, along with the interior rehabilitation of most manholes in the respective project areas.

Now that the earlier projects have been completed and sufficient funding remains in the other project accounts, the Wastewater Department has identified another location that would benefit from the CIPP lining process. This location is the 24" diameter sanitary sewer located behind Dam #5, which is just west of Sister's Island and east of the end of Virginia Drive, along with an upstream section of this line running along the north bank of the River. As such, the City solicited a quotation from Lanzo to perform this work, which totals 480 feet of work. As with the earlier change orders, the most efficient mechanism for the completion of this work with a competent contractor seems to be to award this additional work as a change order to the base contract, rather than to bid this new project separately. The attached quotation indicates the proposed unit prices, all of which have been determined to be reasonable by Engineering and Wastewater staff. A sketch of the work area has been attached as well, and as noted, funding will be transferred from unused allocations from completed Capital Improvements Program projects.

IT IS RECOMMENDED that the City Council award a change order to the 2012 Sanitary Sewer Rehabilitation Program contract to Lanzo Lining Services, Inc. in the amount of \$72,920, and that a total of \$80,000 be encumbered to include a 10% project contingency. **IT IS FURTHER RECOMMENDED** that the competitive bidding process we waived for this award, for the reasons stated above. **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: 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: City Council, Engineering Department, Wastewater Department, adjacent residents

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$904,834*
	Cost of This Project Approval	\$80,000**
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes previous base award and previous change order, and this award, all including 10% contingencies

**Includes 10% contingencies.

SOURCE OF FUNDS:	City	Account Number	Amount
	590-75.529-973.000 02Z05	Sanitary Sewer Rehab.	\$80,000
	<u>Other Funds</u>		

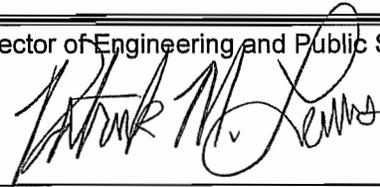
Budget Approval: _____

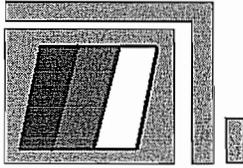
FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/10/12

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: September 17, 2012





LANZO
Lining Services, Inc.

28137 Groesbeck Hwy.
Roseville, MI. 48066
Office: (586) 775-5819
Fax: (586) 775-8924
www.lanzo.net

Proposal

Date: 9/5/12

Project:

Virginia Drive & Dam 5, City of Monroe, MI
Cured in Place Pipe Liner

Estimate No.:

Submitted to: City of Monroe
Attention: Barry LaRoy

Phone:
Fax:

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENDED	SUBTOTAL
1	MOBILIZATION	1.00	LSUM	600.00	600.00	
2	CLEAN & TELEVIEW 24" SANITARY SEWER	480.00	LF	8.00	3,840.00	
3	MAINTENANCE/PUMPING OF DAILY SAN FLOW	1.00	LUM	8,000.00	8,000.00	
4	FURNISH & INSTALL 24" CURED IN PLACE LINING	480.00	LF	126.00	60,480.00	

Proposal Price: \$ 72,920.00

We hereby propose to furnish materials, equipment and labor in accordance with the plans referenced above as follows:

Furnish CIPP Lining per ASTM F 1216, City of Monroe Specifications, Third Party Testing & Warranty.

Qualifications:

- 1 Bond will be furnished if required
- 2 Permits are excluded from this proposal. City of Monroe to provide suitable water source as needed.
- 3 One (1) pipe crew mobilizations are included in proposal.
- 4 Liquids generated from cleaning operation and liner installation will need to be decanted into nearby sanitary sewer.
- 5 Maintenance of Traffic is excluded from this proposal.
- 6 Final Payment will be made based on the actual units installed in accordance with the unit prices contained herein.
- 7 All invoices submitted by the 25th are due and payable within 30 days. Ten percent (10%) retainage will be withheld until Substantial Completion.
- 8 This proposal is submitted, based on the incomplete plans provided, and is subject to change upon receipt and review of final plans.
- 9 This proposal may be withdrawn if not accepted within 45 days.

Respectfully submitted,

Jeff Obertyniuk

By: Jeff Obertyniuk for Lanzo Lining Inc., Michigan

Acceptance of Proposal

The above prices, specification and conditons are satisfactory and are hereby accepted.
You are authorized to do the work as specified.



City of Monroe Civicsight Map

- MAP LEGEND:**
- EDGE OF PAVEMENT
 - CITY LIMITS
 - PARCELS
 - 2010 ORTHO (Image)

24" VCP - 290'
- 190'
480'

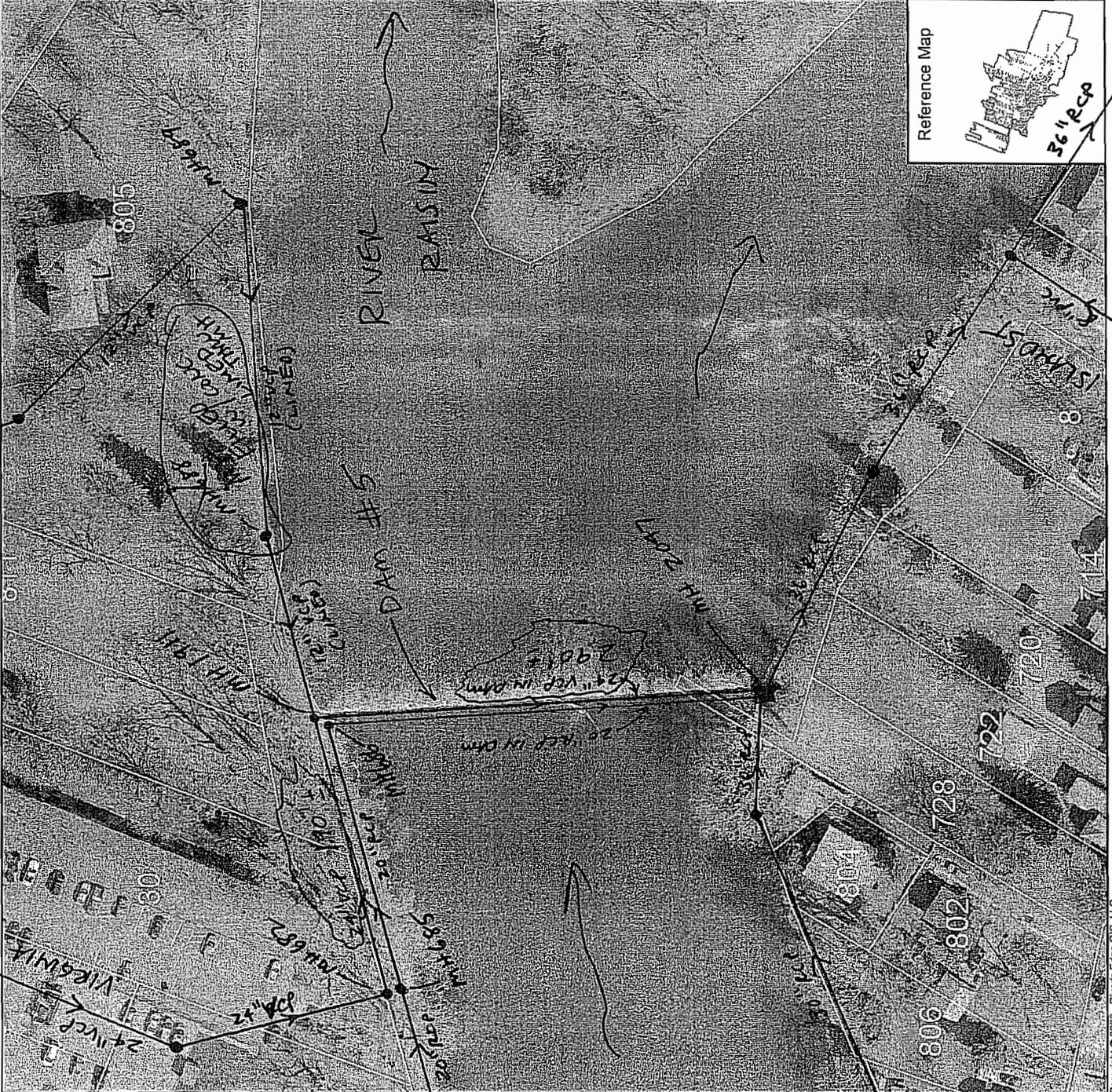
NO TAPS
NO MH REHAB



Map Scale: 1 inch = 100 feet
Map Date: 8/29/2012
Data Date: June 17, 2011

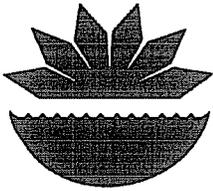
Sources: City of Monroe, River's Edge GIS, LLC.

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



Reference Map





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: SIDEWALK INSTALLATION ON SOUTH SIDE OF NORTH DIXIE HIGHWAY BETWEEN DETROIT AVENUE AND TERNES DRIVE – SPECIAL ASSESSMENT RESOLUTION NUMBER 3 – SIDEWALK SPECIAL ASSESSMENT DISTRICT NUMBER 19

DISCUSSION: As a part of the 2012-13 Capital Improvements Program, the Engineering Department proposed, and the City Council approved, the installation of sidewalks along the southerly frontage of North Dixie Highway between Detroit Avenue and Ternes Drive. The four (4) properties fronting this section of roadway are not presently served by any non-motorized facility, though our existing ordinances would require construction of same were these businesses to be constructed or substantially improved today. The River Raisin Heritage Trail completion along Elm Avenue from the National Park to Sterling State Park, combined with the planned construction of a 10-foot-wide dedicated bicycle lane on Detroit Avenue between Elm Avenue and North Dixie Highway when that roadway is reconstructed this summer, provides linkage to this proposed project. In addition, it has been found to be feasible to convert North Dixie Highway from the present four (4) to three (3) lanes with bike shoulders from Elm Avenue to Detroit Avenue, further building momentum for a much more complete non-motorized linkage to this historically under-served area. While this conversion is moving through the public notification / input process and has not yet been given Council approval, should it move forward the southerly bicycle lane would be designed to connect directly to the proposed sidewalk contemplated in this project. Given that these businesses, all of which have a food service component to them, would stand to benefit from additional non-motorized traffic from the City's tourist destinations, this project seems very appropriate.

The City Charter provides for both the installation of public sidewalks at the discretion of the City Council and provides for recovery of most of the cost by a Special Assessment against the benefiting properties, typically on a front foot basis. While there is no specific charter or ordinance requirement for City participation, usually the City has paid the costs for ADA-compliant ramps at adjacent streets (such as the corner ramps at Detroit Avenue and Ternes Drive). Based on the proposed Federal ADA guidelines, we believe that any new sections of sidewalk should now be 5 feet wide, so the project has been designed on that basis. In addition, we have determined that in order to provide ADA ramps at Ternes Drive for future sidewalk extensions, widening of the intersection throat is necessary and desirable due to truck overruns, so this work will be at City cost as well. The breakdown of costs and proportioning of the assessable amount between properties is attached with this Fact Sheet. While this project could be publicly bid as a separate contract if desired by the City Council, it will likely instead be added to our 2012 Sidewalk Replacement Program or 2012 Concrete Paving Program as a Change Order, depending on which contract offers the cheapest pricing, in order to cut a month off the usual Special Assessment confirmation time and allow for completion this season. The private property assessments range from a low of \$6,027.44 to a high of \$13,722.86, and can be spread over a 10-year period.

The next step in this process is Resolution 3, which delineates the estimated costs and their distribution between parcels within the district, and establishes that this project is a public necessity. Provided there are no significant objections to the necessity of the project, we are recommending that this resolution be adopted. The Engineering Department plans to solicit quotations from our current contractors, and present Resolution 4 for adoption at the next Council meeting. Since this is classified as a City-Council initiated project, any action would have to be by a 5-2 vote of City Council.

IT IS RECOMMENDED that the attached Resolution 3 be adopted, and that this project be declared a public necessity.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

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: City Council, Engineering Department, adjacent property owners, pedestrians and other non-motorized users at large

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$50,545.30*
Cost of This Project Approval	\$N/A
Related Annual Operating Cost	\$N/A
Increased Revenue Expected/Year	\$N/A

*Includes present design estimate, 15% contingency and 15% engineering. Funds are not typically allocated until final confirmation of the Special Assessment District.

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

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/10/12

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: September 17, 2012

RESOLUTION NO. 3

WHEREAS, September 17, 2012 is the date set for the public hearing and consideration of hearing comments regarding the construction of public sidewalks to service the properties on the southerly frontage of North Dixie Highway between Detroit Avenue and Ternes Drive, 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; therefore be it

RESOLVED, that the construction of public sidewalks to service the properties on the southerly frontage of North Dixie Highway between Detroit Avenue and Ternes Drive 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, pay \$12,712.70, and that the balance of \$37,832.60 be assessed upon the property benefited by such installation and be it further

RESOLVED, that the special assessment district for this project, hereafter known as Sidewalk Special Assessment District Number 19, be hereby established and confirmed as follows:

Commencing at the easterly right-of-way line of Detroit Avenue (60' right-of-way) and the southerly right-of-way line of North Dixie Highway (120' right-of-way);

Thence N. 73° 19' 53" E. 941.51 feet;

Thence S. 16° 40' 07" E., 300.00 feet;

Thence S. 75° 13' 45" W. 450.00 feet;

Thence S. 14° 46' 15" E., 100.00 feet;

Thence, S. 75° 13' 45" W., 150.00 feet;

Thence, N. 14° 46' 15" W., 28.52 feet;

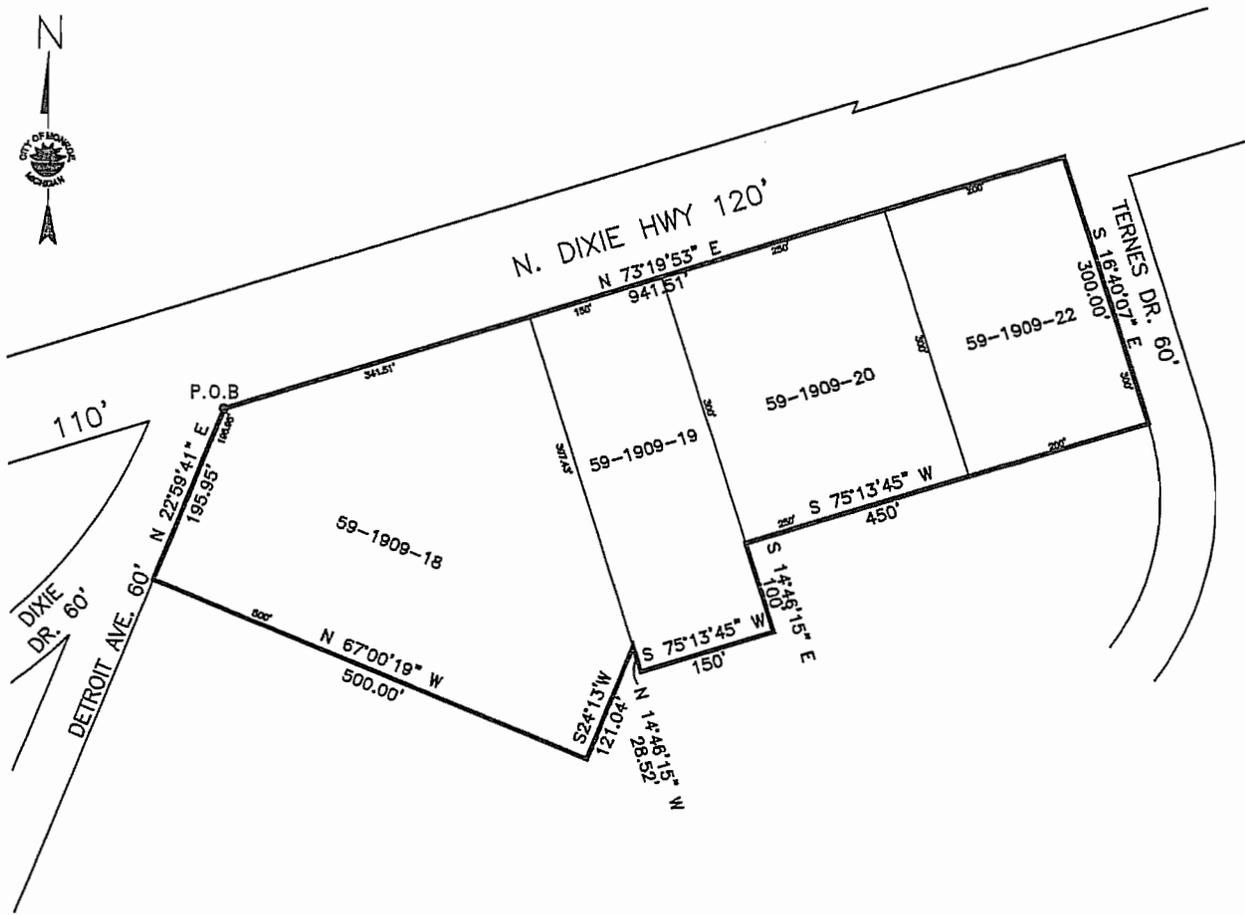
Thence S. 24° 13' 00" W., 121.04 feet;

Thence, N. 67° 00' 19" W., 500.00 feet;

Thence, N. 22° 59' 41" E., 195.95 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 Sidewalk Special Assessment District Number 19, in which he is instructed to levy upon the property benefited by said improvement, and within this district, the sum of \$37,832.60, and report the same to this Council.



PROPOSED N. DIXIE HWY. SIDEWALK INSTALLATION S.A.D NO. 19

Commencing at the easterly right-of-way line of Detroit Ave. (60' R/W) and the southerly right-of-way line of N. Dixie Hwy. (120' R/W);

- thence N 73°19'53" E 941.51 feet;
- thence S 16°40'07" E 300.00 feet;
- thence S 75°13'45" W 450.00 feet;
- thence S 14°46'15" E 100.00 feet;
- thence S 75°13'45" W 150.00 feet;
- thence N 14°46'15" W 28.52 feet;
- thence S 24°13'00" W 121.04 feet;
- thence N 67°00'19" W 500.00 feet;
- thence N 22°59'41" E 195.95 feet to the point of beginning.

REVISIONS		
NO.	DRAWN BY:	DATE:

CITY OF MONROE, MICHIGAN
 ENGINEERING DEPARTMENT
 N. DIXIE HWY. SIDEWALK INSTALLATION
 SOUTH SIDE – DETROIT TO TERNES
 SIDEWALK S.A.D. NO. 19

SCALE: 1"=100' FILE NO. A-XXX
 DATE: JULY, 2012 SHEET NO. 1 OF 1

DWG. OF RECORD
 DATE: _____

APPROVED: _____
 CITY ENGINEER

N. Dixie Hwy Sidewalk Installation - Detroit Avenue to Ternes Drive (south side)
Cost Estimate - All Project Costs

No.	Item	# units	Units	Estimated Costs	
				Unit Price	Amt.
1	Remove & Dispose Conc. Drive Approach	385.60	SYD	10.00	3,856.00
2	Remove & Dispose Curb & Gutter	435.00	LFT	5.00	2,175.00
3	Furnish & Install Curb & Gutter	425.00	LFT	15.00	6,375.00
4	Furnish & Install 4" Concrete Flatwork	3245.00	SFT	3.00	9,735.00
5	Furnish & Install 6" Concrete ADA Ramps	647.00	SFT	10.00	6,470.00
6	Furnish & Install 6" Conc. Pav't & Approach	40.80	SYD	30.00	1,224.00
7	Subgrade Preparation for New Walk	3892.00	SFT	1.00	3,892.00
8	Furnish & Install 9" Concrete w/Integral Curb	47.80	SYD	40.00	1,912.00
9	Furnish & Install Bituminous Hand Patching	5.00	TON	150.00	750.00
10	Furnish & Install 12" RCP Storm Sewer	8.00	LFT	60.00	480.00
11	Earth Excavation	10.60	CYD	20.00	212.00
12	Remove & Dispose Structure	1.00	EA	500.00	500.00
13	Adjust, Clean, and Plaster Structure	2.00	EA	500.00	1,000.00
14	Adjust Valve Box	1.00	EA	300.00	300.00
	Subtotal				38,881.00
	Engineering (15%)				5,832.15
	Contingencies (15%)				5,832.15
	Total				50,545.30

N. Dixie Hwy Sidewalk Installation - Detroit Avenue to Ternes Drive (south side)
Cost Estimate - City Costs

No.	Item	# units	Units	Estimated Costs	
				Unit Price	Amt.
5	Furnish & Install 6" Concrete ADA Ramps	647.00	SFT	10.00	6,470.00
7	Subgrade Preparation for New Walk	647.00	SFT	1.00	647.00
8	Furnish & Install 9" Concrete w/Integral Curb	47.80	SYD	40.00	1,912.00
9	Furnish & Install Bituminous Hand Patching	5.00	TON	150.00	750.00
	Subtotal				9,779.00
	Engineering (15%)				1,466.85
	Contingencies (15%)				1,466.85
	Total				12,712.70

N. Dixie Hwy Sidewalk Installation - Detroit Avenue to Ternes Drive (south side)
Property Owner Costs (Remaining)

Total	37,832.60
Front Footage of adjacent properties	941.51
Per Front Foot Assessment	\$ 40.1829

PARCEL ID	PROPERTY ADDRESS	OWNER NAME	OWNER MAILING ADDRESS	OWNER CITY , STATE, ZIP	FRONTAGE	ASSESSMENT
59-1909-18	1100 North Dixie Highway	SSA Delaware, LLC	c/o Pilot Travel Centers, P.O. Box 54470	Lexington, KY 40555	341.51	\$13,722.86
59-1909-19	1180 North Dixie Highway	McDonald's Corporation	c/o Jeffrey Stanton, 572 Chesler	Birmingham, MI 48009	150.00	\$6,027.44
59-1909-20	1224 North Dixie Highway	Denny's of Monroe	c/o Rash #200-22-1635, P.O. Box 260698	Plano, TX 75026-0688	250.00	\$10,045.73
59-1909-22	1240 North Dixie Highway	Dixie Highway Land	1240 North Dixie Highway	Monroe, MI 48162	200.00	\$8,036.58
TOTAL FOR ALL PARCELS						\$37,832.60

COST PER FRONT FOOT = \$40.1829



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: STREET LIGHTING SPECIAL ASSESSMENT DISTRICT #1 – MASON RUN PHASE 2 – 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. Due to its unique characteristics, the Mason Run project was not platted like most subdivisions within the City, but is a site condominium development. For purposes of long-term management, the site has been divided into two (2) condominium phases in that the entire Mason Run project south of Noble Avenue is a part of "Mason Run I" and the area north of Noble is a part of "Mason Run II". The "Mason Run I" association is under resident control, but "Mason Run II" is essentially non-functioning, as the control of the association has never been turned over to the residents as was required by the timelines set forth in the Master Deed.

One other major infrastructure item remains that impacts the public health, safety, and welfare of the residents, and that is the lack of adequate street lighting. The lighting system for both Mason Run I and II was intended to be private, was indeed installed by the developer as a private system, and is functioning as such in Phase I, where a portion of the association dues is used to pay for the monthly lighting bills to DTE Energy. However, since the developer has no longer been supporting Phase II and no functioning association exists for collection of required revenues, the system has been turned off for non-payment, a situation that seems to have existed now for nearly four (4) years. As the City of Monroe is not equipped to maintain an additional private lighting system, after significant discussion with the City Manager, the Engineering Department has solicited a quotation (attached) from DTE to replace the existing private lighting system with a conventional overhead lighting at intersections and mid-block locations on blocks longer than 400 feet. If a public system is installed, the City would perpetually pay the lighting costs as we do in nearly all other City neighborhoods. While ideally DTE would take over the fixtures already in place, since they are non-standard, they have indicated that the City would likely be responsible for perpetually stocking replacements, which does not appear at this point to be more advantageous than simply replacing the system now. If, at some point in the future, the association forms, they could still opt to utilize the existing decorative lighting to supplement the City's system, or remove it at their option if not needed.

As with most localized capital improvements, the City Charter provides for installation by the implementation of a Special Assessment District, and we are recommending that this district be configured in exactly the same way as Paving Special Assessment District 331 was in 2009 (passed to facilitate completion of the final paving and later fully reimbursed by a project bond), which was on a frontage basis along all roadways in the subdivision. In keeping with past practice, "corner" lots receive a 50% discount on each frontage up to a total frontage of 150 feet. The City of Monroe will be assuming all frontage costs for the parcel lying north of Elliot Street, between Baptiste Avenue and Mason Run Boulevard, and all of Elliot Park (between Elliot, McDougal, Baptiste, and Lapointe), plus the other 50% share of the corner lots. The DTE estimate presented is \$31,058.49 for the installation, as detailed in the attached agreement. In addition, at this point we are asking that 5% engineering costs be also included to account for staff coordination time, and 10% for contingencies in the DTE installation to provide for unknown site conditions, for a total estimated project cost of \$36,000. The private property assessments range from a low of \$338.81 to a high of \$746.03, and can be spread over a 10-year period.

The next step in this process is Resolution 3, which delineates the estimated costs and their distribution between parcels within the district, and establishes that this project is a public necessity. Resolution 4, which sets up the public hearing on the assessment roll, has also been presented on this agenda for your approval as well, and this is possible given that the DTE installation costs are now fully known. Provided there are no significant objections to the necessity of the project, we are recommending that this process continue as quickly as possible, so that lighting could potentially be in place by December or January. Since this is classified as a City-Council initiated project, any action would have to be by a 5-2 vote of City Council.

IT IS RECOMMENDED that the attached Resolution 3 be adopted, and that this project be declared a public necessity.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: We would like to have any new street lighting put into place by the end of fall 2012, which requires the Special Assessment process to proceed as quickly as possible.

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

<u>COST AND REVENUE PROJECTIONS:</u>	Cost of Total Project	\$36,000*
	Cost of This Project Approval	\$N/A
	Related Annual Operating Cost	\$N/A
	Increased Revenue Expected/Year	\$N/A

*Includes DTE costs, plus 10% contingencies and 5% engineering costs.

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

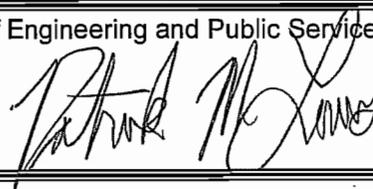
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/10/12

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: September 17, 2012



RESOLUTION NO. 3

WHEREAS, September 17, 2012 is the date set for the public hearing and consideration of hearing comments regarding the installation of public street lighting 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, 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; therefore be it

RESOLVED, that the installation of public street lighting 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 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, pay \$10,140.49, and that the balance of \$25,859.51 be assessed upon the property benefited by such installation and be it further

RESOLVED, that the special assessment district for this project, hereafter known as Street Lighting Special Assessment District Number 1, 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;

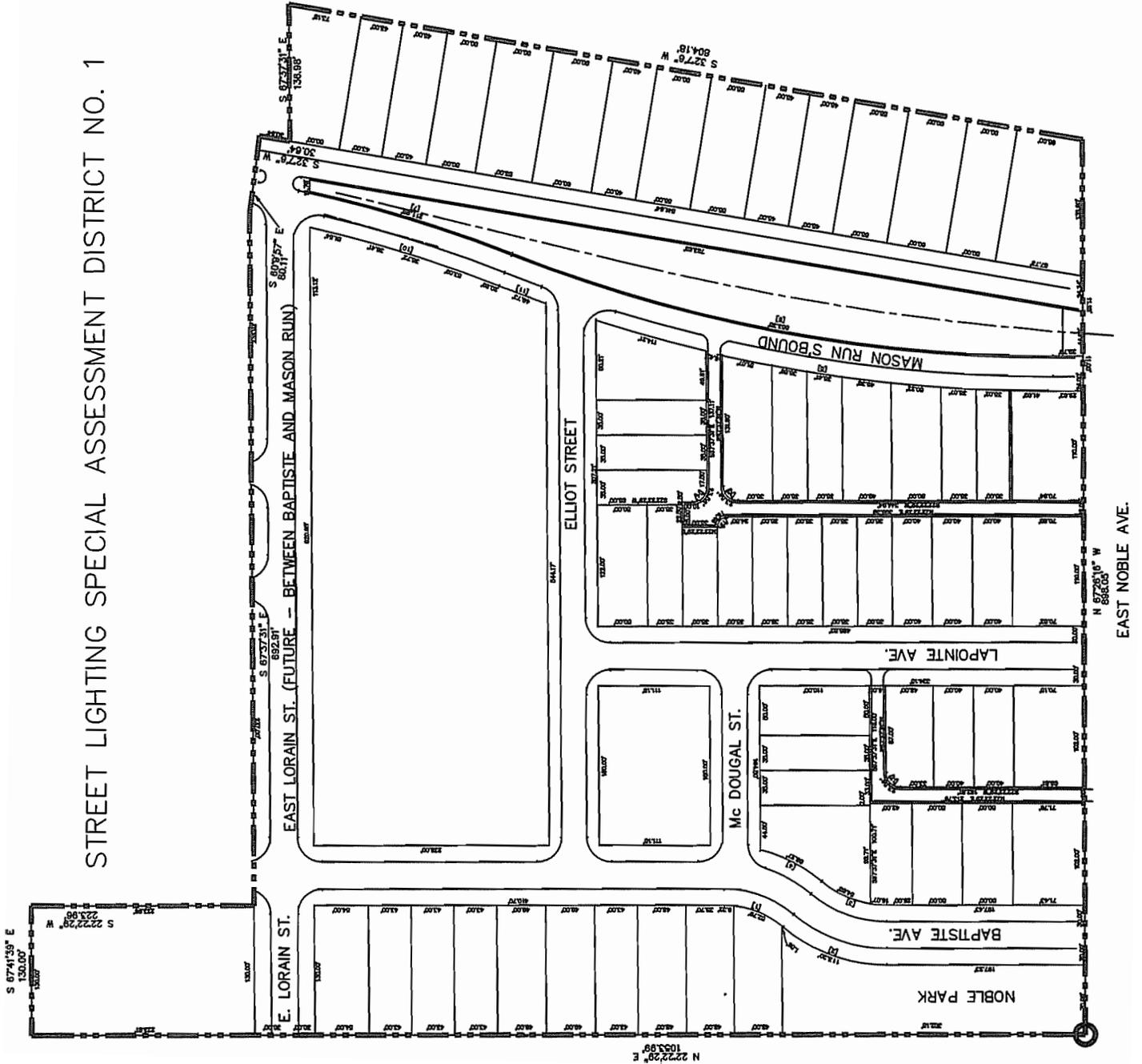
Thence, S. 32° 07' 06" W., 804.18 feet;

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 Street Lighting Special Assessment District Number 1, in which he is instructed to levy upon the property benefited by said improvement, and within this district, the sum of \$25,859.51, and report the same to this Council.

STREET LIGHTING SPECIAL ASSESSMENT DISTRICT NO. 1



Street Lighting Special Assessment District 1 - Mason Run II Lighting Installation

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 Baptiste	Creative Land Design, Inc.	23370 Commerce Dr., Farmington, MI 48335	54.35	0.00	16.76	71.11	0.00	71.11	\$465.48
13	431 Baptiste	Washington, Allen R	431 Baptiste Avenue, Monroe, MI 48162	48.02	0.00	16.76	64.78	0.00	64.78	\$424.04
14	437 Baptiste	Wright, Garland B.	437 Baptiste Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$423.91
15	443 Baptiste	Miller, Christian A & Jennifer A	443 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$391.18
16	449 Baptiste	Zimmerman, Robert & Renee	449 Baptiste Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$430.46
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	\$430.46
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	\$430.46
19	463 Baptiste	Bux, Dennis M	463 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$391.18
20	467 Baptiste	Scott, David & Kathryn	467 Baptiste Avenue, Monroe, MI 48162	43.00	0.00	16.76	59.76	0.00	59.76	\$391.18
21	471 Baptiste	St. Bernard, Nicholas M	471 Baptiste Avenue, Monroe, MI 48162	54.00	130.00	16.76	200.76	92.00	108.76	\$711.93
22	475 Baptiste	Davis, Terry & Morgan	475 Baptiste Ave., Monroe, MI 48162	71.43	0.00	16.76	88.19	35.72	52.47	\$343.46
12	402 Baptiste	Buchanan, Lisa	402 Baptiste Ave., Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$437.00
11	406 Baptiste	Lowenstein, Lisa	406 Baptiste Avenue, Monroe, MI 48162	50.00	0.00	16.76	66.76	0.00	66.76	\$437.00
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	\$437.00
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	\$385.09
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	\$3,659.93
8	902 McDougal	Gapuz, Raphael & Angiela L	902 McDougal Street, Monroe, MI 48162	123.95	44.50	16.76	185.21	84.23	100.98	\$661.00
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	\$338.81
6	910 McDougal	Resaume, Aaron	910 McDougal Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
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	\$633.38
1	401 Lapointe	Krueger, Brian	401 Lapointe Avenue, Monroe, MI 48162	70.15	0.00	16.76	86.91	35.08	51.83	\$338.27
2	405 Lapointe	Bunch, Falicia	405 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$371.54
3	409 Lapointe	Myers, Chad	409 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$371.54
4	413 Lapointe	Schiffler, Eric	413 Lapointe Avenue, Monroe, MI 48162	48.00	0.00	16.76	64.76	0.00	64.76	\$423.91
23	402 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	70.52	0.00	16.76	87.28	35.26	52.02	\$340.52
24	406 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	40.00	0.00	16.76	56.76	0.00	56.76	\$371.54
25	410 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	40.00	0.00	16.76	56.76	0.00	56.76	\$371.54
26	414 Lapointe	Umfrass, Andrea L	414 Lapointe Avenue, Monroe, MI 48162	40.00	0.00	16.76	56.76	0.00	56.76	\$371.54
27	422 Lapointe	Brent Huber	422 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
28	419 Lapointe	Ibershoff, James G & Evelyn J	426 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
29	426 Lapointe	Woolf, Charles F & Debra A	430 Lapointe Avenue, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
30	430 Lapointe	Lavanway, Jon L & Anita O	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
31	434 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
32	438 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
33	442 Lapointe	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
34	446 Lapointe	Collins, Sabrina	446 Lapointe Avenue, Monroe, MI 48162	50.00	122.00	16.76	188.76	86.00	102.76	\$672.65
35	838 Elliot	Medlin, Janell	938 Elliot Street, Monroe, MI 48162	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
36	942 Elliot	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
37	946 Elliot	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.00	0.00	16.76	51.76	0.00	51.76	\$338.81
38	950 Elliot	Fannie Mae	14221 Dallas Parkway Ste. 1000, Dallas, TX 75254	80.21	114.21	16.76	211.18	97.21	113.97	\$746.03
45	401 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	71.30	0.00	16.76	88.06	35.65	52.41	\$343.07
46	407 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.03	0.00	16.76	51.79	0.00	51.79	\$339.01
44	411 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.07	0.00	16.76	51.83	0.00	51.83	\$339.27
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	\$438.38
42	419 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	49.38	0.00	16.76	66.14	0.00	66.14	\$432.94
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	\$342.42
40	429 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	35.55	0.00	16.76	52.31	0.00	52.31	\$342.42
39	433 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	51.07	0.00	16.76	67.83	0.00	67.83	\$444.01
47	402 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	87.73	0.00	16.76	104.49	43.87	60.62	\$396.81

Street Lighting Special Assessment District 1 - Mason Run II Lighting Installation

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
48	408 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	50.00	0.00	16.76	66.76	0.00	66.76	\$437.00
49	414 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	60.00	0.00	16.76	76.76	0.00	76.76	\$502.46
50	420 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	55.00	0.00	16.76	71.76	0.00	71.76	\$489.73
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	\$404.27
52	432 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	45.00	0.00	16.76	61.76	0.00	61.76	\$404.27
53	438 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	55.00	0.00	16.76	71.76	0.00	71.76	\$469.73
54	444 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	55.00	0.00	16.76	71.76	0.00	71.76	\$469.73
55	450 Mason Run	Johnson, Christina	450 Mason Run Blvd., Monroe, MI 48162	45.00	0.00	16.76	61.76	0.00	61.76	\$404.27
56	456 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	60.00	0.00	16.76	76.76	0.00	76.76	\$502.46
57	462 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	58.00	0.00	16.76	74.76	0.00	74.76	\$489.37
58	468 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	50.00	0.00	16.76	66.76	0.00	66.76	\$437.00
59	474 Mason Run	Monroe County Treasurer	51 S. Macomb St., Monroe, MI 48161	45.00	0.00	16.76	61.76	0.00	61.76	\$404.27
60	480 Mason Run	Mason Run II	10356 Bouldercrest Dr., South Lyon, MI 48178	43.00	0.00	16.76	59.76	0.00	59.76	\$391.18
61	486 Mason Run	Cicero, Corey	486 Mason Run, Monroe, MI 48161	50.00	0.00	16.76	66.76	0.00	66.76	\$437.00
905	E. Noble - Vacant	General common element	*Common element, must be divided 1/62 to each lot							
903	E. Noble - Vacant	City of Monroe	120 East First Street, Monroe, MI 48161	130.00	0.00	0.00	130.00	65.00	65.00	\$425.48
Project Totals				3208.63	951.89	1039.12	5199.64	690.02	4509.62	\$29,519.44

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)	\$36,000
Assessable Cost per front foot	\$ 6,545.9

Property Owner Costs (Less Elliot Park)	\$25,859.51
City Costs (Elliot Park)	\$3,659.93
City Costs (Corner Frontage of Condominium Units)	\$4,516.79
City Costs (Corner Frontage of Common Elements)	\$1,963.76
Total Project Costs	\$36,000.00

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

STANDARD AGREEMENT FOR MUNICIPAL STREET LIGHTING

DTE Internal Work Order/IO Number 34531413

This Standard Agreement For Municipal Street Lighting ("Agreement") is between The Detroit Edison Company ("Company") and City of Monroe ("Customer"). Customer requests the Company to furnish, install, operate and maintain street lighting equipment in the municipality set forth on Exhibit A attached hereto at the specific location set forth on Exhibit A (the "Location") and the Company agrees to do so in accordance with the terms set forth in this Agreement.

Therefore, in consideration of the mutual promises set forth in this Agreement, and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Company and Customer each hereby agree as follows:

1. Description of Equipment

Subject to and in accordance with the terms of this Agreement, the Company will undertake activities to install the street lighting equipment set forth on Exhibit A attached hereto (the "Equipment").

2. Rules Governing Installation of Equipment and Electric Service

Installation of street light facilities and the extension of electric service to serve those facilities are subject to the provisions of The Michigan Public Service Commission (MPSC) Rules Governing Services Supplied by Electric Utilities, Rule B-3.3, Extension of Service.

3. Contribution in Aid of Construction

In accordance with the applicable Orders of the MPSC, Customer shall pay to Company a contribution in aid of construction ("CIAC") for the installation of the Equipment and the recovery of costs associated with the removal of existing equipment, if any. The amount of the CIAC (the "CIAC Amount") shall be an amount equal to the total construction cost (including all labor, materials and overhead charges), less an amount equal to three years revenue expected from such new equipment. The CIAC Amount is as set forth on Exhibit A attached hereto. The CIAC Amount does not include charges for any additional cost or expense for unforeseen underground objects not identified by Miss Dig, or unusual conditions encountered in the construction and installation of the Equipment. If Company encounters any such unforeseen or unusual conditions, which would increase the CIAC Amount, it will suspend the construction and installation of the Equipment and give notice of such conditions to the Customer. The Customer will either pay additional costs or modify the work to be performed. If the work is modified, the CIAC Amount will be adjusted to account for such modification. Upon any such suspension and/or subsequent modification of the work, the schedule for completion of the work shall also be appropriately modified.

4. Payment of CIAC Amount

Customer shall pay to Company the CIAC Amount set forth on Exhibit A promptly upon execution of this Agreement. Failure to pay such amount at such time shall relieve Company of its obligations to perform the construction work required herein until such amount is paid.

5. Modifications

Subject to written permission of the respective municipality, after installation of the Equipment, any cost for additional modifications, relocations or removals will be the responsibility of the requesting party.

6. Maintenance and Replacement Equipment

In accordance with the applicable Orders of the MPSC, under the Municipal Street Lighting Rate (as defined below), Company shall provide the necessary maintenance of the Equipment, including such replacement material and equipment as may be necessary.

7. Street Lighting Service Rate

Upon the installation of the Equipment, the Company will provide street lighting service to Customer under Option 1 of the Municipal Street Lighting Rate, as approved by the MPSC.

This street lighting service is also governed by Rules for Electrical Service established by the MPSC (MPSC Case Number U-6400). The Street Lighting Rate is subject to change from time to time by orders issued by the MPSC. The Municipal Street Lighting Rate as of the date of this Agreement is hereby incorporated by reference into this Agreement.

8. Contract Term

The initial term of this Agreement shall begin on the date that billing for the street light service begins, and shall continue for five years thereafter. Upon the expiration of the initial term of this Agreement, the term of this Agreement shall continue on a month-to-month basis thereafter until terminated by mutual written consent or twelve months written notice by either party, which written notice may be given at any time.

9. Design Responsibility for Street Light Installation

The Company installs municipal street lighting installations following Illuminating Engineering Society of North America ("IESNA") recommended practices. If the Customer submits its own street lighting design for the street light installation (as shown on Exhibit A), or if the street lighting installation requested by Customer on Exhibit A does not meet the IESNA recommended practices (as shown on Exhibit A), Customer acknowledges the Company is not responsible for lighting design standards.

10. New Subdivisions

Company agrees to install street lights in new subdivisions when subdivision occupancy reaches a minimum of 80%. If Customer wishes to have installation occur prior to 80% occupancy, then Customer acknowledges it will be financially responsible for all damages (knockdowns, etc.) and requests for modifications (movements due to modified curb cuts from original design, etc.).

11. Force Majeure

The obligation of Company to perform this Agreement shall be suspended or excused to the extent such performance is prevented or delayed because of acts beyond Company's reasonable control, including without limitation acts of God, fires, adverse weather conditions (including severe storms and blizzards), malicious mischief, strikes and other labor disturbances, compliance with any directives of any government authority, including but not limited to obtaining permits, and force majeure events affecting suppliers or subcontractors.

12. Subcontractors

Company may sub-contract in whole or in part its obligations under this Agreement to install the Equipment and Replacement Equipment.

13. Waiver; Limitation of Liability

To the maximum extent allowed by law, Customer hereby waives, releases and fully discharges Company from and against any and all claims, causes of action, rights, liabilities or damages whatsoever, including attorneys fees, arising out of the installation of the Equipment and/or any Replacement Equipment, including claims for bodily injury or death and property damage, unless such matter is caused by or arises as a result of the sole negligence of Company and/or its subcontractors. Company shall not be liable under this Agreement for any special, incidental or consequential damages, including loss of business or profits, whether based upon breach of warranty, breach of contract, negligence, strict liability, tort or any other legal theory, and whether or not Company has been advised of the possibility of such damages. In no event will Company's liability to Customer for any and all claims related to or arising out of this Agreement exceed the CIAC Amount.

14. Notices

All notices required by the Agreement shall be in writing. Such notices shall be sent to Company at The Detroit Edison Company, Community Lighting Group, 2000 Second Ave., Room 440 SB, Detroit, MI 48226 and to Customer at the address set forth on Exhibit A attached hereto. Notice shall be deemed given hereunder upon personal delivery to the addresses set forth above or, if properly addressed, on the date sent by certified mail, return receipt requested, or the date such notice is placed in the custody of a nationally recognized overnight delivery service. A party may change its address for notices by giving notice of such change of address in the manner set forth herein.

15. Representations and Warranties

Company and Customer each represent and warrant that: (a) it has full corporate or public, as applicable, power and authority to execute and deliver this Agreement and to carry out the actions required of it by this Agreement; (b) the execution and delivery of this Agreement and the transactions contemplated hereby have been duly and validly authorized by all necessary corporate or public, as applicable, action required on the part of such party; and (c) this Agreement constitutes a legal, valid, and binding agreement of such party.

16. Miscellaneous

(a) This Agreement is the entire agreement of the parties concerning the subject matter hereof and supersedes all prior agreements and understandings.

(b) No party other than Company and Customer, and their respective successors and assigns, shall have any rights to enforce or rely upon this Agreement, which is binding upon and made solely for the benefit of Company and Customer, and their respective successors, and assigns, and not for the benefit of any other party.

(c) Failure of either party to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by such party of any of its rights hereunder. No waiver by any party at any time, expressed or implied, of any breach of any provision of this Agreement shall be deemed a waiver or a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision.

(d) The captions and section numbers appearing in this Agreement are inserted only as a matter of convenience, and do not define, limit, construe or describe the scope or intent of such sections or articles of this Agreement nor in any way affect this Agreement.

(e) This Agreement, and the rights, obligations and liabilities of the parties hereto shall be construed in accordance with the law of the State of Michigan, without regard to its conflict of law principles. The parties agree that any action with respect to this Agreement shall be brought in a court of competent subject matter jurisdiction located in the State of Michigan and the parties hereby submit themselves to the exclusive jurisdiction and venue of such court for the purpose of such action.

(f) This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

(g) If any term or provision of this Agreement is held to be invalid or unenforceable in any situation in any jurisdiction, it shall not affect the validity or enforceability of the remaining terms and provisions hereof or the validity or enforceability of the offending term or provision in any other situation or in any other jurisdiction.

THE DETROIT EDISON COMPANY

CITY OF MONROE

By _____

By _____

Printed Name: _____

Printed Name: _____

Its _____

Its _____

Date _____

Date _____

EXHIBIT A

Note: The usage of the notation "N/A" in any of the boxes below means that such matter is not applicable to the transactions contemplated by this Agreement and all sections of this Agreement relating to such matter shall be deemed to have no force and effect (but all other sections of this Agreement, shall otherwise remain in full force and effect).

Municipality where Equipment will be installed	City Of Monroe
Specific Location where Equipment will be installed	Mason Run Subdivision – as per Exhibit B attached WO # 34533157 dated 08/17/2012 which is made part of this agreement.
Description of Equipment to be installed	Installation of eleven[11] "cobra" style fixtures each having a 100 watt high pressure sodium lamp source mounted a 30 foot fiberglass pole direct buried with UG feed as per street lighting facilities in accordance with Exhibit B WO # 34533157 dated 08/17/2012 which is made part of this agreement.
Computation of Street Lighting Contribution In Aid of Construction CIAC Amount	Total Estimated Construction Cost, including labor, materials, and overhead \$ 42,579.20
	Lamp Charges for 3 yrs \$ 12,331.59
	Contribution (Cost minus 3 yrs revenue) \$ 30,247.61
	Total Annual Lamp Charges \$ 4,110.53
Box 1 Is this a Company designed installation? (check "Yes" or "No")	YES <input type="checkbox"/> (if checked please complete Box: 2 3 4) NO <input type="checkbox"/> (if checked please complete Box: 5 6)
Box 2 If Box 1 is checked please select the appropriate Roadway Classification	<input type="checkbox"/> Expressway <input type="checkbox"/> Major <input type="checkbox"/> Collector <input type="checkbox"/> Local
Box 3 If Box 1 is checked please select the appropriate Pedestrian Conflict Classification	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low
Box 4 If Box 1 is checked please select the appropriate Pavement Classification	<input type="checkbox"/> R1 <input type="checkbox"/> R2 & R3 <input type="checkbox"/> R4
Box 5 Does the Customer lighting design requested meet IESNA recommended practices? (check "Yes" or "No")	YES <input type="checkbox"/> NO <input type="checkbox"/> (if checked please complete Box: 6)
Box 6 If the Customer lighting design does not meet IESNA recommended practices, the Customer must sign the block to the right.	_____ (Customer signature indicating acknowledgement the lighting design does not meet IESNA recommended practices)
Box 7 New Residential Subdivision?	YES <input type="checkbox"/> (if checked please complete Box: 8) NO <input type="checkbox"/>
Box 8 If Box 7 is checked Yes, and customer authorizes installation prior to 80% occupancy, Customer signature required	_____ (Customer acknowledgement that lighting is being installed prior to 80% occupancy)
Customer Address for Notices	



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: STREET LIGHTING SPECIAL ASSESSMENT DISTRICT #1 – MASON RUN PHASE 2 – 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 from DTE Energy that we will use should this project be confirmed, there is no difference between the estimated costs and actual 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 1, 2012 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 1, 2012 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: We would like to have any new street lighting put into place by the end of fall 2012, which requires the Special Assessment process to proceed as quickly as possible.

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	\$36,000*
	Cost of This Project Approval	\$N/A
	Related Annual Operating Cost	\$N/A
	Increased Revenue Expected/Year	\$N/A

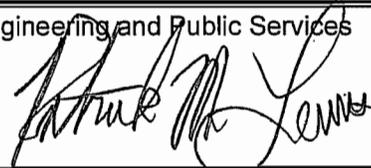
*Includes DTE costs, plus 10% contingencies and 5% engineering costs.

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

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/10/12

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: September 17, 2012

RESOLUTION NO. 4

WHEREAS, the City Assessor has reported and filed a special assessment for installation of public street lighting 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 Street Lighting Special Assessment District 1; 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 2.75% on the unpaid balance, and be it further;

RESOLVED, that on October 1, 2012, 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.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: REPORT BACK ON BIDS RECEIVED FOR THE PUMP STATION ELECTRICAL SERVICE UPGRADES - WASTEWATER DEPARTMENT

DISCUSSION: The Wastewater Department received five (5) bids for the Pump Station Electrical Service Upgrades at three different pump stations as part an approved fiscal year (FY) 2012-2013 Capital Improvement Program (CIP) project (bid tabulation attached). The low bidder meeting all bid specifications is Staelgrave-Turner Electric, Inc out of Monroe for \$19,950.00.

The overall project includes having new service disconnects installed at three remote pump stations. The stations included are Raisinville North, Raisinville South and Lavender North. Raisinville North and Raisinville South pump stations will also have a new electrical service line run at the same time. Maintenance of the disconnects and service lines are to be maintained by the Monroe Metropolitan Pollution Control System. The disconnects are under performing such that the equipment is old and inoperable. Adequate funding has been budgeted for this FY 2012-2013 CIP project.

IT IS RECOMMENDED that a purchase order in the amount of \$19,950.00 and a total amount of \$23,000.00 be encumbered to include a 15% contingency, be awarded to Staelgrave-Turner Electric, Inc out of Monroe for the Pump Station Electrical Service Upgrades project as part of an approved FY 2012-2013 CIP project in accordance with the bid specifications.

CITY MANAGER RECOMMENDATION:

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

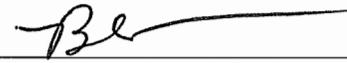
APPROVAL DEADLINE: October 10, 2012

REASON FOR DEADLINE: Bid is good for thirty (30) days.

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY:



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

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Wastewater Department, Wastewater Customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 55,000.00
Cost of This Project Approval	\$ 23,000.00
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>
	Wastewater System	590-75.530-973.000 13Z03	\$ 23,000.00
	<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** September 10, 2012

REVIEWED BY: _____ **DATE:** _____

COUNCIL MEETING DATE: September 17, 2012

**BIDS RECEIVED LIST FOR PUMP STATION ELECTRICAL
SERVICE UPGRADES FOR THE WASTEWATER DEPARTMENT.
BID REQUESTS DISTRIBUTED 8/27/2012. BIDS DUE MONDAY,
SEPTEMBER 10, 2012.**

	<u>BID AMOUNT</u>
STAELGRAVE TURNER ELECTRIC, INC MONROE, MI	\$19,950.00 (BID CHECK)
J. RANCK ELECTRIC, INC. MT. PLEASANT, MI	\$22,175.00 (BID BOND)
ROTOR ELECTRIC COMPANY OF MICHIGAN, LLC DETROIT, MI	\$34,465.00 (BID BOND)
WADE TRIM TAYLOR, MI	\$33,449.00 (BID CHECK)
ROMANOFF ELECTRIC TOLEDO, OH	\$23,808.00 (BID BOND)



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Authorizing Distribution of the Draft Comprehensive Plan Amendment Related to the Stewart Road Corridor for Public Comment

DISCUSSION: The current Comprehensive Plan designates the vacant land north of the Sisters Servants of the Immaculate Heart of Mary (IHM) campus and south of Stewart Road as a “Development Area” [See page 33 and Map 7-City of Monroe Comprehensive Plan (2003)]. At the time the Plan was adopted there was no particular type of development envisioned; however, the Plan notes any future development should preserve natural features and be compatible with the adjacent neighborhoods. The current Future Land Use Map designates this site for “Public/Institutional;” which was a holding classification to reflect the use at that time, and still today. The approach was to wait on a more specific future land use designation until there was a better understanding of the type of development that was expected. It is common for a community to prepare a Plan amendment for a large, vacant site such as this one when conditions change or opportunities arise.

One reason to amend the Comprehensive Plan in response to changing conditions and significant development proposals is to ensure overall Plan goals and recommendations are respected. A Plan amendment should acknowledge the changes since the last plan adoption and address those changes. For example, the trend toward more commercial development along Stewart Road, such as the Walgreens and medical office complex. Now large areas along the Stewart Road corridor, including the proposed La-Z-Boy project on the IHM site, are being proposed for development or have developed (Exp. Cancer Center in Frenchtown Twp.). Therefore, there is a need to look in more detail at this area to determine how it could be developed consistent with the City’s adopted Plan goals and objectives. This Plan amendment will provide specific guidance for this area, potential changes to zoning, and capital improvements (streets, utilities). In addition, the plan amendment process needs to address the future land use for the existing site and nearby land uses along Stewart Road.

The City Planning staff is working with LSL Planning consultants to draft an area plan for the Stewart Road Corridor between Telegraph Road and Monroe Street. This area plan could then be adopted as an amendment to the current Comprehensive Plan; to maintain the goals and objectives of the overall plan, and identify more specific goals and objectives for the area. The proposed amendment would then serve as a guide for development proposals and rezoning applications that are anticipated to occur in this area.

The Michigan Planning Enabling Act (PA 33 of 2008) requires that all draft master plans and amendments are presented to the legislative body for review and comment, and that the legislative body authorize distribution of the draft plan for public comment. There is a specific list in the statute to which the plan must be sent, including all abutting jurisdictions, the County planning office, railroads, public utilities, and public transit. The distribution of the draft plan or amendment starts a 42-day public comment period, during which the residents and other interested parties are encouraged to provide input and comments. The City is allowed to respond to the comments and further develop the draft plan during this time. Following the public comment period, the City is required to hold a public hearing before adoption of the plan by the Citizens Planning Commission. City Council is encouraged to adopt a resolution that they also intend to formally adopt the plan. This resolution of intent is typically adopted during the public comment period.

As noted above, the Department of Economic and Community Development has started working with LSL Planning, Inc. to provide specific planning expertise and supplemental staff support in drafting the proposed Comprehensive Plan amendment. LSL worked with the City in the past on the 2003 Comprehensive Plan overhaul as well more recently on special land use reviews and atypical zoning questions. LSL consults in several communities in Michigan, Indiana and Georgia, and has a strong professional reputation in the SE Michigan region. Due to several unknowns in the development of the La-Z-Boy project, the City will likely need to continue to consult with LSL regarding the comprehensive plan amendment, rezoning application and potential zoning ordinance amendments. LSL estimates the cost for this work is in the \$5,000 to \$8,000 range, depending on the scope of services required.

IT IS RECOMMENDED that City Council authorize the distribution of the draft comprehensive plan (a.k.a. master plan) amendment related to the Stewart Road Corridor in conformance with Section 41 of the Michigan Planning Enabling Act (PA 33 of 2008) and direct Department of Economic and Community Development staff to send copies of the draft plan to the required entities; **IT IS FUTHER RECOMMENDED** that City Council authorize expenditures for planning and zoning services from LSL Planning, Inc. in an amount not to exceed \$8,000, and that this amount be transferred from the Economic Development Fund.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: September 17, 2012

REASON FOR DEADLINE: Anticipated development proposal for this area.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N.A.

INITIATED BY: Department of Economic and Community Development

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Department of Economic and Community Development, Department of Public Services, Water and Sewer Department, Abutting Communities (Frenchtown & Monroe Townships), Monroe County Planning, Railroad, Public Utilities, Lake Erie Transit, Sisters Servants of the Immaculate Heart of Mary, City of Monroe Residents.

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ 8,000.00*
	Cost of This Project Approval	\$ 0
	Related Annual Operating Cost	\$ 0
	Increased Revenue Expected/Year	\$ 0

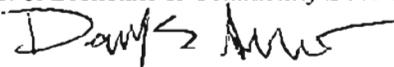
SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
		101-65.802-818.020	\$8,000.00*
	<u>Other Funds</u>		

Budget Approval: _____

* Not to exceed amount, to be transferred from the Economic Development Fund.

FACT SHEET PREPARED BY: Daniel E. Swallow, Dir. of Economic & Community Development **DATE:** 9-11-12

REVIEWED BY: George A. Brown, City Manager



DATE:

COUNCIL MEETING DATE: September 17, 2012

Proposed Comprehensive Plan Amendment

BACKGROUND

The current Comprehensive Plan designates the vacant land north of the Sisters Servants of the Immaculate Heart of Mary (IHM) campus and south of Stewart Road as a “redevelopment” area (see current plan page 33 and Map 7). At the time the Plan was adopted (2003) there was no particular type of development envisioned; however, the Plan notes any future development should preserve natural features and be compatible with the adjacent neighborhoods. The Future Land Use plan (Map 2) designates this site as “Public/Institutional;” which was a “holding” classification to reflect the use at that time, and still today. The approach was to wait on a more specific future land use designation until there was a better understanding of the type of development that was expected. This process, to prepare a Plan amendment for a large site such as this one when conditions change or opportunities arise, is quite common.

An amendment to the Comprehensive Plan in response to changing conditions such as in this case should ensure overall Plan goals and recommendations are respected. A Plan amendment should also acknowledge the changes since the last plan adoption and describe the change as a reason to support the amendment. The trend toward more commercial development along Stewart Road, such as the Walgreens and medical office complex, is one of the reasons for this plan amendment.

Another reason to consider an amendment is that large areas along the Stewart Road corridor, including the IHM site, are being marketed for development. Therefore there is a need to look in more detail at this area to determine how it could be developed consistent with the City’s adopted Plan goals and objectives. This Plan amendment will provide specific guidance for the Redevelopment Area, potential changes to zoning, and capital improvements (streets, utilities).

The plan amendment also includes recommended changes along the Stewart Road corridor to ensure the Plan amendment is not made in a vacuum or focused exclusively on the Redevelopment Area.

The potential redevelopment of this site and the Stewart Road corridor is consistent with the Comprehensive Plan goals, particularly those related to economic development and redevelopment. The changes are shown on the proposed amended future land use map. Given the specific conditions on the site, we recommend a new classification on the future land use map “Corporate/Research Park” rather than just “Office”. The description of that new category is listed in section A below and is followed by a description of the additional changes along the Stewart Road corridor (see section B).

A. NEW CORPORATE/RESEARCH PARK DESIGNATION AND KEY ELEMENTS

Purpose in General: To create a corporate and research park in a campus-like setting that is compatible with the adjacent neighborhoods, preserves key natural features on the site, and provides flexibility to respond to the rapidly changing factors in the global marketplace.

Land Use: This new land use category is intended primarily for corporate office and research technology uses (minor assembly creation or testing of “prototype” goods may be allowed). These primary uses could be supported by related uses such as business services, including compatible professional offices, copy centers, or small meeting facilities. In addition, accessory cafes or services uses intended primarily or exclusively for employees and visitors may be allowed. All such uses should be designed in a “park-like” setting consistent with the design standards below.

Natural Features: Conservation of the large woodlot with possible use as a “nature preserve” with trails and other passive recreation amenities. This could be accomplished through a Development Agreement, a deed restriction, dedication as a park, or other mechanism such as a conservation easement (but not through a zoning designation alone).

Views: Buildings and parking should be located and designed with consideration of views from the adjacent neighborhoods. Taller buildings should be centered to reduce visual impact and yet still provide an impressive presence when viewed from Stewart Road. Landscaping should be used to screen views, especially of parking (headlights) and loading/service areas. Lighting should be lower level and be directed downward.

Site Design: In addition to providing screening for neighborhoods, landscaping should also be used to enhance views from the buildings and the entrance and drives throughout the site. Buildings and the site should be “best practices” for “green conscious” design such as building materials, amount of impervious surface, and low-impact (natural system) storm water elements. Special provisions may be needed to allow unique signature entry signs and wayfinding signs throughout the campus.

Pedestrians and Bikes: The site should be designed to encourage non-motorized travel within the site and to nearby supportive uses like restaurants and the Walgreens store. This could include sidewalks along drives and trails to and through the natural area. Amenities should be provided for a “park-like” setting.

Traffic and Circulation: Given the potential long term build-out of the site, the circulation design should allow future phasing to efficiently serve the entire site. For traffic management and emergency response, there should be two means of access from Stewart Road. The access shall be located to provide sufficient signal spacing to provide good traffic flow (“progression”). The entrance intersections shall be located to minimize conflicts with other access points and provide sufficient left-turn storage. Additional right-of-way should be provided along the north edge to support future widening, if needed. A traffic study should be provided with a process to update based on actual traffic flow for future uses/phases.

There should also be consideration of the City’s Comprehensive Plan recommendation to provide an east-west street connection through the site. Such a street would need to be designed with “traffic calming” measures to improve compatibility with the character of the neighborhoods.

B. CHANGES TO FUTURE LAND USE MAP – OUTSIDE THE SUBJECT SITE

Since most of the property to the east and west is developed with stable residential neighborhoods, the key area of influence is the Stewart Road Corridor. One of the development proposals that led to this Amendment is the relocation of the La-Z-Boy headquarters from Telegraph Road to the Stewart Road Redevelopment Area. It is unlikely that a new large office user will occupy the existing Telegraph Road site. Considering the current development in this area along Telegraph Road is predominantly retail commercial, which is supported by the high traffic counts on Telegraph Road, the most likely reuse of the site is for commercial purposes. Specifically, a change in the Future Land Use designation is recommended for the existing La-Z-Boy site. That site is designated as "Office" on the current Future Land Use map and is proposed to be changed to "Community Commercial" which is reflective of the nature of that segment of Telegraph Road.

In addition to the changes to the future land use map shown, we recommend the text be amended to explain the intent for this site, including:

- Commercial use;
- Design and buffering to reduce impacts on residential uses to the south; and
- Driveway location to minimize conflicts with other access points along Telegraph Road.

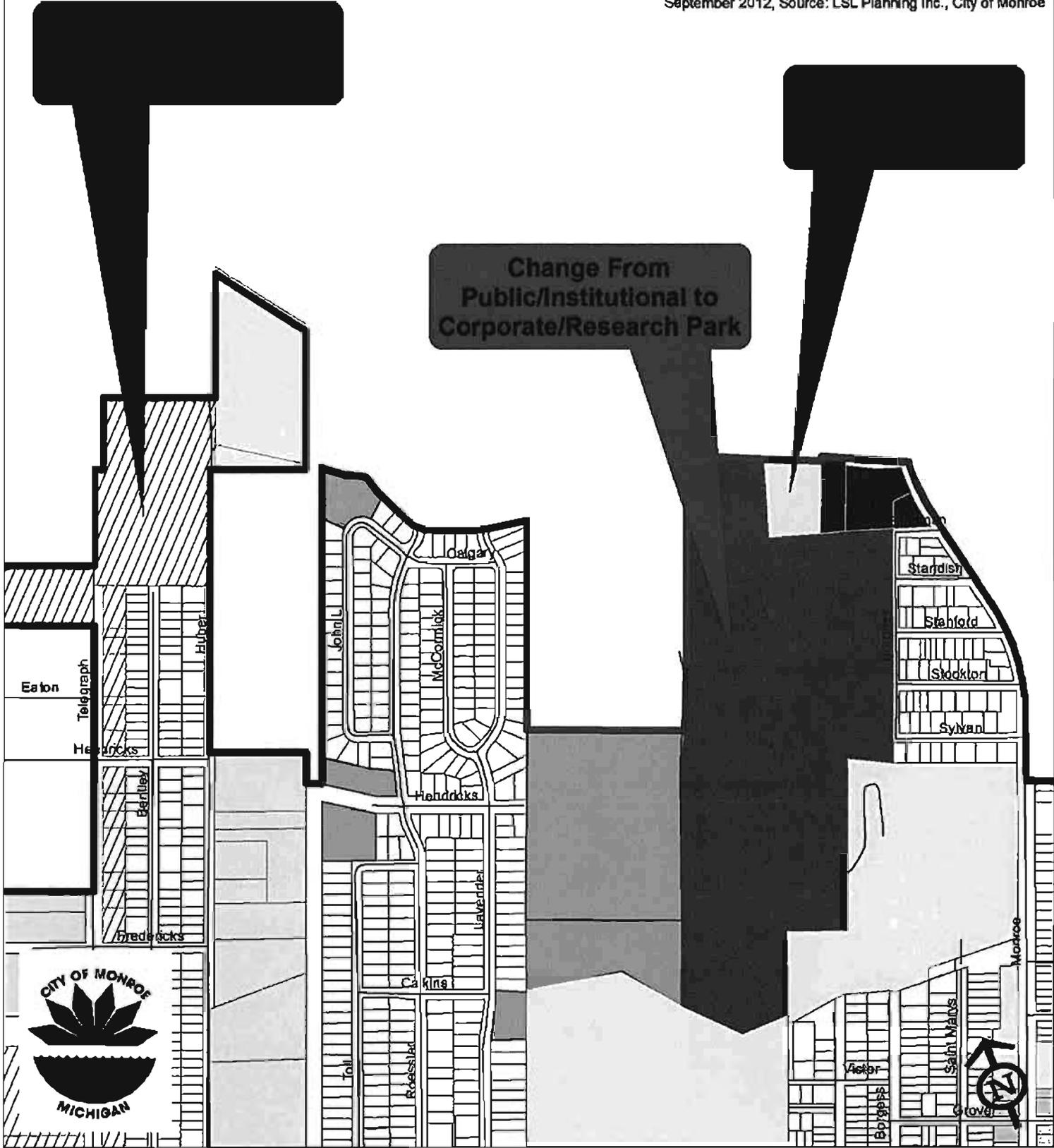
Additionally, the site housing the current medical office complex fronting Stewart has been rezoned and developed since adoption of the 2003 Comprehensive Plan. The current Plan designates that site as "Public/Institutional". A change to "Office" is included in this Plan amendment as shown on the map.

City of Monroe Comprehensive Plan Amendment DRAFT

Proposed Amendment	
	Comm Commercial
	Downtown
	Lte-Ind
	Neighborhood
	Office
	Parks
	Public
	Res-High
	Res-Mod
	Research Park

September 2012, Source: LSL Planning Inc., City of Monroe

Change From
Public/Institutional to
Corporate/Research Park





CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Accepting the donation of four vacant lots at 1110, 1114, 1124 & 1126 E. First St.

DISCUSSION: The City has received a letter (attached) from a representative of the owners of the four adjacent and vacant lots at 1110, 1114, 1124 and 1126 E. First St., which expresses an interest by the owners to donate this property to the City. The City has also received a letter (attached) from Tracy Palm, Executive Director of the Arthur Lessow Community Center (ALCC), which describes ALCC Board and management interest in securing the use of the property, which is adjacent to the ALCC, for the purpose of expanding their community recreation and other programming opportunities.

The attached aerial-image depicts the properties which are on the block in which the above noted property is located, with the approximate outline of this property in red. The City has long-owned the property on which the ALCC is located and the structure in which it is housed. As a community services partner of the City and, until recently, the County, the ALCC has leased the property it uses for its operations from the City for \$1.00. Lease terms are included in a regularly-renewed agreement between the ALCC and the City, which also includes language assigning to the ALCC responsibilities for providing some community enrichment services for residents in the region, performing regular property maintenance and paying for other facility operational costs. If the City Council does accept the ownership of the property noted above, it will be recommended that the current lease agreement with ALCC be amended to include its lease of this property also.

Currently, we are aware of delinquent property tax and unpaid mowing invoice liens of about \$4,840, which have been placed on this property, and upcoming winter property taxes estimated to be about \$155. It is our understanding that the willingness of the owners to donate the property is predicated on the City also accepting liability for current liens, unpaid invoices and upcoming property taxes related to the property. For this year, the City Assessor has placed an Assessed Value on the properties of \$5,540 total, or a True Cash Value of \$11,080.

Prior to the City taking ownership of property, it is recommended that a Phase I environmental review be conducted by a qualified professional, to help determine whether various public records and past uses of the subject and/or nearby properties may indicate an elevated potential for concern. A Phase I review and report preparation is a routine due-diligence activity, which helps qualify Michigan-property purchasers for some level of liability protection related to previously-caused environmental issues. The cost to have a Phase I review and report completed for this property is about \$1,400. If approved for acquisition, additional funds should be allocated to cover the anticipated costs related to real estate transfer activities and a small contingency for the potential of unanticipated miscellaneous expenses.

Therefore, I am respectfully recommending that the Mayor and City Council approve and authorize the acquisition of the properties noted above, with the intention of allowing the ALCC to use the property to add to and expand its outdoor program offerings, subject to and subsequent to the following:

- The receipt of a formal, written commitment from the owners to transfer title to the property to the City, if the City chooses to accept ownership
- The receipt of a satisfactory Phase I environmental report
- The total costs to be incurred by the City to acquire clear and lien-free title to the property and to perform environmental due-diligence does not exceed \$7,500

It is also recommended that the Mayor and City Council allocate and authorize the transfer of up to \$7,500 from the Capital Project Fund reserve, to fund the costs related to the acquisition of the properties located at 1110, 1114, 1124 and 1126 E. First St.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: September 17, 2012 or soon thereafter

REASON FOR DEADLINE: Reasonable response time to owners' offer

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: City Manager

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED:

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 7,500.00
Cost of This Project Approval	\$ 7,500.00
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

City	Account Number	Amount
Capital Project Fund Balance		\$ 7,500.00
		\$ N/A
Other Funds		\$ N/A
		\$ N/A
		\$ N/A
		\$ N/A

Budget Approval: 

FACT SHEET PREPARED BY: George A. Brown, City Manager 

DATE: Sept. 12, 2012

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: September 17, 2012



Arthur Lesow Community Center

120 Eastchester • Monroe, Michigan 48161 • (734) 241-4313

August 30, 2012

The Honorable Robert Clark, Mayor of Monroe
and Members of the Monroe City Council
120 E. First Street
Monroe, MI 48161

Dear Mayor Clark and Members of the City Council,

Per my conversation with George Brown, City Manager, several weeks ago, I understand the City of Monroe might be granted four lots on E. First St., which borders the building and grounds of the Arthur Lesow Community Center (ALCC). Should the City be granted these lots, on behalf of the ALCC Board of Directors and the ALCC management team, please accept this letter as request for access to these lots in order to enhance the emotional and physical health of the underserved children and youth we serve.

While we remain very grateful for the two-story facility the City of Monroe provides ALCC for programming and services, as you know, we have never had a yard/land available for organized physical activities. Should we be granted access to the adjacent lots, it would give us a wonderful opportunity to enhance and expand our organized play, physical fitness, and sports' programming for children of all ages. Usage of a yard for our younger ones for seasonal, supervised, physical play, water play, and holiday celebration fun would be a wonderful addition for all of us. Further, many of our local school aged children/youth do not have the opportunity to excel in sports, such as, but not limited to, soccer, football, and softball. We would take great advantage of a large outdoor area by moving forward with organized sports' programming via teams/camps/practices to promote emotional and physical growth for all of our youngsters. Usage of these lots would give us *many more* opportunities to engage in one-on-one, group, and team activities while strengthening our relationships with our youngsters. All of these additional opportunities and activities will promote healthier lives and futures for our area's most vulnerable children.

In addition to using these adjacent lots for organized play, sports, and holiday celebrations for our youngsters, with City leaders' permission, we would move forward with an annual outdoor gardening project to engage/teach our youth the art of gardening while giving them the opportunity to give back to their community by beautifying their streets and neighborhoods with flowering plants. We would seek funding for plants and equipment, instructor/s to supervise this project, and the purchase of a temporary (annual?) "hoop house", a structure used to grow flowering plants. This project would provide our youth with a strong work ethic, solid work experience, higher self-esteem, and a positive investment in their community.

In closing, I am extremely excited about the vast number of opportunities to serve our youngsters via the (potential) usage of the adjacent vacant lots. Thank you, once again, for your and our City leaders' ongoing commitment, support, and generous investment into the lives and futures of our areas' most vulnerable youth and families.

Sincerely,

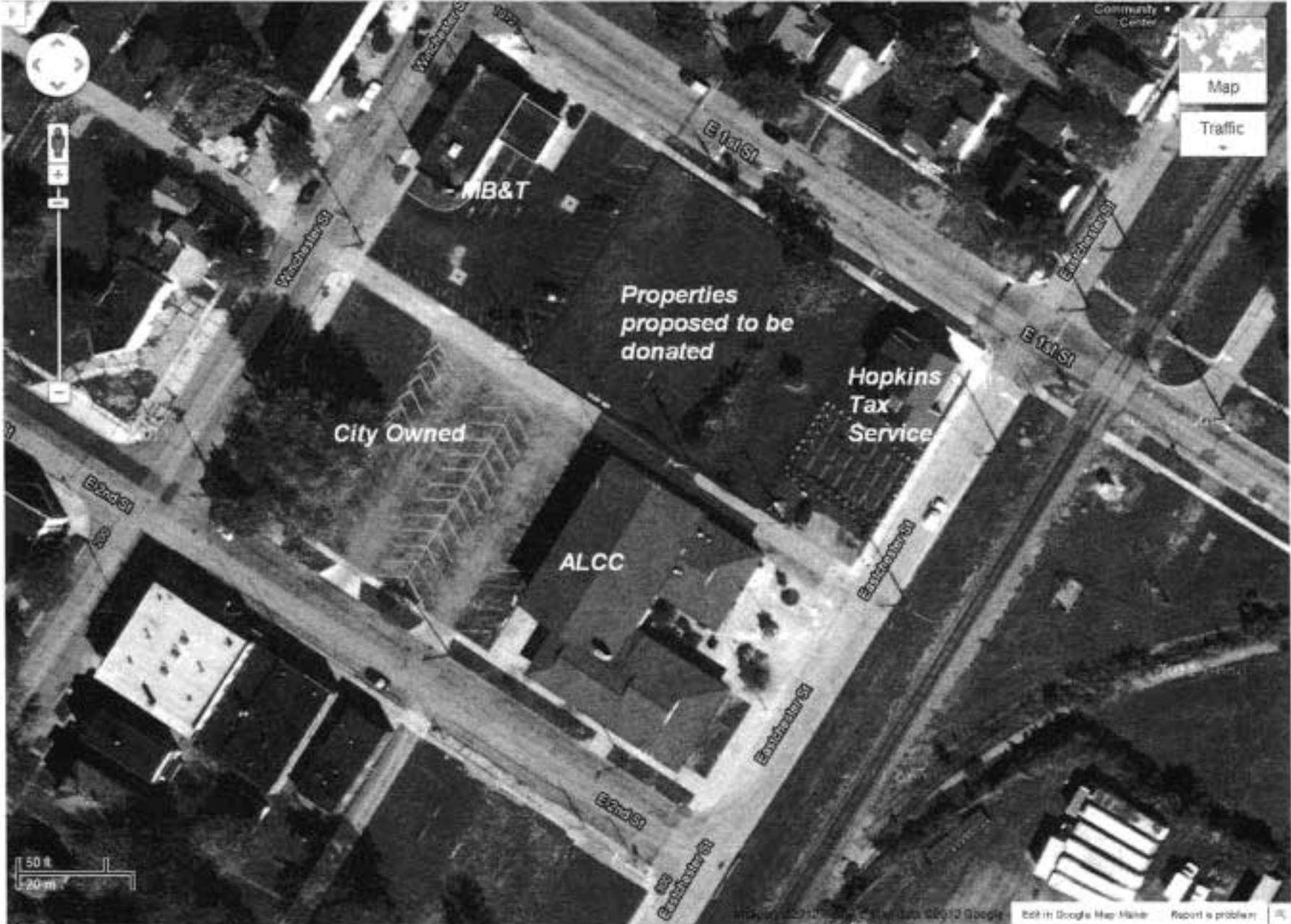
A handwritten signature in black ink, appearing to read "Tracy Palm", with a horizontal line extending to the right.

Tracy Palm
Executive Director
734.241.4313
palmalcc@yahoo.com

RECEIVED

SEP - 6 2012

MAYOR'S OFFICE



Community Center

Map

Traffic



THE LABOE REALTY COMPANY

1100 North Monroe Street, Monroe, Michigan 48162 • (734) 241-4959



August 16, 2012

Mr. Tom Ready
Ready, Sullivan & Ready, LLP
204 S. Macomb St.
Monroe, MI 48161

Dear Mr. Ready:

This is to inform you that Michael Soave is prepared to donate his E. First St. property to the City of Monroe provided there is no cost to him. These parcels consist of the following: 01109, 01110, 01111, and 01112.

Please notify the City of Monroe of this decision and notify me to assist as we move toward this objective.

Very truly yours,

A handwritten signature in cursive script that reads 'Mark S. Laboe'.

Mark S. Laboe

MSL/cs



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: 2010-11 WATER MAIN REPLACEMENT PROGRAM GROUP 2 – SETTLEMENT OF QUANTITY AND EXTRA CLAIMS

DISCUSSION: C & D Hughes, Inc. of Charlotte, Michigan has been awarded various contracts totaling over \$10 million from the City of Monroe between 2009 and 2011 for a range of roadway and utility work. Two (2) of these contracts, the 2011 Curb Replacement and Resurfacing Program, and the Gee Drive and Glendale Court Utility Replacement and Paving, are still open pending final paperwork but we have reached formal agreement on final quantities within the already-approved contract budget, so no further action is necessary by the City Council. The other contract, the 2010-11 Water Main Replacement Program – Group 2, remains open, and we have been attempting to negotiate final quantities with the contractor since earlier this year. This contract was originally awarded in October 2010 at an amount of \$688,387 as one of two bid groupings of bond projects in various locations. Throughout 2011, rather than continuing to bid each location separately and possibly ending up with multiple contractors, the City Council authorized the Engineering Department to award change orders for various work locations, with some work awarded to the Group 1 contractor, and the majority awarded to C & D Hughes. A summary of the various change order locations (including award dates, awarded amount, and the date of authorization) has been attached for your review. It should be noted that typically a contingency amount was allocated as well at the time of award, hence the difference between the present total City Council authorization of \$2,715,000 and the \$2,428,797.43 that is actually listed in the contract documents to date.

As you are likely aware, the latter part of 2011 saw the contractor falling considerably behind their completion date of September 1, and work moved to higher profile locations on Riverview Avenue from Maywood to Cole, and South Monroe Street from Jones to Front Streets, resulting in exacerbated motorist and property owner interface issues beyond the norm. Also, as expected, the Monroe Street project, due to a variety of factors including the age of the area, was quite complex, and resulted in a large number of uncertainties, unknown utilities, and pay quantities that expanded to the point where the overall contract authorization of \$2,715,000 was exceeded on that basis alone. Once work was finally completed in late January 2012, the City and contractor began reviewing and negotiating a number of items, including final quantity balancing, liquidated damages potentially owed back to the City, and a number of contractor extra work claims on this contract as well as the other two contracts mentioned above. Also hanging somewhat in the balance, as you have also likely heard, were substantial subcontractor and vendor claims (many from local companies) against the prime contractor (C & D Hughes) that had not been satisfied, in many cases apparently exceeding even the most generous estimate of monies owed the prime contractor. The disposition of some of these claims is still contingent upon settlement of this contract with the prime contractor.

After significant, time-consuming, and in-depth review of work items, extra claims, and other relevant items, including one meeting with the contractor and our legal staff, the Engineering Department offered a final settlement of claims per a letter dated August 16 (attached, along with relevant summary attachments). Essentially, this offer proposed a final contract amount of **\$2,843,369.73**, including \$2,822,649.00 in total payment of pay quantities and \$32,005.71 in extra claim payments, counter-balanced with an offset of \$11,284.98 for out-of-pocket costs the city incurred to address work deficiencies the contractor declined to address due to the ongoing dispute. In addition, the City did agree to waive liquidated damages, which we felt could have been justified in an amount over \$80,000 based on our contract, and an offset of \$14,361.89 in Water Department overtime costs, which we felt were related to the activities of the contractor. While this proposed settlement will require an **additional authorization** from City Council of **\$128,369.73**, it is still over \$100,000 less than their original demands at the start of negotiations. In addition, we also rejected a claim for an additional \$17,690 on the 2011 Curb Replacement and Resurfacing Program for additional work on a storm sewer on Kentucky Avenue, which they eventually accepted. Both the work items and the extra claims ultimately approved were reviewed by the Engineering Department at length, and were found to have significant merit. To date, C & D Hughes has been paid \$2,669,263.85 under this contract.

On September 12, the City received a response from C & D Hughes (attached) to our proposal. While not the unequivocal acceptance of our proposal that we had been hoping for, nonetheless it does represent a significant conclusion to nearly all of the project issues, and allows the prime contractor the opportunity to settle their claims with the suppliers and subcontractors. They have still not come to full agreement on those items listed under #4 in their letter, five of which relate to distinct pay items, and five of which relate to previously-submitted extra claims that have been initially rejected by the Engineering Department.

(DISCUSSION CONTINUED NEXT PAGE)

(DISCUSSION CONTINUED)

Rather than continuing to hold up the settlement of the vast majority of items that the parties have come to agreement on while awaiting continued review on the others, we are bringing this proposed partial settlement to your attention now. The Engineering Department will work with the contractor's field personnel to determine if any additional pay item compensation is due (items a through e), and it appears the maximum exposure for these items is approximately \$20,000, even if all were found to be justified. Likewise, the maximum possible exposure on the extra work item claims (items f through j) as presented would be \$27,421.75, though as indicated earlier, it is unlikely that we will find new information that provides sufficient justification for payment of these items.

IT IS RECOMMENDED that the City Council authorize an increase in the total contract award for the 2010-11 Water Main Replacement Program – Group 2 to C & D Hughes, Inc. from \$2,715,000 to \$2,843,369.73, according to the terms and conditions detailed in the August 16, 2012 letter from the Engineering Department to the contractor. **IT IS FURTHER RECOMMENDED** that the Director of Engineering and Public Services be authorized to carry out an necessary change orders to this effect.

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:

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering and Public Services Department, Water Department

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$2,843,369.73*
	Cost of This Project Approval	\$128,369.73**
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes all previous City Council authorizations for this project (\$2,715,000), plus the additional costs in the City's proposed settlement offer.

**Differential costs between previous authorization and final proposed settlement offer.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	Water Main Replacement	591-40.538-972.000 11W01	\$128,369.73
	<u>Other Funds</u>		

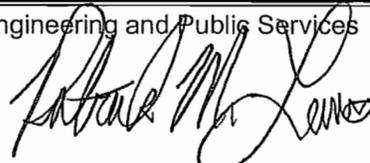
Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/12/12

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: September 17, 2012



Contract Summary - 2010-11 Water Main Replacement Program Group 2

Award date: October 4, 2010 Contractor: C & D Hughes, Inc.
 Estimate: \$741,108.20 Low Bid: \$688,387.00
 Other Bidders: 2. CI Contracting \$782,000 (13.6% over low), 3. Salenbien Trucking & Excavating \$866,007.00 (25.8% over low)
 CO = Change Order

CO #	CO Date	Amount	Authorization	Description
Original Award	10/4/2010	\$688,387.00	City Council 10/4/10	Base contract (Div. E - Wolverine Ave. full length, Div. G - Kentucky Ave. from First to Front, Div. H - Humphrey, Eastchester, Franklin, Franklin Ct., Div. J - Peters from Fernwood to Norwood and Fernwood - Oak to Bayview) - includes pay items 1 through 94
1	1/20/2011	\$3,600.00	City Engineer	14" Stainless steel band - new pay item 95
2	1/21/2011	\$15,000.00	City Council 2/7/11	Kentucky Storm Repair - Time and Materials - new pay item 98
X	Not issued	\$0.00	City Council 3/7/11	Kentucky Storm Repair - increase authorization by \$15,000 (no specific change order issued but will be added to final balancing change order)
3A	2/23/2011	\$16,500.00	City Engineer (within contingency amount)	New 24" and 20" solid sleeves - new pay items 96 and 97
3B	2/23/2011	\$350,386.20	City Council 2/22/11	Division I: Elm Avenue - Macomb to Baptiste - new pay items 99 through 105
4	5/3/2011	\$902,918.95	City Council 5/2/11	Division L: Riverview - Maywood to Cole, Division M and Sanitary replacement on Almyra - Third to First, Division N: Maple - Elm to Lorain, Sanitary Sewer work on Elm - new pay items X through Y
5	6/7/2011	\$452,005.28	City Council 6/6/11	Division F: South Monroe Water Main - Jones to Front
Total		\$2,428,797.43		

Council Authorization Summary - 2010-11 WM Replacement Program Group 2

CO #	CO Date	Encumbered	Authorization	Description
Original Award	10/4/2010	\$792,000.00	City Council 10/4/10	Base Contract
2	1/21/2011	\$15,000.00	City Council 2/7/11	Kentucky Storm Repair - Time and Materials
X	Not issued	\$15,000.00	City Council 3/7/11	Kentucky Storm Repair - Time and Materials - increase to \$30,000 total
3	2/23/2011	\$403,000.00	City Council 2/22/11	Division I: East Elm Avenue
4	5/3/2011	\$993,000.00	City Council 5/2/11	Division L: Riverview, Division M: Almyra WM & San., Division N: Maple, and East Elm Sanitary repairs
5	6/7/2011	\$497,000.00	City Council 6/6/11	Division F: South Monroe Water Main - Jones to Front
Total		\$2,715,000.00		



CITY OF MONROE

Department of Engineering and Public Services

August 16, 2012

Ms. Cheryl Hughes, President
C & D Hughes, Inc.
3097 Lansing Road
Charlotte, MI 48813

RE: Proposed Contract Settlement / Quantity Balancing
2010-11 Water Main Replacement Program and 2011 Resurfacing Program

Dear Ms. Hughes:

In accordance with the meeting held on May 30, 2012 with representatives of your company and the City of Monroe, the Engineering Department has reviewed pay quantities and extra items submitted by your company, and is prepared to offer a proposed Final Balancing Change Order on both the 2010-11 Water Main Replacement Program – Group 2 and 2011 Curb Replacement and Resurfacing Program contracts. For your use, the following attachments have been provided with this letter:

1. C & D Hughes' prepared itemization of quantities with change orders dated 4/26/12 (5 pages)
2. Proposed Balancing Change Order – 2010-11 Water Mains (4 pages total, includes form plus 3 pages of spreadsheets)
3. Proposed Balancing Change Order – 2011 Resurfacing (2 pages, form and spreadsheet)
4. Jack's Lawn Service sprinkler repairs backup documentation (14 pages)
5. Aqua Mist sprinkler repairs invoice for 1263 Riverview (1 page)
6. Water Department Work Order for overtime costs associated with contract activities (1 page)

Please note that I have not re-attached backup documentation you provided for your time and material claims, since you originally generated that information.

Item #1 above was generated by your firm already, so it requires no explanation. The balancing change order for the 2010-11 Water Main Replacement Program (item #2) includes a 2-page spreadsheet detailing our final quantities, which I sent to you on Friday, August 10, and a 1-page summary of your "extra" item requests, with a one-line explanation of each. The column "Hughes request" on this document is your requested compensation for each item (which I numbered 1 through 19 for convenience), and I have filled in the "City Proposal" to indicate what portion we are proposing to compensate. In addition to your listed extra items, I have listed items A through E, which represent what we feel are potential "City Offset" items, three of which are actual "out of pocket" expenses, with the fourth being potential liquidated damages on the Riverview portion of the project, where the completion did not occur for 62 days after the last approved contract time of September 1, 2011. Backup documentation for offsets A, B, and C are provided as items #4, 5, and 6 above. Item E relates to hand patching work for various parking lots along South Monroe Street that were damaged in late 2011 or early 2012 but could

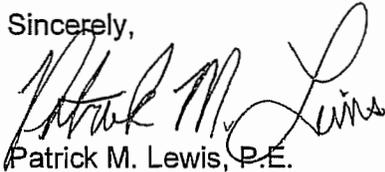
not be repaired due to seasonal limitations. While we have not tabulated the final costs on this item, the awarded costs through our patching program were \$2,600, and we are confident that the costs will equal or exceed this amount in the final tabulation once work is completed. Lastly, I have reattached the proposed final balancing change order for the 2011 Resurfacing project (item #3). Since our position has not changed on the Kentucky Avenue storm sewer, these are the same documents I forward to you earlier.

The final balancing change order for the 2010-11 Water Main project that we are presently proposing contemplates payment for all of the pay quantities (1 through 154), plus the \$50 / square yard we have offered for the 10" concrete on Monroe Street (item 155). We are also proposing to approve \$32,005.71 of the requested extra items, offset by the \$11,284.98 the City has paid in out-of-pocket costs to repair various sprinkler systems within the work area, and the estimated costs for the bituminous hand patching work on Monroe Street.

Provided that you accept this proposed offer, the City will process the change order for the 2010-11 Water Main project as an agenda item at the next available City Council meeting (the 2011 Resurfacing change order does not require Council approval), and make payment for all remaining quantities and extra items as soon as possible following that approval. Though you have not yet approved the quantity balancing prior to today as I had asked, nevertheless as a token of good faith, I am processing a pay estimate for \$100,000 in quantities at the August 20 City Council meeting, and I will expect the proceeds to be disbursed to the local vendors that are still owed monies from the various projects. Of course, retainage on all three open contracts (Glendale / Gee Drive - \$8,503.24, 2011 Resurfacing - \$24,412.75, and 2010-11 Water Mains - \$34,419.35) will be held until punch lists are completed and we have received final unconditional waivers of liens from all suppliers and subcontractors.

I hope that you will find our offer acceptable, and I look forward to resolving these open issues as soon as possible. If you should require any further information, please feel free to contact me at any time.

Sincerely,



Patrick M. Lewis, P.E.

Director of Engineering and Public Services

Cc: Barry LaRoy, Director of Water and Wastewater Utilities
Brad Smith, Engineering Technician
Thomas Ready, City Attorney
George Brown, City Manager

CHANGE ORDER

Date: August 15, 2012	No: 6
Project: GROUP 2 - 2010-11 WATER MAIN REPLACEMENT PROGRAM	
Contractor: C & D Hughes, Inc., 3097 Lansing Road, Charlotte, Michigan 48813	
Contract for: SAME	Contract Date: 10/20/10

TO: C & D HUGHES, INC., 3097 LANSING ROAD, CHARLOTTE, MICHIGAN 48813

(Contractor)

You are directed to make the changes noted below in the subject Contract:

CITY OF MONROE
Owner

By Bradley K. Smith, Engineering Technician

Final Balancing Change Order, includes all pay quantities on attached spreadsheet (total \$2,822,649.00), plus compensation for nine additional time and material extra claims totaling \$32,005.71 per attached spreadsheet, less sprinkler repair costs for various locations on South Monroe Street and Riverview Avenue and bituminous hand patching for driveways along South Monroe Street, totaling \$11,284.98. Final contract amount \$2,843,369.73.

City agrees to waive any liquidated damages and extend contractual completion date in exchange for settlement of any and all quantity overrun and extra claims associated with this contract, for the consideration provided herein. City also agrees not to seek additional offset for Water Department staff overtime necessary to respond to off-hours issues associated with this contract.

Total Net Contract Change: \$414,572.30 (represents deviation from last approved change order dated June 7, 2011).

These changes result in the following adjustment of Contract Price & Contract Time:

Contract price prior to this change order	\$2,428,797.43
Net (increase) (decrease) resulting from this change order	\$ 414,572.30
Current contract price including this change order	\$2,843,369.73
Contract time prior to this change order	Days or Date: 9/01/11
Net (increase)(decrease) resulting from this change order	Days: 366
Current contract time including this change order	Days or Date: 9/01/12

Above Changes Are Approved:

Above Changes are Accepted:

CITY OF MONROE

Contractor

By: _____
City Engineer

By: _____

Date _____, 20____

Date _____, 20____

2010-11 WATER MAIN REPLACEMENT PROGRAM
GROUP 2

2010-11 WATER MAIN REPLACEMENT PROGRAM - TOTALS						
ITEM NO.	DESCRIPTION	NO. OF UNITS	UNITS	UNIT PRICE	PLACE QUANTITIES	COST
1	R & D PAVEMENT & APPROACH	1354.5	SYD	\$ 5 00	3503.9	\$ 17,519.50
2	R & D SPOT CURB	124.1	LFT	\$ 6.00	1225.8	\$ 7,354.80
3	R & D CURB & GUTTER	0.0	LFT	\$ 6 00	191 0	\$ 1,146.00
4	R & D 3' CURB & GUTTER	0.0	LFT		0.0	\$ -
5	R & D SIDEWALK	3372.5	SFT	\$ 1.00	53816.2	\$ 53,816.20
6	R & D EXST'G VALVE BOX	9.0	EA	\$ 250.00	33.0	\$ 8,250.00
7	R & D EXST'G BEND	0.0	EA	\$ 500 00	4.0	\$ 2,000.00
8	R & D EXST'G 24" DIA INLET INCLUDING R&S EXST'G DRAIN	0.0	EA		0.0	\$ -
9	ABANDON EXST'G VALVE MANHOLE	4.0	EA	\$ 500.00	10.0	\$ 5,000.00
10	R & S EXST'G HYD BRANCH, HYDRANT, VALVE & VALVE	10.0	EA	\$ 350.00	42.0	\$ 14,700.00
11	R & D EXST'G 4" DIA. W.M.	20.0	LFT	\$ 25.00	12.0	\$ 300.00
12	R & D EXST'G 6" DIA. W.M.	88.0	LFT	\$ 25 00	243.0	\$ 6,075.00
13	R & D EXST'G 12" DIA. W.M.	13.0	LFT	\$ 25.00	54.3	\$ 1,357.50
14	R & D EXST'G 24" DIA. W.M.	0.0	LFT	\$ 50 00	20.0	\$ 1,000.00
15	R & D EXST'G REDUCER	0.0	EA		0.0	\$ -
16	R & D EXST'G ROCK	64.8	CYD	\$ 50.00	67 1	\$ 3,355.00
17	CUT & CAP EXST'G 4" W.M.	3.0	EA	\$ 500.00	6.0	\$ 3,000.00
18	CUT & CAP EXST'G 6" W.M.	3.0	EA	\$ 500.00	19.0	\$ 9,500.00
19	CUT & CAP EXST'G 8" W.M.	1 0	EA	\$ 500.00	8 0	\$ 4,000.00
20	F & I 8" PVC C-900 WATER MAIN	1352.0	LFT	\$ 36 00	15136.0	\$ 544,896.00
21	F & I 8" D.I. CL 52 POLYWRAPPED WATER MAIN	2616.3	LFT	\$ 46.00	4922.4	\$ 226,430.40
22	F & I 8" D.I. CL52 POLYWRAPPED W.M. IN 20" DIA STEEL	0.0	LFT	\$ 25.00	44.0	\$ 1,100.00
23	F & I 20" DIA STEEL CASING JACKED & BORED	0.0	LFT	\$ 200.00	44.0	\$ 8,800.00
24	F & I 12" D.I. CL 52 POLYWRAPPED WATER MAIN	12.0	LFT	\$ 80.00	124.9	\$ 9,992.00
25	F & I 20" D.I. CL 52 POLYWRAPPED WATER MAIN	0 0	LFT	\$ 140.00	215.0	\$ 30,100.00
26	F & I 20" D.I. CL 52 POLYWRAPPED DIRECTIONAL BORE	0.0	LFT	\$ 182.00	640 0	\$ 116,480.00
27	F & I 24" D.I. CL 52 POLYWRAPPED WATER MAIN	0.0	LFT	\$ 400.00	17.0	\$ 6,800.00
28	F & I 8" GATE VALVE & BOX	13.0	EA	\$ 1,200.00	58.0	\$ 69,600.00
29	F & I 12" GATE VALVE & BOX	0.0	EA	\$ 2,400.00	5.0	\$ 12,000.00
30	F & I 20" GATE VALVE & BOX	0.0	EA	\$ 12,000.00	1.0	\$ 12,000.00
31	F & I CLOSE SETTING HYD BRANCH, COMPLETE	0.0	EA	\$ 2,800.00	12.0	\$ 33,600.00
32	F & I STANDARD SETTING HYD BRANCH, COMPLETE	11.0	EA	\$ 2,800.00	49.0	\$ 137,200.00
33	F & I 8"x8"x6" D.I. TEE	11.0	EA	\$ 400.00	64.0	\$ 25,600.00
34	F & I 8"x8"x8" D.I. TEE	0.0	EA	\$ 400.00	20.0	\$ 8,000.00
35	F & I 12"x 12"x 8" STAINLESS STEEL TAPPING SLEEVE,	0.0	EA	\$ -	0.0	\$ -
36	F & I 14"x 14"x 8" STAINLESS STEEL TAPPING SLEEVE,	0.0	EA	\$ 4,000.00	2.0	\$ 8,000.00
37	F & I 42"x 42"x 20" STAINLESS STEEL TAPPING SLEEVE,	0 0	EA	\$ 28,000.00	1.0	\$ 28,000.00
38	F & I 8"x8"x8" D.I. CROSS	2.0	EA	\$ 1,500.00	3.0	\$ 4,500.00
39	F & I 12"x12"x20"x20" D.I. CROSS	0.0	EA	\$ 4,000.00	1.0	\$ 4,000.00
40	F & I 8" 90° D.I. BEND AND THRUST BLOCK	1.0	EA	\$ 500.00	8.0	\$ 4,000.00
41	F & I 8" 45° D.I. BEND AND THRUST BLOCK	28.0	EA	\$ 300.00	83.0	\$ 24,900.00
42	F & I 8" 22 1/2° D.I. BEND AND THRUST BLOCK	0.0	EA	\$ 500.00	9.0	\$ 4,500.00
43	F & I 20" 22 1/2° D.I. BEND AND THRUST BLOCK	0.0	EA	\$ 2,500.00	4.0	\$ 10,000.00
44	F & I 24" 45° D.I. BEND AND THRUST BLOCK	0.0	EA	\$ 4,000.00	4.0	\$ 16,000.00
45	F & I 6" D.I. SOLID SLEEVE	2.0	EA	\$ 3,000.00	10.0	\$ 30,000.00
46	F & I 8" D.I. SOLID SLEEVE	2.0	EA	\$ 3,000.00	37.0	\$ 111,000.00
47	F & I 12" D.I. SOLID SLEEVE	1.0	EA	\$ 3,000.00	5.0	\$ 15,000.00
48	F & I 8" to 6" D.I. REDUCER	3.0	EA	\$ 400.00	21.0	\$ 8,400.00
49	F & I 8" DIA. D.I. CAP	0.0	EA	\$ 400.00	0.0	\$ -
50	F & I 20" DIA. D.I. CAP & THRUST BLOCK	0.0	EA	\$ 1,500.00	1.0	\$ 1,500.00
51	F & I 24" DIA. INLET INST SLVG DRAIN STR CST'G & CVR	0.0	EA		0.0	\$ -
52	RECONNECT WATER SERVICE SHORT SIDE, COMPLETE	20.0	EA	\$ 500.00	69.0	\$ 34,500.00
53	RECONNECT WATER SERVICE LONG SIDE, COMPLETE	0.0	EA	\$ 1,200.00	15.0	\$ 18,000.00
54	REPLACE WATER SERVICE SHORT SIDE, COMPLETE	24.0	EA	\$ 600 00	157.0	\$ 94,200.00
55	REPLACE (BORE) WATER SERVICE SHORT SIDE,	0.0	EA	\$ 2,500.00	24.0	\$ 60,000.00
56	REPLACE (BORE) WATER SERVICE, LONG SIDE,	7.0	EA	\$ 900.00	76.0	\$ 68,400.00
57	F & I 12' TEMPORARY BLOW-OFF	3.0	EA	\$ 500 00	18.0	\$ 9,000.00
58	F & I 1" CHLORINATION TAP	2.0	EA	\$ 250.00	17.0	\$ 4,250.00
59	F & I 4" CONCRETE SIDEWALK	4799 5	SFT	\$ 2.50	36958 0	\$ 92,395.00
60	F & I 4" ADA CONCRETE SIDEWALK	411.6	SFT	\$ 8.00	4689.0	\$ 37,512.00
61	F & I 6" CONC. PAVEMENT	361 2	SYD	\$ 30 00	5354.8	\$ 160,644.00
62	F & I 6" CONC. PAVT w/ INTEGRAL CURB & GUTTER	0.0	SYD	\$ 50 00	31 0	\$ 1,550 00
63	F & I SPOT CURB	124.1	LFT	\$ 20.00	1391.5	\$ 27,830.00
64	F & I 3' CURB & GUTTER	0.0	LFT		0.0	\$ -
65	F & I MOUNTABLE CURB & GUTTER	0 0	LFT		0.0	\$ -
66	F & I 3/8" BIT. HAND PATCH	187 5	TON	\$ 150 00	60.3	\$ 9,045.00
67	F & I CONTROL DENSITY BACKFILL	1099.8	CYD	\$ 70.00	3320.0	\$ 232,400.00
68	F & I 6" 21-A MDOT STONE (DRIVEWAYS)	0.0	SYD	\$ 15.00	54.0	\$ 810.00
69	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. A	0.0	LS		0.0	\$ -
70	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. B	0.0	LS		0.0	\$ -
71	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. C	0.0	LS		0.0	\$ -
72	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. D	0.0	LS		0.0	\$ -
73	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. E	0.0	LS	\$ 1.00	1.0	\$ 1.00
74	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. G	0.0	LS	\$ 1.00	1.0	\$ 1.00
75	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. H	0.0	LS	\$ 1.00	1.0	\$ 1.00
76	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. J	0.0	LS	\$ 1.00	1.0	\$ 1.00
77	TRAFFIC CONTROL - DIV. A	0.0	LS		0.0	\$ -
78	SITE RESTORATION - DIV. A	0.0	LS		0.0	\$ -
79	TRAFFIC CONTROL - DIV. B	0.0	LS		0.0	\$ -

2010-11 WATER MAIN REPLACEMENT PROGRAM
GROUP 2

80	SITE RESTORATION - DIV. B	0.0	LS		0.0	\$	-
81	TRAFFIC CONTROL - DIV. C	0.0	LS		0.0	\$	-
82	SITE RESTORATION - DIV. C	0.0	LS		0.0	\$	-
83	TRAFFIC CONTROL - DIV. D	0.0	LS		0.0	\$	-
84	SITE RESTORATION - DIV. D	0.0	LS		0.0	\$	-
85	TRAFFIC CONTROL - DIV. E	0.0	LS	\$ 1.00	1.0	\$	1.00
86	SITE RESTORATION - DIV. E	0.0	LS	\$ 1.00	1.0	\$	1.00
87	TRAFFIC CONTROL - DIV. G	0.0	LS	\$ 1.00	1.0	\$	1.00
88	SITE RESTORATION - DIV. G	0.0	LS	\$ 1.00	1.0	\$	1.00
89	TRAFFIC CONTROL - DIV. H	0.0	LS	\$ 1.00	1.0	\$	1.00
90	SITE RESTORATION - DIV. H	0.0	LS	\$ 1.00	1.0	\$	1.00
91	TRAFFIC CONTROL - DIV. J	0.0	LS	\$ 1.00	1.0	\$	1.00
92	SITE RESTORATION - DIV. J	0.0	LS	\$ 1.00	1.0	\$	1.00
93	F & I 12" X 12" X 8" DUCTILE IRON TEE	0.0	EA	\$ 1,500.00	2.0	\$	3,000.00
94	F & I 12" A.C. TO DUCTILE IRON ADAPTER	0.0	EA	\$ 1,000.00	2.0	\$	2,000.00
95	F&I 14" S.S. REPAIR BAND	0.0	LS	\$ 1,800.00	2.0	\$	3,600.00
96	F&I 24" DI SOILD SLEEVE	0.0	LS	\$ 5,500.00	1.0	\$	5,500.00
97	F&I 20" DI SOILD SLEEVE	0.0	LS	\$ 5,500.00	2.0	\$	11,000.00
98	STORM SEWER REPAIR ON KENTUCKY	0.0	LS	\$ 30,000.00	0.8	\$	24,000.00
99	F&I 12"x8"x12"x8" D.I. CROSS	1.0	EA	\$ 2,500.00	2.0	\$	5,000.00
100	F&I 12"x8" D.I. REDUCER	1.0	EA	\$ 2,500.00	1.0	\$	2,500.00
101	R&D EXT'G 8" W.M.	0.0	LFT	\$ 25.00	16.0	\$	400.00
102	F&I MDOT 21A STONE UNDER SIDEWALK	0.0	TON	\$ 8.00	2237.2	\$	17,897.60
103	MAINTENANCE OF WATER MAIN TRENCH	0.0	LS	\$ 5,000.00	1.0	\$	5,000.00
104	TRAFFIC CONTROL	0.0	LS	\$ 5,500.00	1.0	\$	5,500.00
105	SITE RESTORATION	0.0	LS	\$ 4,000.00	1.0	\$	4,000.00
106	F & I 8" A.C. TO D.I. ADAPTER	0.0	EA	\$2,500.00	4.0	\$	10,000.00
107	REPLACE WATER SERVICE LONG SIDE, COMPLETE	0.0	EA	\$1,800.00	4.0	\$	7,200.00
108	R&D WATER STOP BOX	0.0	EA	\$500.00	1.0	\$	500.00
109	F & I 8"x12"x8" D.I. TEE	1.0	EA	\$1,000.00	1.0	\$	1,000.00
110	F & I 8" PAVEMENT W/INTEGRAL CURB	0.0	SYD	\$100.00	0.0	\$	-
111	REPLACE (BORE) WATER SERVICE LONG SIDE, COMPLETE (GREATER THAN 50' LENGTH)	0.0	EA	\$2,000.00	12.0	\$	24,000.00
112	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. N	0.0	LS	\$2,000.00	1.0	\$	2,000.00
113	TRAFFIC CONTROL - DIV. N - MAPLE	0.0	LS	\$2,000.00	2.0	\$	4,000.00
114	SITE RESTORATION - DIV. N - MAPLE	0.0	LS	\$2,000.00	1.0	\$	2,000.00
115	F & I 4" D.I. CL 52 POLYWRAPPED WATER MAIN	0.0	LFT	\$45.00	5.0	\$	225.00
116	F & I 10" GATE VALVE & BOX	0.0	EA	\$2,400.00	1.0	\$	2,400.00
117	F & I 4" GATE VALVE & BOX	0.0	EA	\$1,000.00	2.0	\$	2,000.00
118	F & I 8"x8"x4" D.I. TEE	0.0	EA	\$500.00	1.0	\$	500.00
119	F & I 4" 45° D.I. BEND AND THRUST BLOCK	0.0	EA	\$300.00	2.0	\$	600.00
120	F & I 8"x4" D.I. REDUCER	0.0	EA	\$300.00	1.0	\$	300.00
121	F & I 4"x3" D.I. REDUCER	0.0	EA	\$300.00	1.0	\$	300.00
122	COLD MILL 2" HMA SURFACE	0.0	SYD	\$20.00	0.0	\$	-
123	F & I 36A BITUMINOUS PAVEMENT	0.0	TON	\$200.00	0.0	\$	-
124	CUT, CAP & ABANDON 10" WM	0.0	EA	\$600.00	1.0	\$	600.00
125	CUT, CAP & ABANDON 3" WM	0.0	EA	\$200.00	1.0	\$	200.00
126	F & I 8"x8"x10" D.I. TEE	0.0	EA	\$900.00	1.0	\$	900.00
127	R & D 10" WATER MAIN	107.7	LFT	\$10.00	11.0	\$	110.00
128	F & I 10" D.I. CL 52 POLYWRAPPED WATER MAIN	0.0	LFT	\$50.00	4.0	\$	200.00
129	MAINTAIN WATER MAIN/SERVICE TRENCH - DIV. L	0.0	LS	\$4,000.00	1.0	\$	4,000.00
130	TRAFFIC CONTROL - DIV. L - RIVERVIEW	0.0	LS	\$5,000.00	1.0	\$	5,000.00
131	SITE RESTORATION - DIV. L - RIVERVIEW	0.0	LS	\$9,500.00	1.0	\$	9,500.00
132	MAINTAIN WATER MAIN/SERVICE TRENCH	0.0	LS	\$2,000.00	1.0	\$	2,000.00
133	TRAFFIC CONTROL -WM	0.0	LS	\$1,250.00	1.0	\$	1,250.00
133	TRAFFIC CONTROL -SAN. SEWER	0.0	LS	\$1,250.00	1.0	\$	1,250.00
134	SITE RESTORATION	0.0	LS	\$5,000.00	1.0	\$	5,000.00
135	R&D 8" D.I. CAP	0.0	EA	\$500.00	2.0	\$	1,000.00
136	R&D 8" VIT. CLAY SAN SEWER	0.0	LFT	\$10.00	456.0	\$	4,560.00
137	R&D 10" VIT. CLAY SAN SEWER	0.0	LFT	\$10.00	292.0	\$	2,920.00
138	R&D EXISTING SAN MANHOLE	0.0	EA	\$500.00	2.0	\$	1,000.00
139	F&I 8" PVC SDR 35 SAN SEWER	0.0	LFT	\$45.00	748.0	\$	33,660.00
140	F&I 6" SAN SERVICE LEAD	0.0	LFT	\$45.00	76.8	\$	3,456.00
141	F&I 4" DIA. SAN MANHOLE	0.0	EA	\$2,000.00	2.0	\$	4,000.00
142	F&I #1040 EAST JORDAN WATERTIGHT CASTING	0.0	EA	\$500.00	2.0	\$	1,000.00
143	F&I 8"x6" PVC WYE	0.0	EA	\$100.00	31.0	\$	3,100.00
144	TAP EXISTING MANHOLE	0.0	EA	\$4,000.00	1.0	\$	4,000.00
145	ADJUST, CLEAN AND PLASTER STRUCTURE	0.0	EA	\$500.00	1.0	\$	500.00
146	Sanitary Sewer Work: East Elm Avenue between Hollywood and Arbor	1.0	EA	\$18,200.00	1.0	\$	18,200.00
147	F&I 8" CONCRETE PAVE.	1093.3	SYD	\$ 0.10	0.0	\$	-
148	F&I 6" D.I. CL 52 POLYWRAPPED WATER MAIN	3.0	LFT	\$ 70.00	28.8	\$	2,016.00
149	F&I 8" D.I. TEMP. CAP	2.0	EA	\$ 1.00	2.0	\$	2.00
150	F&I 8" 11 1/4 D.I. BEND	1.0	EA	\$ 1.00	0.0	\$	-
151	MAINTENANCE OF WATER MAIN TRENCH-MONROE ST.	1.0	LS	\$ 1.00	1.0	\$	1.00
152	TRAFFIC CONTROL-MONROE ST.	1.0	LS	\$ 2,000.00	1.0	\$	2,000.00
153	SITE RESTORATION-MONROE ST.	1.0	LS	\$ 1.00	0.0	\$	-
154	F&I 10"x8" D.I. REDUCER	1.0	EA	\$ 1.00	1.0	\$	1.00
155	F & I 10" CONC. PAVEMENT	1093.0	SYD	\$ 50.00	1269.6	\$	63,480.00
						\$	2,822,649.00

2010-11 Water Main Replacement Program Group 2 Outstanding Extra Claims
 Does not include quantity balancing, performed previously

No.	Date	Description	Hughes Request	City Proposal	City Offset	Notes
1	6/28/2011	352, 426, 600, 706 East Elm delays	\$ 3,466.52	\$ -	\$ -	Sidewalk is continuous pour, only one listed address even exists
2	7/21/2011	2 nd service at DTE - Maple	\$ 2,454.42	\$ 1,954.42	\$ -	Paid \$500 pay item portion already
3	9/27/2011	1314, 1330, 1352 et al Riverview corps pulling out	\$ 23,359.53	\$ 10,400.00	\$ -	City reports show 4 services, Hughes 9, paying 4/9 of request
4	2/8/2012	Brick paver replacement - Monroe St.	\$ 1,591.56	\$ -	\$ -	Plans clearly identify brick replacement is incidental
5	1/26/2012	7th and Washington Valve Box Adjustment	\$ 407.10	\$ 407.10	\$ -	Agreed
6	1/25/2012	Pete's Garage patch, Front patch	\$ 4,735.41	\$ -	\$ -	All work paid with quantities
7	1/18/2012	Water Service - Monroe Street Grill	\$ 3,629.75	\$ 3,129.75	\$ -	Paid \$500 pay item portion already
8	1/17/2012	RRCA (Theater) water service	\$ 4,083.94	\$ 3,183.94	\$ -	Paid \$900 pay item portion already
9	10/28/2011	Monroe and Second unmarked service	\$ 2,140.20	\$ 2,140.20	\$ -	Agreed
10	12/2/2011	Monroe Street various unmarked services	\$ 10,855.48	\$ -	\$ -	Revised by contractor from original, still lacking any location information
11	6/7/2011	Almyra downtime - waiting for City to repair	\$ 2,267.42	\$ 2,267.42	\$ -	Agreed
12	6/10/2011	Almyra - leaking at City-installed 45-deg. Bend	\$ 9,024.58	\$ 5,678.98	\$ -	Brent / Brad agreed to labor portion, other jobs could have worked
13	8/16/2011	1359 Riverview gas service	\$ 1,443.65	\$ -	\$ -	Not responsible for unmarked gas services
14	11/29/2011	R & D 10" water main	\$ 2,337.28	\$ -	\$ -	Pay items could have covered
15	None	S. Custer Booster Station Remainder	\$ 4,500.00	\$ -	\$ -	Contract is closed, balancing CO has been signed.
16	None	4' dia. Structure with flowable fill	\$ 2,020.00	\$ -	\$ -	No information provided, cannot even identify contract
17	None	Kentucky Storm work, second trip	\$ 47,960.00	\$ -	\$ -	Already paid \$30,000 with 2011 Resurfacing, no further considered
18	None	Flowable fill	\$ 7,000.00	\$ -	\$ -	Not part of this contract, no documentation provided
19	4/20/2012	Maywood & Hollywood	\$ 2,843.90	\$ 2,843.90	\$ -	Found to be unrelated to previous contract work
A	5/19/2012	1263 Riverview Sprinkler repairs	\$ -	\$ -	\$ (1,750.00)	City paid for repairs after Hughes notification
B	7/2/2012	Monroe, Riverview Sprinkler repairs	\$ -	\$ -	\$ (6,934.98)	City paid for repairs after Hughes notification
C	Various	Water Department Overtime	\$ -	\$ -	\$ (14,361.89)	Backup documentation available upon request
D	9/2-11/2/11	Liquidated Damages	\$ -	\$ -	\$ (80,600.00)	Riverview Avenue, based on \$1300/day, 62 days
E	Various	Hand Patching - Driveways along S. Monroe	\$ -	\$ -	\$ (2,600.00)	Damage done to private parking lots, drives, could not be done in winter
Totals			\$ 136,120.74	\$ 32,005.71	\$ (106,246.87)	



C & D HUGHES, INC.

3097 Lansing Rd • Charlotte, MI 48813

Ph: (517) 645-0111 • Fax: (517) 645-0090

*MDOT Prequalified • Heavy Highway Construction and Maintenance
Divisions: Milling, Asphalt, Joint Repair, Concrete, Dirt & Pipe*

September 12, 2012

Pat Lewis, P.E.
Director of Engineering & Public Services
City of Monroe
120 East First Street
Monroe, MI 48161-2169

RE: Proposed Contract Settlement / Quantity Balancing

Dear Mr. Lewis:

In review of your letter and documentation dated August 16th, it appears things are progressing towards final resolution of all open Monroe Projects between the City of Monroe and C & D Hughes, Inc.

An update as to C & D Hughes position is listed below, which corresponds with the Tentative Agreement you submitted via email to CDH on June 22nd.

1. Glendale / Gee Drive – CDH is in agreement with the retainer, and will collect and submit the necessary waivers to release payment. It is my understanding that all punch list items have been completed.
2. 2009 City Funded Water Main Program – CDH is in agreement with retainer, and will collect and submit necessary waivers to release payment. It is my understanding that all punch list items have been completed.
3. 2011 Resurfacing Program – CDH will release its claim for the balance owed on the Kentucky Ave. Storm Sewer and flowable fill, and agree to the quantities on the change order, which is signed and enclosed. All punch list items have been completed, and CDH will collect and submit necessary waivers to release retainer.
4. 2010-2011 Water Main Replacement Program with Five Change Orders – CDH has made concessions on work completed in order to reach an compromise with the City to agree on final quantities. There are only a handful still needing discussed they are:
 - a. F & I 36A bit hand patch (difference of 123.58 ton)
 - b. Traffic Control on Elm Street

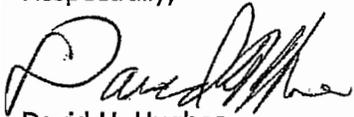
- c. 10" solid sleeve on M-125
- d. F & I 12x8 reducer (2)
- e. Traffic Control – WM
- f. T&M of 06-28-2011 for \$3,466.52
- g. T&M of 01-25-2012, Pete's garage \$4,735.41
- h. T&M of 12-02-11, for \$15,438.89
- i. T&M of 08-16-2011 for \$1,443.65
- j. T&M R & D 10" Water main for \$2,337.28

Brent Bedaine and Steve Strasser have been instructed to work with the City of Monroe and discuss these items specifically.

- 5. C & D Hughes, appreciates the City waiving any liquidated damages on all projects, and waiving the City's claim for \$14,361.89 in water department costs.
- 6. C & D Hughes, Inc., cannot gather waivers until the remaining work items are paid. All punch list items have been completed.
- 7. CDH is in agreement with the payment of work for Maywood and Hollywood issues.

Based on the notes above, it appears the only real outstanding issues are the resolution of the last few work items. Anything you can do to expedite agreement on these last few items would be extremely helpful. I know the City of Monroe will be just as happy as C & D Hughes, Inc. to have these jobs behind us.

Respectfully,



David H. Hughes
Director of Field Operations

cm

Enclosures



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: EAST RESERVOIR JOINT & CONCRETE CRACK REPAIRS AT THE WATER TREATMENT PLANT – CHANGE ORDER AWARD

DISCUSSION: The City Council awarded a contract for the East Reservoir Joint and Concrete Crack Repairs project at the Water Treatment Plant on July 18, 2011 to Smith's Waterproofing, LLC out of Almont, MI, in the amount of \$16,350.00. Our experience with them has been highly positive such that they completed all work on the East Reservoir on time and the reservoir was put back into service. The contract consisted of crack / joint injection and repairs using NSF/ANSI 61 approved joint repair materials for the East Reservoir at the Water Treatment Plant.

As part of a recent maintenance task, the west reservoir was taken out of service, drained and inspected. It was found that some new cracks have formed since our last inspection / repair in 2006. It has been determined that the new cracks may become compromised during high groundwater or wet weather events such that it is recommended to make repairs while the reservoir is still out of service. It is intended to make repairs / clean / disinfect the west reservoir and then put it back into service. The project includes repairing new cracks that have developed before temperatures get too low since the repair materials used have temperature restrictions. This maintenance needs to be completed to maintain the structural integrity of the reservoir and to uphold water quality produced by the Water Treatment Plant. In keeping with the desire to maintain water system assets and maintain the health, safety and welfare of water customers the repair costs can be funded through previous Capital Improvement Program project allocations. The contractors base contract work has been completed and Smith's Waterproofing, LLC is willing to hold existing unit prices. The project was competitively bid in 2011 and is the most cost effective mechanism to complete the work with a competent contractor. It is recommended to award this additional work as a change order to the base contract, rather than to bid this work as a new project separately. The attached quotation indicates the estimated quantity and unit price to be held from the base contract, all of which have been determined to be reasonable by Water Department staff.

IT IS RECOMMENDED that the City Council award a change order to the East Reservoir Existing Joint and Concrete Crack Repairs contract to Smith's Waterproofing, LLC in the amount of \$8,665.50, and that a total of \$11,300 be encumbered to include a 30% project contingency. **IT IS FURTHER RECOMMENDED** that the competitive bidding process we waived for this award, for the reasons stated above. **IT IS FURTHER RECOMMENDED** that the Director of Water and Wastewater 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

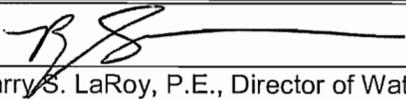
APPROVAL DEADLINE: ASAP

REASON FOR DEADLINE: Complete crack injection repairs ASAP to avoid temperature restrictions & to put the West Reservoir back into service.

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, Water Customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 11,300.00
Cost of This Project Approval	\$ 11,300.00
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

SOURCE OF FUNDS:

City	Account Number	Amount
Contract Services	59140537 818020 13W09	\$ 11,300.00
<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** September 12, 2012

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: September 17, 2012



Estimate

**P.O. Box 428
Almont, MI
48003**

Date	Estimate #
9/12/2012	21944

Office: 810-798-2371
Fax: 810-798-2544

www.smithswaterproofing.com

Name / Address

Job Location

City of Monroe
Water Treatment Plant
ATTN: Barry LaRoy
915 E. Front St.
Monroe, MI 48161

Water Treatment Plant
Barry.Laroy@monroemi.gov

Representative
BS

Item	Address	Description	Qty	Rate	Total
Injection Crack-Polyurethane		High pressure polyurethane injection of 327 ln. ft of actively leaking crack in ceiling of north clearwell. NSF 61 approved polyurethane will be used.	327	26.50	8,665.50

Accepted:

Total

\$8,665.50



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Recommendation for approval of land division at 300 Detroit Avenue

DISCUSSION: Brian McCarthy submitted an application to the Citizens Planning Commission on behalf of Erin Development Company. The request was to divide parcel #59-00417-020, commonly referred to as 300 Detroit Avenue. A survey and legal descriptions for affected parcels is attached.

Presently, there are two multi-unit buildings on the subject property, which house a variety of businesses ranging from small start-up ventures to established firms. Most are involved in construction-related or manufacturing concerns, such as Mosher Electric, Guardian Industries Corporation, and American Builders Restoration - all of which meet the intent of the I-2 zoning district. The applicant is proposing to divide a two (2) acre, vacant parcel from the north side of the subject property. The divided parcel is intended for sale to Monroe Property Management, LLC, located immediately to the north at 400 Detroit Avenue.

The land division request went before the Citizens Planning Commission (CPC) on Tuesday, September 11, 2012. The Commission supported the request and made a motion to forward a recommendation for approval to the Monroe City Council.

The proposed land division meets all requirements called out by land division regulations found in Chapter 630, Code of the City of Monroe; as well as setback, dimensional, and area requirements for the I-2, General Industrial, zoning district. Therefore, the Department of Economic and Community Development concurs with the findings of the Citizens Planning Commission and recommends that City Council approve the proposed land division of parcel #59-00417-020 and authorize staff to complete all required procedural steps and documentation to create the two (2) new parcels.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: Monday, September 17, 2012

REASON FOR DEADLINE: Purchase agreement is pending

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Planning Office / Department of Economic & Community Development

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Department of Economic & Community Development, Building Department, and Assessing Department

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$0
	Cost of This Project Approval	\$0
	Related Annual Operating Cost	\$0
	Increased Revenue Expected/Year	\$0

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

Budget Approval: _____

FACT SHEET PREPARED BY: Jeffrey Green, AICP - City Planner / Historic Preservation Officer **DATE:** 9.12.12

REVIEWED BY: Dan Swallow, AICP - Director of Economic & Community Development **DATE:** 9.12.12

COUNCIL MEETING DATE: 9.17.12

staff analysis

Citizens Planning Commission

DATE: September 5, 2012

CASE: S 12-006

**SITE ADDRESS/
LOCATON:** 300 Detroit Avenue

PARCEL: 59-00417-020

ZONING: I-2, General Industrial

**APPLICANT/
OWNER:** Erin Development Company
5235 Tractor Road
Toledo, Ohio 43612

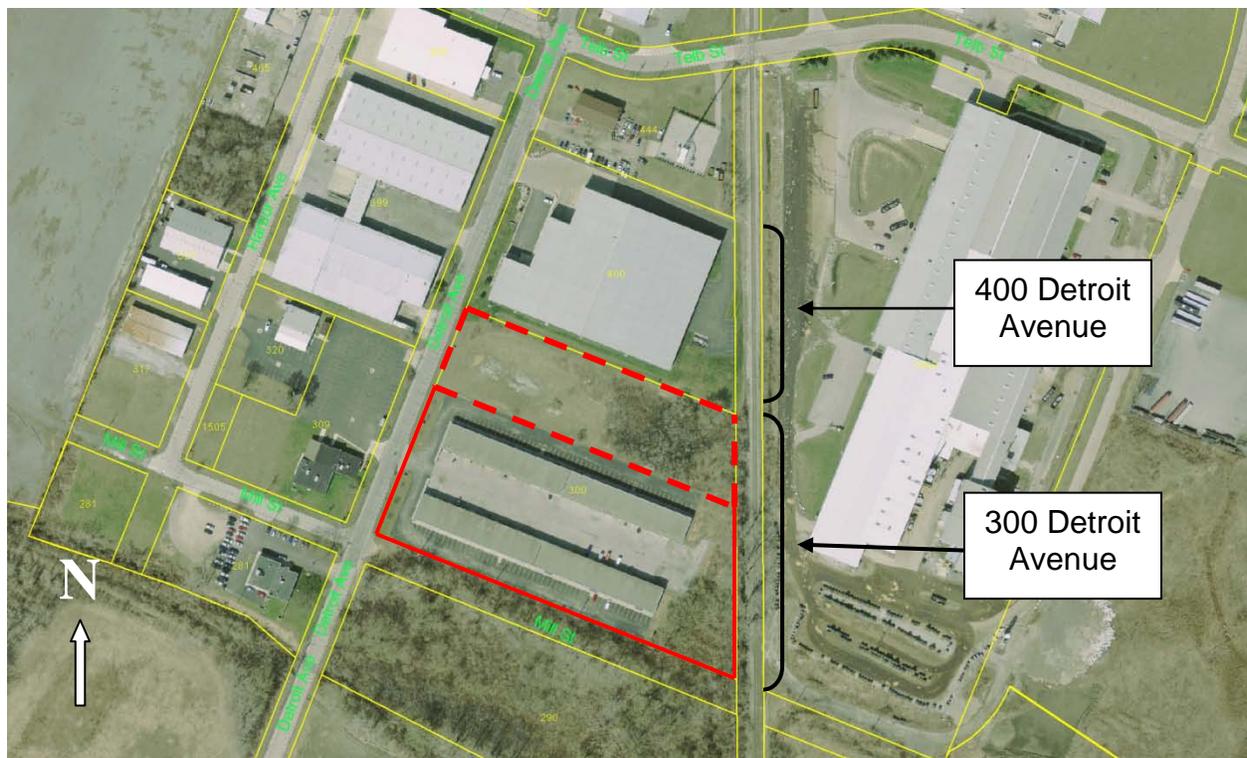


Figure 1 - Proposed land division outlined in red dashes. Remaining parcel shown by solid red line.

REQUEST

The applicant is requesting to divide two (2) acres from the parent parcel, 300 Detroit Avenue, as depicted in the aerial above. The two (2) acres will be sold to Monroe Property Management, LLC, 400 Detroit Avenue, immediately north of the subject parcel.

CURRENT ZONING

The subject parcel is zoned I-2, *General Industrial*. The *General Industrial* district is intended to provide "...locations for the development of medium to heavy industrial uses. Such uses primarily include those involved in manufacturing, assembly and fabrication. It is intended that this district be located where adequate utilities and suitable road and rail access are available." (Chapter 720-40 (A), *Monroe Code*) Additional uses found within this district include construction storage, millwork and lumber and planning mills, painting and varnishing shops, and a number of personal service establishments.

Properties immediately north and south of the subject parcels are also zoned I-2, *General Industrial*. Land in this general vicinity (north of Mason Run, south of Rose Street) are typically I-1 or I-2 districts.

EXISTING LAND USE

300 Detroit Avenue is a multi-unit building, which has housed a variety of businesses ranging from small start-ups to established firms. Most are involved in construction-related or manufacturing concerns, such as Mosher Electric, Guardian Industries Corporation, and American Builders Restoration – all of which meet the intent of the I-2 zoning district.

FUTURE LAND USE

The Future Land Use (FLU) Map identifies the subject parcel and other nearby I-1 and I-2 districts, described previously, as *Light Industrial Use*. The master plan notes that a *Light Industrial* use is planned for several areas within the city including the Ternes/Homrich Industrial area along Detroit Avenue. Light industrial, as defined within Chapter Two of the Master Plan, "...includes uses that involve research, testing, warehousing and minor assembly."

The Plan further states, "the intent of this designation is to provide an exclusive area for low intensity industrial development. Guidelines to ensure sites are designed in a manner similar to office should be associated with this designation. These guidelines should relate to proper screening, deep setbacks, open space, landscaping and quality architectural design and building materials. Outdoor storage should be heavily restricted, if not prohibited." (p. 10, Chapter 2, *City of Monroe Comprehensive Plan*)

DEPARTMENT REVIEW / ANALYSIS

Section 720-126 of the Monroe Code states that “no parcel or lot division shall be made which results in a parcel or lot being in nonconformance with any provision of this zoning code or in violation of the Subdivision Regulations.”

The proposed land division is “splitting” a vacant, two-acre parcel from the north side of parent parcel at 300 Detroit Avenue. The two-acre parcel is being purchased by Monroe Property Management, LLC, which owns the property immediately to the north at 400 Detroit Avenue. The two-acre parcel will then be combined with that parcel. The additional two (2) acres will provide the necessary acreage to allow expansion of the warehousing/distribution facility operated by Zhongding USA, Inc. at 400 Detroit Avenue.

The *Schedule of Regulations* (Section 720-44, Monroe Code) does not delineate minimum lot widths or area in the I-2, *General Industrial District*. It does, however, call out minimum side yard setbacks. More specifically, one side yard must be at least thirty (30) feet, while the total for both can be no less than (60) feet. The proposed land division will comply with these requirements.



Figure 2 – The parcel to be divided is the vacant parcel between 300 Detroit Avenue (right) and Zhongding USA at 400 Detroit Avenue (left).

The proposed land division also complies with the requirement that access to a private or public road right-of-way be maintained or provided. Each parcel will continue to have access to Detroit Avenue (Section 720-128, Monroe Code).

The uses found on the parent parcel are not intended to change as a result of this division. Construction-related business offices, warehousing and storage, and light fabrication facilities are all still possible and intended for this site. Again, these are all consistent with the existing zoning and, as noted above, consistent with the future uses

envisioned for this area. The two-acre parcel, as noted above, will be combined with the property immediately to the north and will provide the necessary additional acreage for expansion of the manufacturing facility at this location.

In reviewing the proposed project the Assessing; Building; Engineering; and Water, Wastewater and Utilities departments had no objections.

Given these findings, the Department of Economic & Community Development has determined that the proposed land division meets the requirements set out in the Zoning Code, and is consistent with the Master [Comprehensive] Plan. The department therefore recommends the Citizens Planning Commission support the proposed request and forward a recommendation to the City Council indicating same.

Submitted: 5 September 2012 / Amended: 11 September 2012

Jeffrey Green, AICP
City Planner / Historic Preservation Officer



Figure 3 – 300 Detroit Avenue, which is owned by Erin Development Company.



Figure 4 – Looking northeast, 300 Detroit Avenue is the dark gray building on the right side of the photo; Zhongding USA is the white building. The red arrow indicates the general location of the parcel to be divided from 300 Detroit Avenue.



Figure 5 – The red dashed line indicates approximate location of the 2 acre parcel to be divided.