
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 week's notice to the City Clerk/Treasurer. Individuals with disabilities requiring auxiliary aids or services should contact the City of Monroe by writing or calling: City of Monroe, City Clerk/Treasurer, 120 E. First St., Monroe, MI 48161, (734) 384-9138. The City of Monroe website address is www.monroemi.gov.

**AGENDA - CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 6, 2014
7:30 P.M.**

I. CALL TO ORDER.

II. ROLL CALL.

III. INVOCATION/PLEDGE OF ALLEGIANCE.

IV. PROCLAMATIONS.

188 Joseph Mominee Day – October 6, 2014.

189 United Way of Monroe County Month – October 2014.

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

A Approval of the Minutes of the Work Session held on Monday, September 15, 2014 and the Minutes of the Regular City Council Meeting held on Monday, September 15, 2014.

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

190 Freedom of Information Act (FOIA) Cost Recovery and Fee Schedule.

1. Communication from the City Manager, submitting proposed resolution to establish Procedures and Guidelines for the administration of the Freedom of Information Act (FOIA) Cost Recovery and Fee Schedule, and recommending that Council adopt the proposed resolution which will establish Freedom of Information Act fees.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

191 Freedom of Information Act (FOIA) Procedures and Guidelines.

1. Communication from the City Manager, submitting proposed Procedures and Guidelines for the administration of the Michigan Freedom of Information Act, FOIA, and recommending that Council adopt the proposed FOIA Procedures and Guidelines.
2. Supporting documents.
3. Action: Accept, place on file and recommendation be carried out.

192 Michigan Municipal League – Liability and Property Pool Board of Directors.

1. Communication from the City Manager's Office, submitting an official ballot for the MML Liability and Property Pool Board of Directors, and recommending that Council cast their vote for Jason Eppler, Sue Osborn, and Dave Post.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

193 Appointments Resolution.

1. Communication from the Mayor's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.
2. Supporting documents.
1. Action: Accept, place on file and the resolution be adopted.

194 Collection of Delinquent Summer Taxes, Delinquent Special Assessments and other Assessments.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the addition of a 5% penalty to all delinquent taxes and assessments and then be collected on the winter tax bill, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

195 30 Inch Raw Water Intake Line Repairs – Raw Water Partnership.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to investigate the 30 inch raw water intake pipe at the Wilfred L. LePage Raw Water Pumping Station and to make repairs to the line, and recommending that a purchase order in the amount of \$70,370.80 and a total amount of \$88,000 be encumbered to include a 25% contingency be issued to Solomon Diving, Inc., to complete Phases 3-5 tasks as outlined in their proposal and that the bid process be waived, and further recommending that the Finance Director be authorized to amend the budget accounts listed to provide the adequate funding for this project up to the amounts shown.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

196 Extending Moratorium on Growing, Sale and Dispensing of Medical Marihuana.

1. Communication from the Director of Economic & Community Development, submitting a proposed resolution to extend the moratorium on the growing, sale and dispensing of medical marihuana, and recommending that Council allow additional time for the courts to rule on the pending cases related to the MMMA and for the state legislature to act on the proposed bills that would change permitted uses under the MMMA; that City Council extend the moratorium on the submission or

receipt of applications, and any and all City permits, licenses or approvals for the growing, sale or dispensing of medical marihuana within the City of Monroe for a period of one-year, in accordance with the attached resolution.

2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 197 Resolution Authorizing the Acquisition of 1101 E. Front Street from the Monroe County Treasurer through the Tax Foreclosure Procedure in the General Property Tax Act.
1. Communication from the Director of Economic & Community Development, submitting a proposed resolution authorizing the acquisition of 1101 E. Front Street from the Monroe County Treasurer through the tax foreclosure procedure in the General Property Tax Act, and recommending that Council approve the resolution, authorizing acquisition of 1101 E. Front Street from the Monroe County Treasurer through the Tax Foreclosure Procedure; and authorize the expenditure of \$250 for the administrative fee and up to \$2,500 to cover the cost of a Phase I Environmental Assessment.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 198 New Public Safety Building – Professional Services Award for Schematic Design.
1. Communication from the Director of Engineering & Public Services, submitting a professional services Schematic Design Contract for a new Public Safety Building, and recommending that Council award a professional services contract for a full schematic design for a public safety facility in the amount of \$135,000 to Redstone Architects, Inc., and that the City Manager, Director of Engineering & Public Services, or their designee be authorized to execute any necessary and appropriate agreements on behalf of the City.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 199 North Custer Bike Path Resurfacing Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a change order to the North Custer Bike Path Resurfacing Program, and recommending that Council award a change order for the resurfacing of the North Custer Road Bike Path to the 2014 Curb Replacement and Resurfacing Program to Cadillac Asphalt, LLC in the amount of \$167,716 and that the Finance Director be authorized to make the necessary transfers as shown in the financial details, and further recommending that the Director of Engineering & Public Services be authorized to sign the change order.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 200 South Monroe Street Lane Reconfiguration Study – Professional Engineering Services Change Order.
1. Communication from the Director of Engineering & Public Services, submitting a change order to the South Monroe Street Lane Reconfiguration Study Professional Engineering Services, and recommending that Council authorize up to an additional \$1,000 in work to Hubbell, Roth & Clark, Inc., for the above work beyond the original \$16,000 authorized by Council on March 17, 2014, and further recommending that the Director of Engineering & Public Services be authorized to execute any necessary and appropriate agreements on behalf of the City.

2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

201 Traffic Committee Meeting.

1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on September 24, 2014, and recommending that Council place on file the minutes from the September 24, 2014 Mayor's Traffic Committee meeting, and approve Traffic Control Order 216-005.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

202 Vehicle Auction Authorization.

1. Communication from the Director of Engineering & Public Services, reporting back on a request for vehicle auction authorization, and recommending that Council authorize the Department of Public Services to place the above items into a public auction hosted by Rollo A. Juckette Auctioneer and/or Brad Neuhart, Auctioneer, and to allow them to secure a 10% commission on all items sold to the highest bidder.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

203 Navarre Library Window Replacement Bid.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Navarre Library Window Replacement Project, and recommending that Council award the above contract for the base bid to Envision Builders Inc., in the amount of \$49,875, and that a total of \$55,000 be encumbered, which includes a 10% project contingency, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe, and further recommending that a contract for professional services be awarded to James S. Jacobs Architects, PLLC in the amount of \$6,500, and that the Director of Engineering & Public Services be authorized to execute any necessary agreements on behalf of the City, and further recommending that the Finance Director be authorized to make any necessary transfer to complete the funding for this project.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

204 Arthur Lesow Community Center (ALCC) Building Improvements Phase Two Bid.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the ALCC building improvements phase two, and recommending that Council award the above contract for the base bid and alternate #1 to Cross Renovation Inc., in the amount of \$99,615, and that a total of \$114,700 be encumbered, which includes a 15% project contingency, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe, and further recommending that a contract for Professional Services be awarded to Mitchell and Mouat Architects in the amount of \$7,350, and that the Director of Engineering & Public Services be authorized to execute any necessary agreements on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

205 Reimbursement of Expenditures from Future Bond Proceeds.

1. Communication from the Finance Director, submitting a proposed resolution that would give the City Manager approval to make a declaration of official intent to reimburse expenditures from future bond proceeds, and recommending that Council approve the attached "RESOLUTION AUTHORIZING CITY MANAGER TO MAKE DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES."
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

VI. COUNCIL COMMENTS.

VII. MAYOR'S COMMENTS.

VIII. CLERK-TREASURER'S COMMENTS.

IX. CITY MANAGER COMMUNICATION.

X. CITIZEN COMMENTS

XI. CLOSED EXECUTIVE SESSION TO DISCUSS PROPERTY ACQUISITION.

XII. ADJOURNMENT.

**CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 15, 2014**

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, September 15, 2014 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Member Vining, Molenda, Rafko, Sisk, Hensley, Iacoangeli and Mayor Clark.

Michelle J. LaVoy, Clerk-Treasurer gave the invocation.

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Presentation by the Monroe Conservation District.

It was moved by Council Member Iacoangeli and seconded by Council Member Sisk that the City Manager be directed to develop a professional service agreement with the Monroe Conservation District.

Ayes: 7 Nays: 0

Motion carried.

Mayor Clark noted that in light of the recent storms and water events the Agenda will be amend to add a presentation from staff to update Council and offer information to residents who were affected.

Presentation by Patrick Lewis, Director of Engineering & Public Services, to update Council and to explain how city residents can dispose of their flood damage debris. He said if residents have questions about disposal of flood items to contact the Department of Public Services at 241-6800.

Presentation by Barry LaRoy, Director of Water & Wastewater Utilities, to explain that the water sewer plant has a normal flow capacity of 10-14 million gallons per day that depends on the time of the day and that on the day of the storms the flow was at about 12 million gallons. He noted that within five hours of the onset of the flood event it peaked out at 59 million gallons. He noted that in addition to that, they diverted 21 million gallons into the equalization basin.

Proclamations.

176 Manuel Hoskins Day – September 15, 2014.

The Mayor presented a Proclamation from City Council to Manuel Hoskins, recently retired Fire Chief, in honor of his services as a firefighter and as the Fire Chief, proclaiming September 15, 2014 as Manuel Hoskins Day.

Manuel Hoskins, former Fire Chief said that it has been an honor and a pleasure to be the Fire Chief and an employee of the City of Monroe.

177 October 31, 2014 – Halloween Trick-or-Treat Night.

Communications.

178 A letter on file from Mrs. Sauro, 321 West Fourth Street regarding the East Fourth Sanitary Sewer Assessment.

The letter was referred to staff for consideration.

Public Hearing.

167 This being the date set to hear public comments on proposed Ordinance No. 14-005, an ordinance to amend Chapter 353, Flood Plain Management of the Code of the City of Monroe, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Council Member Iacoangeli clarified the amendment to the ordinance.

There being one (1) person present commenting and no comments on file in the Clerk-Treasurer's Office, the Mayor declared the public hearing closed.

Council Action.

167 It was moved by Council Member Iacoangeli and seconded by Council Member Rafko that proposed Ordinance No. 14-005, an ordinance to amend Chapter 353, Flood Plain Management of the Code of the City of Monroe, be placed on its final reading and that the attached resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 14-005 was then presented for the second time after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

Motion carried.

Consent Agenda.

A. Approval of the Minutes of the Work Session held on Tuesday, September 2, 2014 and the Minutes of the Regular City Council Meeting held on Tuesday, September 2, 2014.

B. Approval of payments to vendors in the amount of \$ 758,485.29.

Action: Bills be allowed and warrants drawn on the various accounts for their payment.

179 Geographic Information System Tree Layer Development - Professional Services Award.

1. Communication from the Director of Engineering & Public Services, submitting a request for additional Geographic Information System (GIS) Tree Layer Development, and recommending that a professional services award be made to the Remote Sensing and GIS Research and Outreach Services at Michigan State University for Phase One of the above work in the amount of up to \$50,000, and that the Director of Engineering & Public Services be authorized to execute any necessary agreement documents on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

180 Paving Special Assessment District 332 – Alley East of North Monroe Street, South of East Noble Avenue – Special Assessment Resolution Number 1.

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 1 in the special assessment process declaring the installation of paving special assessment district 322, for the alley east of North Monroe Street and south of East Noble Avenue, and recommending that the attached Resolution 1 be adopted, which directs the Engineering department to prepare plans, specifications, and cost estimates for this project.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

181 Play Equipment Components Purchase – Various Parks.

1. Communication from the Director of Engineering & Public Services, submitting a request to purchase play equipment components at various City-owned parks, and recommending that Council award the purchase of various play equipment components and hardware as shown on the attached quotation form in the amount of \$11,315.96 from Playworld Midstates, that the competitive bidding process be waived and that the Director of Engineering & Public Services or his designee be authorized to issue a purchase order on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

182 Sunset & Detroit Beach Pump Station Electric Meter Replacements Bid – Wastewater Department.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for the Sunset & Detroit Beach Pump Station Electric Meter Replacements, and recommending that a purchase order in the amount of \$29,328 and a total amount of \$33,700 be encumbered to include a 15% contingency, be awarded to Romanoff Electric Company, LLC for the Sunset & Detroit Beach Pump Station Electric Meter Replacements project as part of an approved FY 2014-2015 CIP project in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

183 Monroe High School Annual Homecoming Parade Request

1. Communication from the City Manager's Office, reporting back on a request from Monroe High School for permission to hold their annual Homecoming Parade on October 10, 2014 at 5:00 p.m., to close the affected streets and additionally for a police escort, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, a parade permit, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reason.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

184 Monroe Catholic Elementary Schools PTO School Event.

1. Communication from the City Manager's Office, submitting a request from the Monroe Catholic Elementary Schools PTO for permission to use St. Mary's parking lot for a private school event on October 24, 2014 from 6:00 p.m. – 9:00 p.m., and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

185 Monroe County Chamber of Commerce Annual Holiday Parade.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Chamber of Commerce for permission to hold the annual Holiday Parade in conjunction with the DDA's Christmas Tree Lighting Ceremony on Saturday, November 22, 2014 at 4:00 p.m., specifically to close the affected streets along the parade route (the corner of Jones Avenue/Monroe Street, Monroe Street between Jones Avenue and Elm Avenue and West Front Street from Monroe to the Laurel-Finzel parking lot, where the parade will disband), and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, a parade permit, emergency vehicle access being maintained, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

186 22nd Annual Holiday Season Kick-Off and Christmas Tree Lighting.

1. Communication from the City Manager's Office, reporting back on a request from the Downtown Development Authority for permission to hold the 22nd annual Holiday Season Kick-Off and Christmas Tree Lighting in conjunction with the Holiday Parade on Saturday, November 22, 2014 from 4:00 p.m. – 8:00 p.m., specifically for electrical access for the pavilion and all electrical needs for the entertainment and tree lighting, assistance in decorating and permission to light the tree in front of the County Courthouse, free horse carriage/wagon rides around the central business district, reserved parking spaces for loading/unloading passengers on the west side of Washington Street to East First Street, and trash pick-up prior to the event, and to close East First Street between South Monroe and South Macomb Street to vehicular traffic, as well as Washington Street between East Second and West Front Street due to the high volume of pedestrian traffic and reduce lighting in the area, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, emergency vehicle access being maintained, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

187 Appointments Resolution.

1. Communication from the Mayor's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

It was moved by Council Member Molenda and seconded by Council Member Sisk that items 180, 181, 182, 183, 184, 185, 186 and 187 of the Consent Agenda be approved as presented and that item 179 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

179 The communication from the Director of Engineering & Public Services was presented, submitting a request for additional Geographic Information System (GIS) Tree Layer Development, and recommending that a professional services award be made to the Remote Sensing and GIS Research and Outreach Services at Michigan State University for Phase One of the above work in the amount of up to \$50,000, and that the Director of Engineering & Public Services be authorized to execute any necessary agreement documents on behalf of the City.

Council Member Rafko asked if Council could delay the vote on this item for a couple of weeks because she would like to talk to Mr. Lewis about it.

Patrick Lewis, Director of Engineering & Public Services explained the reasons for the GIS Tree Layer Development and the time line of three (3) weeks.

Council Member Rafko said that she doesn't understand why Michigan State is the only one who can bring out the signs.

Patrick Lewis, Director of Engineering & Public Services explained there was another firm who offered the service but it was approximately double the cost. He noted that Michigan State has the benefit of the added value, a very talented forestry group and GIS capabilities.

Council Member Iacoangeli asked Mr. Lewis to explain what LIDAR is.

Patrick Lewis, Director of Engineering & Public Services explained that LIDAR is an acronym and that Light Detection and Ranging is the term. It is a process that shoots a light beam down to a surface and back up and which is how flood maps are developed. He noted that the beam can also be directed horizontally.

It was moved by Council Member Iacoangeli and seconded by Council Member Molenda that item 179 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Vining thanked Manuel Hoskins, former Fire Chief for his Service to the City and community. She noted that he is an asset to the City of Monroe but especially to the Orchard East Community.

Council Member Molenda thanked the staff who handled calls during the flooding event and gave guidance and direction to residents who were understandably frustrated.

Council Member Rafko also thanked staff for their part in addressing flooding issues. She also commented on the Hero's Parade that was held on Saturday and thanked all who were involved in it.

Council Member Sisk said this evenings presentation by Mr. Lewis and Mr. LaRoy was outstanding. He said that he received a lot of phone calls from people who complained about flooding in their basements and he is glad to see that the City is on top of the issue.

Council Member Hensley also thanked staff for their part in addressing flooding issues and asked Mr. Lewis to update everyone on the West Fourth Street paving work.

Patrick Lewis, Director of Engineering & Public Services said that the contractors had some difficulty with the sanitary sewer phase which delayed pouring of the cement. He said the contractors expect to have the roadways completed by month's end.

Council Member Iacoangeli thanked the City Manager for the timely messages to keep Council informed during the storms and water emergencies. He also reminded Mr. Swallow and Mr. Woodcock of the update to Council in October regarding the NEZ. He commented about property owners who post "no trespassing" signs on their property and asked the City Manager and/or the Attorney to address that issue.

Mayor's Comments.

Mayor Clark recognized a student from the Monroe County Community College and thanked her for being at the meeting. He noted that he has received several comments and questions regarding the restoration of the Sawyer House and said that Council will get an update at the next meeting.

Clerk-Treasurer's Comments.

Michelle J. LaVoy, Clerk-Treasurer noted that the Clerk's Office is taking applications from MCCC students to work as election inspectors at the General Election in November and said if anyone else in the community is interested in becoming an election inspector, we have a training opportunity on September 25, 2014. She said to call her at 384-9137.

Citizen's Comments.

Jason Matthews, 1445 Maple Blvd, AFL CIO, Labor Museum Representative, said that they had partnered with the Monroe County Tourism Bureau on the Labor Day Parade this year and thanked Council for the opportunity to have the parade.

Robert Jett, 645 Maple Blvd said that he had 7 inches of water in his basement and said that the information received from the city did not help him because it didn't work. He said that he came home from work and within an hour the water coved the street up to the curb. He said he paid a bill to clean the Mason Run Drain but this flood made him wonder if the drain was in working order.

Discussion continued with a Lavender Street resident who did not give his name or address.

George Brown, City Manager confirmed that the residents in the Lavender subdivision participated in a special assessment for a new storm main that leads to the property lines into the terrace so that residents could hook up their storm water drainage devices to it. He also noted that it was done in conjunction with a road resurfacing project. He explained that the amount assessed was only for the leads and that the storm water main was paid for with the money that was used for the road reconstruction project. He explained how resident could have connected into the storm water main through the leads and noted it would have helped in this case but more steps need to be taken to connect and benefit from the storm sewer.

Discussion continued with the Lavender Street resident who did not give his name or address.

Bonnie Finzel-Doster, 715 E. Elm Avenue said that she is a lifetime member of the Sawyer Homestead and was a volunteer for the Historical Museum when it was in the Sawyer Homestead. She said she was 13 years old when her campfire group visited Jenny Sawyer in the homestead and that Jenny was blind and so wonderful. She said that Jenny told them about her childhood in the homestead. She doesn't think that Jenny Sawyer left the Sawyer Homestead to the City to be given away to the National Park System and said when you give something away in Monroe you're never assured what's going to happen with it. She said she knows how Jenny wanted the Homestead to be used and doesn't think it was to be used as a National Park Office building. She urged Council to consider Jenny Sawyers wishes and to investigate and to consider her Last Will and Testament because she does not think it was willed to the City to give away.

Adjournment.

It was moved by Council Member Iacoangeli and seconded by Council Member Hensley that the meeting adjourn at 8:30 p.m. until the Regular Meeting on Monday, October 6, 2014 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Michelle J. LaVoy
City Clerk-Treasurer

Robert E. Clark
Mayor

**CITY OF MONROE
COUNCIL WORK SESSION
MONDAY, SEPTEMBER 15, 2014**

Work Session of the City Council of the City of Monroe, Michigan held on Monday, September 15, 2014 at 6:00 p.m. in the First Floor Conference Room.

Present: Council Member Vining, Molenda, Rafko, Sisk, Hensley, Iacoangeli and Mayor Clark.

Also Present: George Brown, City Manager
Tom Ready, Attorney
Ed Sell, Finance Director
Rob Wight, Fire Chief
Patrick Lewis, Director of Engineering & Public Services

George Brown, City Manager provided information to Council regarding the Development of a Schematic Design and estimated costs for the Monroe Public Safety Department.

Mayor Clark asked for comments on the partnership of Sawyer Homestead and the National Battlefield Park.

Following discussion, Mayor Clark declared the meeting adjourned at 7:19 p.m.

Michelle J. LaVoy
Clerk-Treasurer

Robert E. Clark
Mayor

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
0000004026	AAROW WASTE INC 13925	30 YARD CONTAINER JAZZ FESTIVAL ST MARYS PARK	295.00		
TOTAL FOR: AAROW WASTE INC			295.00		
MISC	ADAMS OUTDOOR ADVERTISING 09/18/2014	OVERPAYMENT OF SUMMER TAXES 68-00017-000	827.85		
TOTAL FOR: ADAMS OUTDOOR ADVERTISING			827.85		
0000004814	AMERICAN SANITATION & SEWER INC 12658	PORTABLE TOILET AIRPORT 9/4 - 10/4/14	70.00		
TOTAL FOR: AMERICAN SANITATION & SEWER INC			70.00		
MISC	AMERIGAS 09/18/2014	TAX OVERPAYMENT 48-01050-000	270.51		
	09/18/2014	OVERPAYMENT OF TAXES 38-00913-000	230.35		
TOTAL FOR: AMERIGAS			500.86		
0000000063	ARCTIC AIR INC 833	HVAC MAINTENANCE PROGRAM SEPTEMBER 2014	3,063.00		
TOTAL FOR: ARCTIC AIR INC			3,063.00		
0000000081	ARTHUR LESOW COMMUNITY CENTER 9/17/14	1ST & 2ND QUARTER JULY - DEC	70,000.00		
TOTAL FOR: ARTHUR LESOW COMMUNITY CENTER			70,000.00		
MISC	BONK, CHESTER 9/30/14	REFUND COST OF CHANGING WATER SERVICE	369.36		
TOTAL FOR: BONK, CHESTER			369.36		
0000006594	BRICK TECH ARCHIECTURAL INC 16592	MEDIUM 4 X 8 X 1 1/4 PAVER (780)	883.20		
TOTAL FOR: BRICK TECH ARCHIECTURAL INC			883.20		
0000006547	CHEMTRADE CHEMICALS COPRORATION 90671556	LIQUID ALUMINUM SULFATE PURCHASE	3,304.84		
	90672783	LIQUID ALUMINUM SULFATE PURCHASE	3,371.25		
	90674834	LIQUID ALUMINUM SULFATE PURCHASE	3,364.58		
	90674835	LIQUID ALUMINUM SULFATE PURCHASE	3,366.90		
TOTAL FOR: CHEMTRADE CHEMICALS COPRORATION			13,407.57		
0000000204	CINTAS CORPORATION 306 306218940	SHOP TOWELS FOLDED RED	73.04		
	306218941	BLACK MATS	222.10		
TOTAL FOR: CINTAS CORPORATION 306			295.14		
0000005900	CINTAS FIRST AID & SAFETY #325				

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
	5001879294	MEDICAL SUPPLIES	81.24		
TOTAL FOR: CINTAS FIRST AID & SAFETY #325			81.24		
0000000296	COMPREHENSIVE RISK SERVICES INC 2037	CLAIM AUDIT 11/1/12 - 7/31/14	10,215.00		
TOTAL FOR: COMPREHENSIVE RISK SERVICES INC			10,215.00		
0000000299	CONSUMERS ENERGY 202427149113	1000 3003 6485 14411 CARDINAL 8/10 - 9/09/14	47.30	47782	09/30/2014
TOTAL FOR: CONSUMERS ENERGY			47.30		
0000006494	CRYSTAL FLASH 788615	ASSESSOR VEHICLE FUEL 9/1 - 9/15/14	25.10		
	788616	BUILDING DEPT VEHICLE FUEL 9/1 - 9/15/14	227.20		
	788617	D P S VEHICLE FUEL 9/1 - 9/15/14	1,593.81		
	788618	ENGINEERING VEHICLE FUEL 9/1 - 9/15/14	392.63		
	788619	FIRE DEPT VEHICLE FUEL 9/1 - 9/15/14	754.92		
	788620	POLICE VEHICLE FUEL 9/1 - 9/15/14	5,048.45		
	788621	WASTEWATER VEHICLE FUEL 9/1 - 9/15/14	1,200.65		
	788623	WATER DEPT VEHICLE FUEL /1 - 9/15/14	2,038.70		
TOTAL FOR: CRYSTAL FLASH			11,281.46		
0000005738	CV ENTERPRISES 10 456	3 PILLAR SOFTBALL (5)	270.00		
TOTAL FOR: CV ENTERPRISES			270.00		
0000000353	DELTA DENTAL PLAN OF MICHIGAN 9/23/14	DENTAL INSURANCE OCTOBER 2014	1,724.25		
TOTAL FOR: DELTA DENTAL PLAN OF MICHIGAN			1,724.25		
0000000359	DTE ENERGY 415 0714	1940 675 0007 5 415 JONES 6/19 - 7/08/14	20.00		
TOTAL FOR: DTE ENERGY			20.00		
000000359A	DTE ENERGY 3189-8 0814	0000-3189-8 915 E FRONT 7/23 - 8/20/14	20,792.03	47783	09/30/2014
	3189-8 0914	0000-3189-8 915 E FRONT 8/21 - 9/21/14	22,310.21		
	3190-6 0914	0000-3190-6 2205 E FRONT 8/21 - 9/21/14	54,774.04		
	3191-4 0914	0000-3191-4 6375 PTE AUX PEAUX 8/21 - 9/21/14	13,006.33		
	7809-7 0814	0000-7809-7 STREET / TRAFFIC LIGHTS 8/1 - 8/31/14	35,042.44	47783	09/30/2014
	7834-5 0814	0000-7834-5 AIRPORT 8/1 - 8/31/14	69.95	47783	09/30/2014
TOTAL FOR: DTE ENERGY			145,995.00		
0000006065	DYKEMA GOSSETT PLLC 1592170	MONTHLY RETAINER & EXPENSES	5,055.60		

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
TOTAL FOR: DYKEMA GOSSETT PLLC			5,055.60		
0000000429	EMPCO INC				
	3398	PER CANDIDATE V760 WATER PLANT OPERATOR	44.00		
	3407	EXAM V500 LABORER	249.00		
TOTAL FOR: EMPCO INC			293.00		
0000000453	ETNA SUPPLY				
	S101160703.002	1"BRS FIT,3/4",1"BALL VALVE,3/4",1"COPPER,U-BRANCH,CURBBO	1,508.00		
	S101160703.005	1"Brs Fit,3/4",1"Ball Valve,3/4",1"Copper,U-Branch,CurbBo	810.00		
TOTAL FOR: ETNA SUPPLY			2,318.00		
0000006137	FIFER INVESTIGATIONS LLC				
	9/19/14	BACK GROUND INVESTIGATIONS	1,704.00		
TOTAL FOR: FIFER INVESTIGATIONS LLC			1,704.00		
MISC	FORRESTER, BECKIE				
	9/19/14	REFUND KEY DEPOSIT ST MARY PARK 9-20-14	150.00		
TOTAL FOR: FORRESTER, BECKIE			150.00		
0000000484	FRENCHTOWN TWP FIRE DEPARTMENT				
	14-004	PUMP OPS 1 PROGRAM TUITION (5)	1,000.00		
TOTAL FOR: FRENCHTOWN TWP FIRE DEPARTMENT			1,000.00		
000000484A	FRENCHTOWN WATER DEPT				
	HAR1285001 0814	HAR1-002850-01 2850 HARBORVIEW 9/15/14	104.72		
	PTE1637501 0814	PTE1-006375-0000-01 63756 PTE AUX PEAUX 9/15/14	777.23		
	SUN2106001 0814	SUN2-001060 -0000-01 1060 SUNSET 9/17/14	160.22		
TOTAL FOR: FRENCHTOWN WATER DEPT			1,042.17		
0000006062	GBS INC GOVERNMENTAL BUSINESS SYS				
	14-20214	ELECTION OPERATING SUPPLIES PAPER - RIBBONS	65.25		
TOTAL FOR: GBS INC GOVERNMENTAL BUSINESS SYS			65.25		
0000006390	GEOGRAPHIC INFORMATION SERVICES INC				
	3757	AMAZON CLOUD AUGUST & LABOR IN AUGUST	278.59		
TOTAL FOR: GEOGRAPHIC INFORMATION SERVICES INC			278.59		
0000006590	GREAT LAKES ENGINEEING GROUP LLC				
	14-1393	2014 Bridge Inspections per 7/7/14 Council	3,000.00		
TOTAL FOR: GREAT LAKES ENGINEEING GROUP LLC			3,000.00		
0000006554	HUBBELL, ROTH & CLARK INC				
	131678	SOUTH MONROE STREET LANE RECONFIGURATION STUDY	487.46		
	131679	SOUTH MONROE STREET LANE RECONFIGURATION STUDY	539.31		
TOTAL FOR: HUBBELL, ROTH & CLARK INC			1,026.77		

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
0000006185	JAY'S SEPTIC TANK SERVICE 253990	HANDICAP UNIT SOLDIERS / SAILORS PARK	125.00		
TOTAL FOR: JAY'S SEPTIC TANK SERVICE			125.00		
0000000696	JCI JONES CHEMICALS INC 632322	SODIUM HYPOCHLORITE PURCHASE	3,023.77		
TOTAL FOR: JCI JONES CHEMICALS INC			3,023.77		
0000000691	JIM'S TOWING & ROAD SERVICE LLC 134922-14	TOWING TRUCK # 1039 8-2-14	65.00		
TOTAL FOR: JIM'S TOWING & ROAD SERVICE LLC			65.00		
0000003683	TINA LAPLANTE 9/9/14	MEALS 2014 CRIME & SECURITY CONFERENCE	18.00		
TOTAL FOR: TINA LAPLANTE			18.00		
0000006586	LINDE NORTH AMERICA INC 50559785	LIQUID OXYGEN PURCHASE	1,007.85		
TOTAL FOR: LINDE NORTH AMERICA INC			1,007.85		
0000000814	CHARLES MCCORMICK IV 9/25/14	MILEAGE PEDS CONFERENCE LANSING	89.60		
TOTAL FOR: CHARLES MCCORMICK IV			89.60		
0000000627	MERCY MEMORIAL HOSPITAL 2600000019	EMPLOYEE PHYSICALS	214.00		
TOTAL FOR: MERCY MEMORIAL HOSPITAL			214.00		
0000000930	MICHIGAN GAS UTILITIES 0602-7 0914	456062-7 2205 E FRONT 8/20 - 9/19/14	74.45		
	4506115-7 0814	4506115-7 AUGUST GAS ALLOCATION	2,021.50	47784	09/30/2014
	6807-1 0914	5246807-1 317 E FIRST 8/21 - 9/19/14	18.64		
TOTAL FOR: MICHIGAN GAS UTILITIES			2,114.59		
0000001581	MICHIGAN METER INC 92234	5/8" METER COUPLING NUT X 3/4" FIPT NO LEAD	296.40		
	92285	5/8" T-10 PRO AUTO 3BD GAL REGISTER INSIDE	140.32		
	92342	2" RUBBER DROP IN GASKET	141.81		
TOTAL FOR: MICHIGAN METER INC			578.53		
5789	STATE OF MICHIGAN 91084286	ABOVE GROUND STORAGE TANK CERTIFICATE FEE	61.50		
TOTAL FOR: STATE OF MICHIGAN			61.50		
0000001142	STATE OF MICHIGAN				

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
	LF 370004	AIRPORT LICENSE FEE	50.00		
TOTAL FOR: STATE OF MICHIGAN			50.00		
0000006129	MIRACLE RECREATION EQUIPMENT CO 754010	CHAIN LINK 4/0 SILVER SHIELD COATING	989.00		
TOTAL FOR: MIRACLE RECREATION EQUIPMENT CO			989.00		
0000005684	COUNTY OF MONROE PRINTING 814-576-27	48 HOUR DOOR HANGERS (1000)	92.50		
TOTAL FOR: COUNTY OF MONROE PRINTING			92.50		
0000000843	MONROE COUNTY TREASURER 8/31/14	DUE TO / FROM UNIT REPORT	4,857.45		
TOTAL FOR: MONROE COUNTY TREASURER			4,857.45		
0000000877	MONROE PUBLISHING CO 333014 / 336446	NOTICES OF PUBLIC HEARING ADDS	234.45		
TOTAL FOR: MONROE PUBLISHING CO			234.45		
0000000838	CITY OF MONROE 9/30/14	REPLENISH PETTY CASH	59.81		
TOTAL FOR: CITY OF MONROE			59.81		
000000838A	CITY OF MONROE 9/19/14	REIMBURSEMENT OF RECORDING FEES FOR WATER EASEMENT	32.00		
TOTAL FOR: CITY OF MONROE			32.00		
000000838B	CITY OF MONROE FROT3801 0814 W FR12501 0814	FROT-000038-0000-01 38 W FRONT 8/27/14 W FR-000125-0000-01 125 W FRONT 08/26/14	1,403.21 10.02		
TOTAL FOR: CITY OF MONROE			1,413.23		
0000006402	MUNICIPAL ADVISORY COUNCIL MICHIGAN 1116B	OVERLAPPING DEBT REPORT	100.00		
TOTAL FOR: MUNICIPAL ADVISORY COUNCIL MICHIGAN			100.00		
0000006558	MUTUAL OF OMAHA 345630422	LIFE & DISABILTY INSURANCE OCTOBER 2014	2,021.95		
TOTAL FOR: MUTUAL OF OMAHA			2,021.95		
0000006110	RON NOEL LAWN SERVICE				
9		MOWING 1305 E FRONT	250.00		
9		MOWING 19 WINCHESTER SEPTEMBER 2014	250.00		
9		MOWING 207 E SECOND SEPTEMBER 2014	250.00		
9		2014-2018 LAWN MAINTENANCE CONTRACT - WORK GROUP A,C, AND	7,250.00		
9		2014-2018 LAWN MAINTENANCE CONTRACT - WORK GROUP A,C, AND	1,450.00		

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
9		2014-2018 LAWN MAINTENANCE CONTRACT - WORK GROUP A,C, AND	7,250.00		
TOTAL FOR: RON NOEL LAWN SERVICE			<u>16,700.00</u>		
0000000981	ORKIN EXTERMINATING CO INC 96811688	SEPTEMBER SERVICE CHARGE	198.57		
TOTAL FOR: ORKIN EXTERMINATING CO INC			<u>198.57</u>		
0000006196	PABCO INDUSTRIES LLC B022593	2014 LEAF BAG PURCHASE	20,437.92		
TOTAL FOR: PABCO INDUSTRIES LLC			<u>20,437.92</u>		
0000001017	PLANTE & MORAN PLLC 1183346	SERVICES THRU 9/9/14	46,100.00		
TOTAL FOR: PLANTE & MORAN PLLC			<u>46,100.00</u>		
0000001021	POLYDYNE INC 912674	CATONIC POLYMER	4,855.40		
TOTAL FOR: POLYDYNE INC			<u>4,855.40</u>		
0000001032	PRINTING SYSTEMS INC 85807	540 QVF MASTER CARDS (2 SIDED)	110.04		
TOTAL FOR: PRINTING SYSTEMS INC			<u>110.04</u>		
0000003459	ROSELAWN MEMORIAL PARK 8/31/14	FEES & EXPENSES FOR WOODLAND CEMETARY	2,319.54		
TOTAL FOR: ROSELAWN MEMORIAL PARK			<u>2,319.54</u>		
0000001085	S&L FERTILIZER CO 1	SLUDGE HAULING FY 14-15	11,690.76		
	2	SLUDGE HAULING FY 14-15	11,217.45		
TOTAL FOR: S&L FERTILIZER CO			<u>22,908.21</u>		
0000005264	SALENBIEN TRUCKING & EXCAVATING INC 9/17/14 EST# 2	East Noble Avenue Water Main	172,417.56		
TOTAL FOR: SALENBIEN TRUCKING & EXCAVATING INC			<u>172,417.56</u>		
0000005237	EDWARD J SELL JR 9/17/14	MILEAGE TO BRA & MGFOA MEETINGS	162.85		
TOTAL FOR: EDWARD J SELL JR			<u>162.85</u>		
0000005069	SENTINEL TECHNOLOGIES INC P594233	NETWORK RACK INSTALLATION	1,005.00		
TOTAL FOR: SENTINEL TECHNOLOGIES INC			<u>1,005.00</u>		
0000001189	SOLOMON DIVING INC 092314	30" INTAKE INVESTIGATION AND REPAIR	24,510.00		

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
TOTAL FOR: SOLOMON DIVING INC			24,510.00		
000006445	STONE, STARLENE 9/21/14	MEALS CRIMINAL RECORDS KEEPING LANSING	17.00		
	9/5/14	MILEAGE CRIME & SECURITY CONF LANSING	126.56		
TOTAL FOR: STONE, STARLENE			143.56		
000004895	STONECO OF MICHIGAN-DENNISTON 833974	STONE FOR BACKFILL	457.61		
TOTAL FOR: STONECO OF MICHIGAN-DENNISTON			457.61		
000001261	TOLEDO ELEVATOR & MACHINE CO INC 6895	ELEVATOR INSPECTION	97.00		
TOTAL FOR: TOLEDO ELEVATOR & MACHINE CO INC			97.00		
000001857	CHAD TOLSTEDT 9/22/14	MEALS EMU STAFF & COMMAND	29.65		
TOTAL FOR: CHAD TOLSTEDT			29.65		
000006559	U S LAWNS 2407	MOWING VARIOUS PROPERTIES 8/29/14	92.00		
	2408	MOWING VARIOUS PROPERTIES 8/29/14	70.00		
	2409	MOWING VARIOUS PROPERTIES 9/3/14	140.00		
	2410	MOWING VAROUS PROPERTIES 9/5/14	105.00		
	2411	MOWING 1411 OAK 9/5/14	45.00		
	2430	MOWING 508 E SIXTH 9/10/14	45.00		
	2431	MOWING VARIOUS PROPERTIES 9/10/14	70.00		
	2432	MOWING 310 & 311 WINCHESTER 9/13/14	70.00		
	2433	MOWING VARIOUS PROPERTIES 9/18/14	105.00		
	2434	MOWING 635 WINCHESTER 9/18/14	47.00		
	2435	MOWING VARIOUS PROPERTIES 9/18/14	280.00		
TOTAL FOR: U S LAWNS			1,069.00		
000006053	UNITED STATES TREASURY 9/30/2014	PATIENT CENTERED OUTCOMES RESEARCH FEE	1,694.00	47785	09/30/2014
TOTAL FOR: UNITED STATES TREASURY			1,694.00		
000005778	URS CORPORATION 6011688	PROFESSIONAL SERVICES - OZONE SYSTEM MODIFICATION	5,540.72		
TOTAL FOR: URS CORPORATION			5,540.72		
000006179	VIENNA JUNCTION LF 25919	LANDFILL DISPOSAL CHARGES FY 14-15	20,109.89		
	26116	LANDFILL DISPOSAL CHARGES FY 14-15	19,295.77		
TOTAL FOR: VIENNA JUNCTION LF			39,405.66		

Vendor Code	Vendor Name Invoice	Description	Amount	Check #	Check Date
0000006508	WASHINGTON STREET PRINTERS LLC 2012	POSTER - GOALS & OBJECTIVES	23.00		
TOTAL FOR: WASHINGTON STREET PRINTERS LLC			<u>23.00</u>		
0000000215	WASTE MANAGEMENT INC 7621237	TRASH PICK UP AUGUST 2014	89,196.38		
TOTAL FOR: WASTE MANAGEMENT INC			<u>89,196.38</u>		
0000001346	WHITAKER, DARRICK 9/29/14	MILEAGE ELECTRICAL INSPECTIONS SEPTEMBER	55.44		
TOTAL FOR: WHITAKER, DARRICK			<u>55.44</u>		
0000001886	WOODLAND CEMETERY OPERATING FUND 8/31/14	WOODLAND EXPENSES AUGUST 2014	1,470.17		
TOTAL FOR: WOODLAND CEMETERY OPERATING FUND			<u>1,470.17</u>		
TOTAL - ALL VENDORS			743,335.12		

Balance Detail Report
 City Of Monroe
 10/02/2014 11:51

Account: 041200050 : 00099951243-Checking - General - USD Report On: Previous Day Data
 Start Date: 09/11/2014 00:00 Transaction Groups: ACH Debit
 End Date: 10/01/2014 23:59 ZBA Display: Both Credit and Debit
 Sorted By: Account Number, Date, Credit/ Debit
 Orientation: Portrait

Bank ABA# : Fifth Third Bank (Northwestern Ohio) - 041200050

Account : 00099951243-Checking - General - USD

Date	Transaction Type	Customer Ref. #	Bank Ref. #	Credit Amount	Debit Amount
09/15/2014	ACH Debit Received		100105104134		16,990.60
	Description: CITYOFMONR 1243 TAX TRANS 3860046383 091514 OFFSET TRANSACTION				
09/29/2014	ACH Debit Received		100106989122		57,170.73
	Description: CITYOFMONR 1243 TAX TRANS 3860046383 092914 OFFSET TRANSACTION				
10/01/2014	ACH Debit Received		100107429313		110.00
	Description: FUNDS TRANSFER DEBIT REF # 00632122167				
				Credits	Debits
			Total Amount	0.00	74,271.33
			Total Number of Items	0	3

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Balance Detail Report
City Of Monroe
10/ 02/ 2014 11:53

Account: 041200050 : 00080359653-Checking - Payroll - USD **Report On: Previous Day Data**
Start Date: 09/ 11/ 2014 00:00 **Transaction Groups: ACH Debit**
End Date: 10/ 01/ 2014 23:59 **ZBA Display: Both Credit and Debit**
Sorted By: Account Number, Date, Credit/ Debit
Orientation: Portrait

Bank ABA# : Fifth Third Bank (Northwestern Ohio) - 041200050

Account : 00080359653-Checking - Payroll - USD

Date	Transaction Type	Customer Ref. #	Bank Ref. #	Credit Amount	Debit Amount
09/11/2014	ACH Debit Received		100100382269		192.31
	Description: FUNDS TRANSFER TO CK: XXXXXX7018 REF # 00629570016				
09/11/2014	ACH Debit Received		100108474111		2,067.36
	Description: CITYOFMONR 9653 CHILD SUPP 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474096		3,541.44
	Description: CITYOFMONR 9653 RHS 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474082		3,958.81
	Description: CITYOFMONR 9653 NWRS 457 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474100		4,796.42
	Description: CITYOFMONR 9653 DUES 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474083		7,506.06
	Description: CITYOFMONR 9653 RHCF 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474095		10,312.60
	Description: CITYOFMONR 9653 ICMA 457 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474101		85,418.06
	Description: CITYOFMONR 9653 PENSION 3860046380 091114 OFFSET TRANSACTION				
09/11/2014	ACH Debit Received		100108474085		235,328.96
	Description: CITYOFMONR 9653 PAYROLL 3860046380 091114 OFFSET TRANSACTION				
09/12/2014	ACH Debit Received		100109771993		184.62
	Description: FIFTH THIRD HSA PRETAX BENEFIT TRANS 5TH3RD HSA 9405386004638 CITY OF MONROE 091214				
09/12/2014	ACH Debit Received		100109771869		8,452.31
	Description: FIFTH THIRD HSA PRETAX BENEFIT TRANS 5TH3RD HSA 9405386004638 CITY OF MONROE 091214				
09/15/2014	ACH Debit Received		100105104132		1,652.73
	Description: CITYOFMONR 9653 MI TAX 3860046380 091514 OFFSET TRANSACTION				
09/15/2014	ACH Debit Received		100105104143		28,518.18
	Description: CITYOFMONR 9653 MI TAX 3860046380 091514 OFFSET TRANSACTION				
09/17/2014	ACH Debit Received		100101903966		88,360.77
	Description: CITYOFMONR 9653 TAX PYMT 3860046380 091714 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330375		2,067.36
	Description: CITYOFMONR 9653 CHILD SUPP 3860046380 092514 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330410		2,312.99
	Description: CITYOFMONR 9653 NWRS 457 3860046380 092514 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330384		2,504.36
	Description: CITYOFMONR 9653 DUES 3860046380 092514 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330389		3,541.44
	Description: CITYOFMONR 9653 RHS 3860046380 092514 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330371		4,995.96
	Description: CITYOFMONR 9653 RHCF 3860046380 092514 OFFSET TRANSACTION				
09/25/2014	ACH Debit Received		100100330386		12,041.61

	Description: CITYOFMONR 9653 ICMA 457 3860046380 092514 OFFSET TRANSACTION	
09/25/2014	ACH Debit Received 100100330368	74,326.60
	Description: CITYOFMONR 9653 PENSION 3860046380 092514 OFFSET TRANSACTION	
09/25/2014	ACH Debit Received 100100330402	236,353.44
	Description: CITYOFMONR 9653 PAYROLL 3860046380 092514 OFFSET TRANSACTION	
09/25/2014	ACH Debit Received 100101977212	192.31
	Description: FUNDS TRANSFER TO CK: XXXXXX7018 REF # 00631387784	
09/26/2014	ACH Debit Received 100101934516	7,851.31
	Description: FIFTH THIRD HSA PRETAX BENEFIT TRANS 5TH3RD HSA 9405386004638 CITY OF MONROE 092614	
10/01/2014	ACH Debit Received 100104486283	87,243.22
	Description: CITYOFMONR 9653 TAX PYMT 3860046380 100114 OFFSET TRANSACTION	

	Credits	Debits
Total Amount	0.00	913,721.23
Total Number of Items	0	25

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PROCLAMATION

- WHEREAS,** it is an honor and privilege that the Mayor and City Council have been given this opportunity to pay tribute to Deputy Public Safety Director Joseph Mominee; and

- WHEREAS,** Deputy Public Safety Director began his career as a firefighter with the City of Monroe on July 19, 1986. He was promoted to Rental Housing Inspector on November 5, 1998, Fire Lieutenant on March 25, 2005, Fire Captain on June 8, 2008, and Fire Chief on July 21, 2008. He was promoted to Deputy Public Safety Director on June 15, 2011; and

- WHEREAS,** DPSD Joseph Mominee has worked diligently to improve the quality of fire service in our community for over 28 years; and

- WHEREAS,** during his tenure as Chief and as the Deputy Director of Public Safety he has had many accomplishments; and

- WHEREAS,** because of his leadership, integrity, and dedication to serving the citizens of Monroe, their lives have been richer and their community a safer place to live; and

- WHEREAS,** Deputy Director Mominee has brought honor to his community, his family, as well as to himself, by exemplifying those qualities that a role model contributes to the shaping of today's youth and future community leaders and we have been extremely proud and honored to have Joseph Mominee represent the City of Monroe, the Monroe Fire Department, and the Division of Public Safety.

NOW, THEREFORE, I, Robert E. Clark, Mayor of the City of Monroe, with the full support of City Council, do hereby proclaim October 6, 2014, as “**JOSEPH MOMINEE DAY**” in Monroe, and we take this opportunity to commend and recognize the many contributions Manuel has made to this community and we are pleased to offer him our congratulations on his retirement and we wish him continued health, happiness, and prosperity.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Monroe to be affixed this 6th day of October 2014.

Robert E. Clark, Mayor

Council Members:

Jeffery A. Hensley, Precinct 1

John Iacoangeli, Precinct 2

Kellie M. Vining, Precinct 3

Jeremy J. Molenda, Precinct 4

Gloria Rafko, Precinct 5

William D. Sisk, 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 "**Lead the way give today**"; and

- WHEREAS,** campaign Chair Craig Haugen, Vice Chair Barry Buschmann, Labor Chair Jeff Morris, and Labor Vice Chair Brenda Bogoski 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 2014 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 2014, 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 6th day of October 2014.

Robert E. Clark, Mayor

Council Members:

Jeffery A. Hensley, Precinct 1

John Iacoangeli, Precinct 2

Kellie M. Vining, Precinct 3

Jeremy J. Molenda, Precinct 4

Gloria Rafko, Precinct 5

William D. Sisk, Precinct 6



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Freedom of Information Act (FOIA) Cost Recovery and Fee Schedule

DISCUSSION: Section 15.234(3) of the Michigan Freedom of Information Act (aka FOIA) requires that the "public body" establish procedures and guidelines for the administration of some of the provisions of the Act. Within prescribed limitations, the FOIA permits the City (i.e. public body) to recover some of the costs associated with responding to FOIA requests. A process and cost-schedule for determining allowable cost recovery is usually included as a component of the procedures and guidelines. Included in the "Freedom of Information Act Procedures and Guidelines", presented as a separate item on the agenda, is a provision which reads: "Fees shall be as prescribed from time to time by the FOIA Coordinator and approved by resolution of Council". Attached to this communication is a resolution to establish FOIA fees which are compliant with the Act and reflect the City's current costs.

I am respectfully recommending that the City Council adopt the proposed resolution which will establish Freedom of Information Act fees.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE:

STAFF RECOMMENDATION: For Against

REASON AGAINST:

INITIATED BY: City Attorney, City Clerk and City Manager

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: All

FINANCES

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

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

Budget Approval: _____

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

DATE: 9/24/14

REVIEWED BY: N/A

DATE:

COUNCIL MEETING DATE: October 6, 2014

RESOLUTION

1 **WHEREAS**, the City of Monroe has adopted the Procedures and Guidelines for the
2 implementation of the Freedom of Information Act (FOIA); and

3 **WHEREAS**, the City FOIA Coordinator, pursuant to Section 8 of the Procedures and
4 Guidelines, wishes to establish the following fees:

5 Fees are limited as follows:

6 Actual mailing costs.

7 Actual cost of duplication or publication:

	<u>Black & White Copies</u>	<u>Color Copies</u>
8		
9	\$.05 per 8 ½ x 11 page.	\$.10 per 8 ½ x 11 page.
10	\$.05 per 8 ½ x 14 page.	\$.10 per 8 ½ x 14 page.
11	\$.05 per 11x 17 page.	\$.10 per 8 ½ x 14 page.
12	\$2.00 per Map/Blueprint	
13	\$5.00 per Duplication of Audio Recording	
14	\$20.00 per Duplication of Video Recording	
15	Other forms of media should be charged at the actual cost.	
16	Duplication or publication performed by an outside vendor should be	
17	charged at the actual invoiced cost.	

18 Labor Costs: Cost of labor incurred shall be charged at the hourly wage, including fringe
19 benefits [AG Opinion #7017], of the lowest paid employee capable of retrieving
20 the public records. [MCLA 15.234 (3)] That means if the lowest paid employee is
21 absent and a higher paid employee performs FOIA tasks, the costs are calculated
22 at the lowest paid employees wage.

23 **NOW, THEREFORE, BE IT RESOLVED**, that this Mayor and Council adopt the
24 above listed fee schedule.



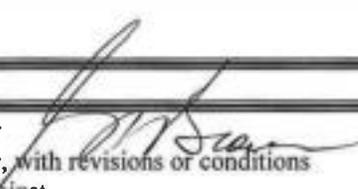
CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Freedom of Information Act (FOIA) Procedures and Guidelines

DISCUSSION: Section 15.234(3) of the Michigan Freedom of Information Act (aka FOIA) requires that the "public body" establish procedures and guidelines for the administration of some of the provisions of the Act. Attached to this communication you will find a copy of proposed FOIA Procedures and Guidelines which have been drafted by the office of the City Attorney, in consultation with the City Clerk and the City Manager.

I am respectfully recommending that the City Council adopt the proposed FOIA Procedures and Guidelines.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE:

STAFF RECOMMENDATION: For Against

REASON AGAINST:

INITIATED BY: City Attorney, City Clerk and City Manager

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: All

FINANCES

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

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

Budget Approval: _____

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

DATE: 9/24/14

REVIEWED BY: N/A

DATE:

COUNCIL MEETING DATE: October 6, 2014

CITY OF MONROE FREEDOM OF INFORMATION ACT

(FOIA)

PROCEDURES AND GUIDELINES

I. STATEMENT OF PROCEDURES AND GUIDELINES

It is the a policy of the City of Monroe (City) that all persons, except those persons incarcerated in state, local, or federal correctional facility, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with State Law, as well as the Charter and applicable ordinances of the City of Monroe [MCL 15.231].

The FOIA provides for public access to public records for which no exemption applies under MCL 15.243 (Attached Exhibit A) and prescribes the powers and duties of certain public officials and public bodies. It shall be the City's Policy to comply with the sprit and intent of the FOIA, throughout all departments.

It shall be the responsibility of each department to ensure compliance with this policy and regulation.

II. DEFINITIONS

The definitions used in these Procedures and Guidelines are the same as those definitions used in the FOIA [MCL 15.232].

“Custodial Department” means the department(s) under whose care, control or possession the requested public records would be found, if the public records exist.

“Review Only” means no copies requested or furnished.

III. FOIA COORDINATOR

The City Manager is designated as the City of Monroe FOIA Coordinator to accept and process requests for public records under the FOIA, pursuant to City Council Resolution 97-006.

The FOIA Coordinator may designate another individual to act on his or her behalf in accepting and processing requests for City public records, and in approving a denial [MCL 15.236 (3)].

The City Manager, as FOIA Coordinator, designates the Clerk/Treasurer, in his or her capacity as keeper of the records (Charter §65), to act on the City Manager's behalf for City FOIA requests, except for requests for which the Monroe Police Department (MPD) is the Custodial Department.

The City Manager, as FOIA Coordinator, also designates the Chief of Police to act on the City Manager's behalf for requests for information in which the Monroe Police Department (MPD) is the Custodial Department. The Chief of Police shall implement a Standard Operating Procedure (SOP) for FOIA Requests, in accordance with the FOIA and all other applicable statutes, which is separate from and operates in conjunction with these Procedures and Guidelines. (Contact the Monroe Police Department for a copy of its Standard Operating Procedure.)

The Clerk/Treasurer and Chief of Police, as FOIA Coordinator designees, may act alone or in conjunction with one another, as described in these Procedures and Guidelines, to satisfy the requirements of these Procedures and Guidelines, and the FOIA.

IV. WRITTEN REQUESTS FOR PUBLIC RECORDS

Any person seeking to inspect, copy or receive copies of public records pursuant to the FOIA shall submit a written request that describes the public records sufficiently to enable the public records to be located [MCL 15.233 (1)].

A written request may be submitted in person, by mail, facsimile, electronic mail, or other electronic means. A FOIA Request form may be obtained from the Clerk/Treasurer's Office, the Police Department, or through the City's website at www.monroemi.gov.

Oral requests for public records do not constitute a FOIA Request, unless the person making the request is either temporarily or permanently disabled, so that he or she is unable to make the request in writing. In such a case, a City employee shall assist the person and fill out the FOIA Request form for the person making the request.

Any person seeking to subscribe to future issuance of public records that are created, issued, or disseminated on a regular basis shall submit a written request that describes the public records sufficiently to enable the public records to be located. A subscription is valid for up to six months, at the request of the subscriber, and shall be renewable [MCL 15.233 (1)].

V. PROCESSING OF FOIA REQUESTS

1. Any City employee receiving a FOIA Request shall promptly forward the request to the Clerk/Treasurer's Office [MCL 15.233 (1)]. The Clerk/Treasurer shall keep a record of all FOIA requests, including those processed by the MPD, for one year plus one day from the date of submission of the request [MCL 15.233 (2)].
2. If the forwarding employee is subject to the MPD SOP for FOIA Requests, and the MPD is the Custodial Department of all information requested, the requirements of the FOIA may be satisfied under the MPD SOP without further action by the Clerk/Treasurer.

For all other requests, the following procedure shall apply:

- A. The Clerk/Treasurer shall immediately prepare an Interdepartmental Activity Form (IAF) and forward it together with the FOIA Request to the Custodial Department(s).

- B. If the Custodial Department is the MPD, the response to the IAF shall comply with the MPD SOP for information release. Any other department(s) shall immediately initiate a search for the requested public records. If such public record exists, the department director, or his/her designee, with the advice of the City Attorney if necessary, shall review the public records to determine if there is any information exempt from disclosure under MCLA 15.243 (Attached Exhibit A).

If there is no exempt material, the IAF shall be completed and forwarded, along with copies of the requested public records, to the Clerk/Treasurer's Office.

If there is exempt material, such material shall not be made available. The provision(s) of MCLA 15.243 under which a public record is exempt shall be indicated on the IAF. If a requested public record contains both exempt material and non-exempt material, the exempt material shall be redacted or separated from non-exempt material, and the non-exempt material shall be made available [MCLA 15.244 (1)]. If separation is readily apparent, a general description of the separated exempt material shall be provided on the IAF, unless such a description would defeat the purpose of the exemption. The IAF shall be completed and forwarded, along with copies of any requested non-exempt public records and public records with exempt material properly separated or redacted, to the Clerk/Treasurer's Office.

- C. If the requested public record cannot be located despite the due diligence and good faith effort of the Custodial Department, notation shall be made and placed with request and requesting party be notified.
- D. The City is not required to make a compilation, summary, or report of information. [MCLA 15.233(4)].

3. Upon receipt of a Review Only FOIA Request, the Clerk/Treasurer and the Custodial Department(s) shall proceed as stated above, with the exception that the Custodial Department(s) need not forward copies of public records that are to be made available. Instead, the Custodial Department(s) shall set aside these records for review.

VI. FOIA REQUEST RESPONSE

The FOIA requires a response within five-business (5) days, unless otherwise agreed to in writing by the person making the request [MCL 15.235 (2)]. Written requests received in person or by regular or certified mail shall be deemed to have been received on the actual date received. Written requests received by facsimile, electric mail, or other electronic means shall be deemed to have been received on the next business day [MCL 15.235 (1)].

The Clerk/Treasurer, or Chief of Police if the MPD is the Custodial Department of all information requested, shall respond by preparing and mailing to the requestor a FOIA Request Transmittal Letter, indicating one of the following actions:

- 1) Advising the requesting party that no records can be located.
- 2) Granting the request.
- 3) Issuing a notice to the requestor denying the request.
- 4) Granting the request in part and issuing a notice to the requestor denying the request in part.
- 5) Issuing a notice extending the period during which the City shall respond to the request by not more than ten (10) additional days. No more than one extension shall be issued [MCL 15.235 (2)].

Copies of the Transmittal Letter shall be forwarded to the City Manager, the Clerk/Treasurer and the Custodial Department(s).

A Transmittal Letter granting the request shall include the following:

1. The amount of fees, if any, that the requestor owes for processing the request.
2. Where the requestor may pay for any amount owed.
3. Where the requestor may pick-up the requested public records if the records are not included with the Transmittal Letter, or in the case of a Review Only request, instructions on how to schedule the review.

A Transmittal Letter denying the request in whole or in part shall include the following:

1. If the request is denied in part, the amount of fees, if any, that the requestor owes for processing the request. If the request is denied in whole, fees will not be charged.
2. Where the requestor may pay for any amount owed.
3. If request is denied in part, where the requestor may pick-up the requested public records for the portion of the request that is granted if these records are not included with the Transmittal Letter, or in the case of a Review Only request, instructions on how to schedule the review.
4. An explanation, under the exemption provisions of the Freedom of Information Act or other statute, for the determination that a requested public record, or portion of that public record, is exempt from disclosure, if that is the reason for denial [MCLA 15.235 (4)(a)].
5. A certificate that a requested public record does not exist under the name given by the requestor or by any other name reasonable known to the City, if that is the reason for denial [MCLA 15.235 (4)(b)].

6. A description of any public record or information on a public record which is separated or deleted pursuant to MCLA 15.243 (Attached Exhibit A), if separation or deletion is made [MCLA 15.235 (4)(c)] subject to the limitations of MCLA 15.244(2).
7. An explanation of the Requestor's right to do one of the following: a) Submit to the City Manager a written appeal that specifically states the word "appeal" and identifies the reason or reasons why the disclosure denial should be reversed; or b) Commence an action in the Circuit Court to compel the City's disclosure of the public records within 180 days after the City's final determination to deny the request [MCLA 15.235 (4)(d) & 15.240 (1)(b)].
8. Notice of the right to receive attorneys' fees and damages as provided in MCLA 15.240 if, after judicial review, the Circuit Court determines that the City has not complied with the Freedom of Information Act and orders disclosure of all or part of the public record [MCLA 15.235 (4)(e)].

A Transmittal Letter extending the period for responding, by not more than 10-business days, shall specify the reasons for the extension and the date by which the City will grant or deny in whole or in part the request [MCL 15.235 (6)].

The sender (Clerk/Treasurer or Chief of Police) of a Transmittal Letter shall keep a copy of this and any other associated correspondence, along with a copy of the written FOIA request, for one year plus one day from the date of submission of the request [MCL 15.233 (2)].

In the case of a Review Only request, and to the extent that it has been approved, the Clerk/Treasurer shall subsequently make reasonable efforts to coordinate and schedule with the requestor and the Custodial Department(s) the time, date, and location for review of the public records. The Clerk/Treasurer or a representative of the Custodial Department shall be present at all times to protect the public records from loss, unauthorized alteration, mutilation or destruction [MCLA 15.233 (3)]. No public record shall be removed without prior approval by the Clerk/Treasurer, with a record of such approval made and placed on file.

Failure to respond to a FOIA Request constitutes denial of request [MCL 15.235 (3)].

VII. FEES

The City may charge a fee for a public record search, the necessary copying of a public record for inspection, or for providing a copy of a public record [MCL 15.233 (1)]. A fee shall not be charged for the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the City, and the City specifically identifies the nature of these unreasonably high costs [MCL 15.234 (3)].

Fees are limited as follows:

1. Actual mailing costs.

2. Actual cost of duplication or publication:

<u>Black & White Copies</u>	<u>Color Copies</u>
\$.05 per 8 ½ x 11 page.	\$.10 per 8 ½ x 11 page.
\$.05 per 8 ½ x 14 page.	\$.10 per 8 ½ x 14 page.
\$.05 per 11x 17 page.	\$.10 per 8 ½ x 14 page.

\$2.00 per Map/Blueprint

\$5.00 per Duplication of Audio Recording

\$20.00 per Duplication of Video Recording

Other forms of media should be charged at the actual cost.

Duplication or publication performed by an outside vendor should be charged at the actual invoiced cost.

3. Labor Costs: Cost of labor incurred shall be charged at the hourly wage, including fringe benefits [AG Opinion #7017], of the lowest paid employee capable of retrieving the public records [MCLA 15.234 (3)]. That means if the lowest paid employee is absent and a higher paid employee performs FOIA tasks, the costs are calculated at the lowest paid employees wage.

In the case of a Review Only request where redaction is required in order to make the record available, copying costs shall be for the necessary copying in order to make the record ready for review. The requestor shall pay for any and all copies requested upon or after review. Labor costs should include the time required to oversee the requestor during review of the public records. Copying and labor costs for Review Only requests shall be at the rates set forth above.

The City may require a good faith deposit from the requestor if the anticipated fees exceed \$50.00. The deposit shall not exceed ½ the total fee [MCLA 15.234 (2)]. The City may refuse to process a FOIA request if the requestor fails to pay a good faith deposit properly requested by the City [AG Opinion 6977].

The City may require that its fees be paid in full prior to actual delivery of the copies. However, the City may not refuse to process a subsequent FOIA request on the grounds that the requestor failed to pay fees charged on a prior FOIA request [AG Opinion 6977].

VIII. EXCEPTIONS TO FEES

The FOIA does not apply to public records prepared and/or sold under an act or statute [MCLA 15.234 (4)].

An individual who submits an affidavit (copy attached) stating facts of inability to pay because of indigence shall be furnished a copy of public record without charge for the first \$20.00 [MCLA 15.234 (1)].

The FOIA Coordinator may waive or reduce the charge for furnishing public records if it is determined that it is in the public interest because it primarily benefits the general public [MCLA 15.234 (a)].

IX. APPEALS

If the Clerk/Treasurer or Chief of Police, as FOIA Coordinator designees, make a final determination to deny all or a portion of a request, the requestor may do one of the following at his or her option:

- 1) Submit a written appeal to the City Manager that states the word “appeal” and identifies the reason or reason for reversal of the denial.
- 2) Commence an action in the circuit court to compel the City’s disclosure of the public records within 180 days of the City’s final determination to deny the request [MCLA 15.240 (1)].

Any City employee receiving a FOIA Appeal shall promptly forward the appeal to the Clerk/Treasurer.

Upon receipt of a FOIA Appeal, the Clerk/Treasurer shall review the appeal to see if the criteria stated in (1) above is met. If the criteria stated in (1) above is not met, the Clerk/Treasurer shall immediately prepare a response rejecting the appeal as not meeting statutory requirements. If the criteria stated in (1) above is met, the Clerk/Treasurer shall immediately collect and forward all the public records necessary to the City Manager for decision on the appeal.

The City Manager shall, within ten days of receiving the written appeal, do one of the following:

- 1) Issue a written notice reversing the disclosure denial. Notice shall indicate where the requestor may pick up and pay for the newly disclosed public records.
- 2) Issue a written notice to the requestor upholding the disclosure denial.
- 3) Reverse the disclosure denial in part and issue written notice to the requestor upholding the disclosure denial in part. Notice shall indicate where the requestor may pick up and pay for the newly disclosed public records.
- 4) Under *unusual circumstances*, issue a notice extending for not more than 10-business days the period which City Council shall respond to the written appeal. Not more than one notice of extension for a particular appeal shall be issued [MCLA 15.240 (2)].

Unusual circumstances means any one or a combination of the following, but only to the extent necessary for the proper processing of the request:

- a. The need to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to a single request.
- b. The need to collect the requested public records from numerous field offices, facilities, or other establishments which are located apart from the particular office receiving or processing the request [MCLS 15.232 (g)].

If the City Manager fails to respond to the appeal, or upholds all or a portion of the disclosure denial, the requestor may seek judicial review of nondisclosure by commencing an action in circuit court within 180 days after final determination to deny the request.

X. EXCEPTIONS TO POLICY

There will be no exceptions to this policy, unless otherwise approved in advance by the City Manager. In no case, will the intent or provisions of the FOIA be compromised.

XI. RELATIONSHIP TO PREVIOUSLY ESTABLISHED PROCEDURES

No qualifying statement, or previously established rules or procedures, shall be used to negate the spirit or intent of these Procedures and Guidelines, or the FOIA. If the FOIA or any amendments thereto conflict with these Procedures and Guidelines, in whole or in part, the FOIA shall govern.

George A. Brown, City Manager

Effective Date: _____

Exhibit A

15.243 Exemptions from disclosure; withholding of information required by law or in possession of executive office.

- (1) A public body may exempt from disclosure as a public record under this act:
 - (a) Information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.
 - (b) Investigating records compiled for law enforcement purposes, but only to the extent that disclosure as a public record would do any of the following:
 - (i) Interfere with law enforcement proceedings.
 - (ii) Deprive a person of the right to a fair trial or impartial administrative adjudication.
 - (iii) Constitute an unwarranted invasion of personal privacy.
 - (iv) Disclose the identity of a confidential source, or if the record is compiled by a law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source.
 - (v) Disclose law enforcement investigative techniques or procedures.
 - (vi) Endanger the life or physical safety of law enforcement personnel.
 - (c) A public record that if disclosed would prejudice a public body's ability to maintain the physical security of custodial or penal institutions occupied by persons arrested or convicted of a crime or admitted because of a mental disability, unless the public interest in disclosure under this act outweighs the public interest in nondisclosure.
 - (d) Records or information specifically described and exempted from disclosure by statute.
 - (e) A public record or information described in this section that is furnished by the public body originally compiling, preparing, or receiving the record or information to a public officer or public body in connection with the performance of the duties of that public officer or public body, if the considerations originally giving rise to the exempt nature of the public record remain applicable.
 - (f) Trade secrets or commercial or financial information voluntarily provided to an agency for use in developing governmental policy if:
 - (i) The information is submitted upon a promise of confidentiality by the public body.
 - (ii) The promise of confidentiality is authorized by the chief administrative officer of the public body or by an elected official at the time the promise is made.
 - (iii) A description of the information is recorded by the public body within a reasonable time after it has been submitted, maintained in a central place within the public body, and made available to a person upon request. This subdivision does not apply to information submitted as required by law or as a condition of receiving a governmental contract, license, or other benefit.
 - (g) Information or records subject to the attorney-client privilege.
 - (h) Information or records subject to the physician-patient privilege, the psychologist-patient privilege, the minister, priest, or Christian Science practitioner privilege, or other privilege recognized by statute or court rule.

- (i) A bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of bids or proposals, or if a public opening is not to be conducted, until the deadline for submission of bids or proposals has expired.
- (j) Appraisals of real property to be acquired by the public body until (i) an agreement is entered into; or (ii) 3 years have elapsed since the making of the appraisal, unless litigation relative to the acquisition has not yet terminated.
- (k) Test questions and answers, scoring keys, and other examination instruments or data used to administer a license, public employment, or academic examination, unless the public interest in disclosure under this act outweighs the public interest in nondisclosure.
- (l) Medical, counseling, or psychological facts or evaluations concerning an individual if the individual's identity would be revealed by a disclosure of those facts or evaluation.
- (m) Communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action. This exemption does not apply unless the public body shows that in the particular instance the public interest in encouraging frank communications between officials and employees of public bodies clearly outweighs the public interest in disclosure. This exemption does not constitute an exemption under state law for purposes of section 8(h) of the open meetings act, 1976 PA 267, MCL 15.268. As used in this subdivision, "determination of policy or action" includes a determination relating to collective bargaining, unless the public record is otherwise required to be made available under 1947 PA 336, MCL to 423.217.
- (n) Records of law enforcement communication codes, or plans for deployment of law enforcement personnel, that if disclosed would prejudice a public body's ability to protect the public safety unless the public interest in disclosure under this act outweighs the public interest in nondisclosure in the particular instance.
- (o) Information that would reveal the exact location of archaeological sites. The secretary of state may promulgate rules in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to provide for the disclosure of the location of archaeological sites for purposes relating to the preservation or scientific examination of sites.
- (p) Testing data developed by a public body in determining whether bidders' products meet the specifications for purchase of those products by the public body, if disclosure of the data would reveal that only 1 bidder has met the specifications. This subdivision does not apply after 1 year has elapsed from the time the public body completes the testing.
- (q) Academic transcripts of an institution of higher education established under section 5, 6, or 7 of article VIII of the state constitution of 1963, if the transcript pertains to a student who is delinquent in the payment of financial obligations to the institution.
- (r) Records of any campaign committee including any committee that receives money from a state campaign fund.
- (s) Unless the public interest in disclosure outweighs the public interest in nondisclosure in the particular instance, public records of a law enforcement agency, the release of which would do any of the following:

- (i) Identify or provide a means of identifying an informer.
 - (ii) Identify or provide a means of identifying a law enforcement undercover officer or agent or a plain clothes officer as a law enforcement officer or agent.
 - (iii) Disclose the personal address or telephone number of law enforcement officers or agents or any special skills that they may have.
 - (iv) Disclose the name, address, or telephone numbers of family members, relatives, children, or parents of law enforcement officers or agents.
 - (v) Disclose operational instructions for law enforcement officers or agents.
 - (vi) Reveal the contents of staff manuals provided for law enforcement officers or agents.
 - (vii) Endanger the life or safety of law enforcement officers or agents or their families, relatives, children, parents, or those who furnish information to law enforcement departments or agencies.
 - (viii) Identify or provide a means of identifying a person as a law enforcement officer, agent, or informer.
 - (ix) Disclose personnel records of law enforcement agencies.
 - (x) Identify or provide a means of identifying residences that law enforcement agencies are requested to check in the absence of their owners or tenants.
- (t) Except as otherwise provided in this subdivision, records and information pertaining to an investigation or a compliance conference conducted by the department of consumer and industry services under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to, before a complaint is issued. This subdivision does not apply to records and information pertaining to 1 or more of the following:
- (i) The fact that an allegation has been received and an investigation is being conducted, and the date the allegation was received.
 - (ii) The fact that an allegation was received by the department of consumer and industry services; the fact that the department of consumer and industry services did not issue a complaint for the allegation; and the fact that the allegation was dismissed.
- (u) Records of a public body's security measures, including security plans, security codes and combinations, passwords, passes, keys, and security procedures, to the extent that the records relate to the ongoing security of the public body.
- (v) Records or information relating to a civil action in which the requesting party and the public body are parties.
- (w) Information or records that would disclose the social security number of any individual.
- (x) Except as otherwise provided in this subdivision, an application for the position of president of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963, materials submitted with such an application, letters of recommendation or references concerning an applicant, and records or information relating to the process of searching for and selecting an individual for a position described in this subdivision, if the records or information could be used to identify a candidate for the position. However, after 1 or more individuals have been identified as finalists for a position described in this subdivision, this subdivision does not apply to a public record described in this

subdivision, except a letter of recommendation or reference, to the extent that the public record relates to an individual identified as a finalist for the position.

(2) A public body shall exempt from disclosure information that, if released, would prevent the public body from complying with section 444 of subpart 4 of part C of the general education provisions act, title IV of Public Law 90-247, 20 U.S.C. 1232g, commonly referred to as the family educational rights and privacy act of 1974.

(3) This act does not authorize the withholding of information otherwise required by law to be made available to the public or to a party in a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(4) Except as otherwise exempt under subsection (1), this act does not authorize the withholding of a public record in the possession of the executive office of the governor or lieutenant governor, or an employee of either executive office, if the public record is transferred to the executive office of the governor or lieutenant governor, or an employee of either executive office, after a request for the public record has been received by a state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of government that is subject to this act.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;--Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;--Am. 1993, Act 82, Eff. Apr. 1, 1994 ;--Am. 1996, Act 553, Eff. Mar. 31, 1997 ;--Am. 2000, Act 88, Imd. Eff. May 1, 2000 .



CITY COUNCIL AGENDA FACT SHEET

**RELATING TO: MICHIGAN MUNICIPAL LEAGUE – LIABILITY AND PROPERTY POOL
BOARD OF DIRECTORS**

DISCUSSION: Pursuant to the provisions of the League, you are requested to cast your vote by action of your governing body for three people to serve on the Board of Directors of the Michigan Municipal League Liability and Property Pool. Attached is a bio of the candidates seeking re-election.

Three (3) incumbent Directors, Jason Eppler, Sue Osborn, and Dave Post have agreed to seek re-election to the MML Liability and Property Pool Board of Directors. You may also choose to write in one or more candidates.

It is recommended that you cast your vote for Jason Eppler, Sue Osborn, and Dave Post.

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: 9/17/14

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 10/6/14



michigan municipal league

Liability & Property Pool

1675 Green Road
Ann Arbor, MI 48105

TEL 734.662.3246 800.653.2483
FAX 734.662.8083
WEB www.mml.org

to	Members of the MML Liability and Property Pool	from	Michael J. Forster, Pool Administrator
cc		date	September 10, 2014
		subject	2014 Pool Director Election

Dear Pool Member:

Enclosed is your ballot for this year's Board of Directors election. Three (3) incumbent Directors have agreed to seek re-election. You also may write in one or more candidates if you wish.

A brief biographical sketch of each candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than November 10. You may also submit your ballot online by going to www.mml.org. Click on *Insurance*, then *Liability and Property Pool*; the official ballot is located in the left navigation bar under *Online Forms*.

The MML Liability & Property Pool is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Pool, and for participating in the election of your governing board.

Sincerely,

Michael J. Forster
Pool Administrator

mforster@mml.org

RECEIVED

SEP 17 2014

CITY MANAGER'S OFFICE

THE CANDIDATES

Three-year terms beginning January 1, 2015

Jason Eppler, City Manager, City of Ionia



Jason has over seventeen years of experience as a municipal official, serving the last seven as the manager in Ionia. He is a member of the MML Transportation Infrastructure Committee, the International City Management Association and the Michigan Local Government Association. He also serves on the boards of the Sparrow-Ionia Hospital, its foundation, the Ionia County Chamber of Commerce and is past president of the Ionia County United Way. Jason is also a member and director of the Ionia Rotary Club and a director of the Ionia County Economic Alliance. Jason is seeking re-election to his third term.

Sue Osborn, Mayor, City of Fenton



Sue has more than twenty-nine years of experience as a municipal official, serving as the mayor in the City of Fenton for the last sixteen. She was appointed to Fenton's city council in 1985 and has been a continuous member since that time. Prior to her council service, she was a member of the Planning Commission from 1978-1985. Sue is a member of the Michigan Association of Mayors and is also active in several local and regional civic organizations. Sue is seeking election to her first term.

David Post, Village Manager, Village of Hillman



Dave has more than nineteen years of experience as a municipal official, serving as the manager in the Village of Hillman the entire nineteen years. Dave is a past member of the Michigan Municipal League Board of Trustees and several MML committees. He is currently a member of the MML Municipal Finance Committee and the Northeast Michigan Council of Governments board. Dave is also active in several local and regional civic organizations. Dave is seeking election to his first term.



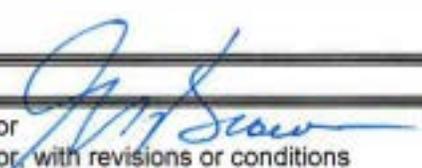
CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Appointments

DISCUSSION: The attached Resolution recommends appointment 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:	<u>City</u>	Account Number	Amount
			\$ N/A
	<u>Other Funds</u>		\$ N/A
			\$ N/A
			\$ N/A
			\$ N/A

Budget Approval: _____

FACT SHEET PREPARED BY: Mayor's Office

DATE: 9/25/14

REVIEWED BY: Robert E. Clark, Mayor 

DATE: 9-30-14

COUNCIL MEETING DATE: 10/6/14

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 person is hereby appointed to the office and the term hereinafter indicated, October 6, 2014

LOCAL OFFICERS COMPENSATION COMMISSION

Mike Miller	7 year term to October 1, 2020
Mark Cochran	fill an unexpired term to October 1, 2016
Kathleen Russeau	7 year term to October 1, 2021

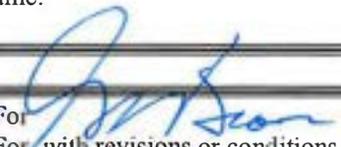


CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Collection of Delinquent Summer Taxes, Delinquent Special Assessments and other Assessments.

DISCUSSION: Section 148 of the City Charter requires a 5% penalty be added to all delinquent taxes and assessments and then be rolled onto the winter tax bill. The attached resolution authorizes same.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE:

STAFF RECOMMENDATION:

For

Against

REASON AGAINST:

INITIATED BY:


Michelle J. LaVoy, Clerk/Treasurer

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	\$

SOURCE OF FUNDS:

City

Account Number

Amount

\$
\$
\$
\$
\$

Other Funds

\$
\$
\$
\$

Budget Approval: _____

FACT SHEET PREPARED BY: Clerk/Treasurer's Office

DATE: 09/19/14

REVIEWED BY: 

DATE:

COUNCIL MEETING DATE: October 6, 2014



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: 30 INCH RAW WATER INTAKE LINE REPAIRS – RAW WATER PARTNERSHIP

DISCUSSION: As you may recall the Water Department requested authorization to investigate the 30 inch raw water intake pipe at the Wilfred L. LePage Raw Water Pumping Station, located on Pointe Aux Peaux Road. The work requested (Phase 2) was awarded at the September 2, 2014 City Council meeting and has been completed - see attached results for reference. Based on the work results it is recommended to proceed with Phases 3 ~ 5 in an effort to restore hydraulic capacity in the 30 inch intake line and provide system redundancy. These phases will provide for design, fabrication and installation of the additional access hatch and inspecting of the entire intake line via remote operated underwater vehicle (ROV). It is expected that the ROV inspection will provide evidence of the outcome of the 1965 repair location (mentioned in previous fact sheet) and what has caused the narrowed pipe cross section resulting in the intake lines current state of reduced hydraulic capacity.

As was noted in the previous fact sheet, the 30 inch intake pipe historically provided over 14 million gallons per day capacity, but has diminished to less than half of that over the past few years. The combination of a newer 42 inch and the older 30 inch intake pipes provide adequate capacity to serve both the City and Frenchtown Township under normal and peak conditions, but not at the capacity desired to ensure full redundancy should one of the intakes be temporarily taken out of service.

Attached is a proposal (dated August 14, 2014) from Solomon Diving, Inc from Monroe who has been used on almost all City of Monroe intake pipe / crib projects and inspections since the 1989 zebra mussel invasion. They are highly skilled, experienced, local consultants who outlined the phased approach to remediate the problem on the 30 inch intake pipe. Phase 1 & 2 has been completed along with our annual intake crib inspections. Phases 3 ~ 5 outline the next tasks of designing, fabricating and installing the access hatch and inspecting the entire 30 inch intake pipe. Due to the unknowns of the intake pipe condition it is recommended to award these phases at this time before considering Phase 6. Once these phases are completed and the intake pipe condition is better understood a revised proposal will be developed (if needed) to complete the overall project.

The Water Department again requests that Solomon Diving, Inc be considered the sole source provider to complete this work without bids. This request is based on past experience that Solomon Diving, Inc has with working on our raw water intake system. This type of work is considered a professional consulting and specialty service that is not readily available since only a few available companies in the state can perform this work type. It is recommended to utilize the experience of Solomon Diving with the full in-house design service that is customized to meet our specific project needs. Solomon Diving, Inc has worked for the City of Monroe each year for inspection & survey services and has completed larger projects such that we are confident they will perform adequately for the City of Monroe again.

The City of Monroe, as operator of the Raw Water Partnership, is responsible for maintaining, repairing, and replacing equipment for both the City of Monroe and Frenchtown Charter Township in accordance with the Raw Water Partnership Agreement. As outlined in the November 9, 1991 Joint Water Intake Agreement and the 2003 Amendment to the Joint Water Intake Agreement, both the City of Monroe and Frenchtown Charter Township contribute to a Capital Replacement, Reserves Account which was established for capital replacements. This account is funded in proportion to each parties' ownership interest in the Partnership.

DISCUSSION CONTINUED NEXT PAGE

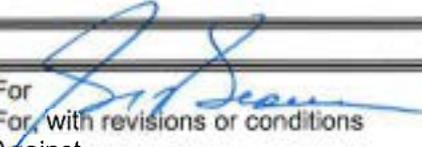
(DISCUSSION CONTINUED)

The funds are replenished once a year in accordance with the depreciation of the facility. Currently there is adequate funding to complete the overall project such that the Water Department is recommending awarding Phases 3 ~ 5 at this time. It will be necessary to transfer funds from the Capital Replacement, Reserves Account in the amount of \$88,000.00 to allow for awarding the Phases 3 ~ 5 tasks to Solomon Diving, Inc and providing a 25% contingency.

Frenchtown Charter Township is aware of the 30 inch intake pipe situation and supports the project.

IT IS RECOMMENDED that a purchase order in the amount of \$70,370.80 and a total amount of \$88,000.00 be encumbered to include a 25% contingency be issued to Solomon Diving, Inc to complete the Phases 3 ~ 5 tasks as outlined in their proposal and that the bid process be waived. **IT IS FURTHER RECOMMENDED** to authorize the Finance Director to amend the budget accounts listed to provide the adequate funding for this project up to the amounts shown.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: ASAP

REASON FOR DEADLINE: Re-establish hydraulic capacity & redundancy of the raw water system.

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: Raw Water Partnership (City of Monroe & Frenchtown Charter Township)

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ 175,800.00*
	Cost of This Project Approval	\$ 88,000.00
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Current Estimate of All Phases (1-6) with 25% contingency

SOURCE OF FUNDS:	City	Account Number	Amount
	General Contracting Svcs	59940521 818020 15W14	\$88,000.00
	<u>Other Funds</u>		
	Capital Repl, Reserves	59900000 395000	<\$88,000.00>

Budget Approval: 

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities **DATE:** September 29, 2014

REVIEWED BY: **DATE:**

COUNCIL MEETING DATE: October 6, 2014



September 24, 2014

City of Monroe
120 East First Street
Monroe, MI 48161

Mr. Barry S. Laroy, P.E.

This letter is to serve as notice that Solomon Diving, Inc. has been successful in phase 2 of the project on the 30" raw water intake conduit. Phase 2 involved excavating underneath the repair section of the existing 30" conduit in order to facilitate installing a custom designed and fabricated SS band and riser assembly. We were successful in acquiring adequate clearance that will allow us to go forth in the project as proposed. Barring any unforeseen complications I see no reason that at this time we could not proceed with phases 3 through 5 sequentially. I'm seeking your approval to proceed in this manner so that we can restore this intake conduit to its full operational potential at the earliest opportunity.

Thank You for your consideration.

Sincerely,

Bret A. Solomon
1571 Beechwood Street
Monroe, MI 48162-4101
734-242-4777
734-242-1665 Fax
www.solomondiving.com



Complete Underwater Service/Specialists

City of Monroe
120 East First Street
Monroe, MI 48161

August 14, 2014

Attn: Barry S. Laroy, P.E.

Page 1 of 2

This is a revision to the proposal dated 03-31-14 for the services of Solomon Diving, Inc. to the City of Monroe for underwater work to be performed on the 30" raw water intake line located in Lake Erie.

Solomon Diving, Inc. will provide a varying number of dive team members and all necessary dive equipment utilizing surface supplied air systems with voice communications in compliance with OSHA and MIOSHA standards to perform this project.

This project as proposed will be performed in various phases.

Phase #1: COMPLETED 07-21-14

Inspect the exterior of the 30" pipe with video documentation from the exposed portion near shore to the point of burial extending offshore to determine previous repair location as well as general over all condition. This phase as proposed is estimated to require one (1) 10-hour workday @ \$3,225.00.

Amount as Proposed for Phase #1

\$ 3,225.00

WORK COMPLETED

Phase #2:

Is to excavate an area under the 30" raw water intake in the previous repair area to determine feasibility of installing a custom designed and fabricated SS access riser. Upon verification of adequate space underneath the intake conduit measurements of the OD of the 30" intake conduit will be acquired and construction of the custom SS access riser will commence. This phase is estimated to require four to six (4-6) 10 to 12-hour workdays.

Amount as Proposed for Phase #2

\$ 24,510.00

WORK COMPLETED

Phase #3:

Installation of the custom designed and fabricated SS access riser will take place. This phase is estimated to require two to three (2-3) 8 to 10-hour workdays.

Labor as Proposed for Phase #3

\$ 9,675.00

Custom Designed & Fabricated SS Access Riser

\$ 20,300.00



(CONTINUED ON PAGE 2)



Complete Underwater Service/Specialists

City of Monroe
120 East First Street
Monroe, MI 48161

August 14, 2014

Attn: Barry S. Laroy, P.E.

(Proposal Continued)

Page 2 of 2

Phase #4:

The concrete pipe will be cut open, the removal of the PE pipe restraints will occur (each end) and all PE pipe will be removed from within the 30" intake conduit. This phase of the project is estimated to require five to six (5-6) 10 to 12-hour workdays.

Amount as Proposed for Phase #4

\$ 29,150.00

Phase #5:

Will be to introduce an ROV into the shore end of the 30" intake conduit and travel the approximate 6,200 feet to the offshore crib structure. NOTE: Solomon Diving, Inc. will station personnel underwater offshore to facilitate handling the umbilical for the ROV in order to make the long distance run. This phase of the project is estimated to require one (1) 10-hour workday.

Amount as Proposed for Phase #5

\$ 11,245.80

Phase #6:

Re-installation of approximately 6,200 feet of 2" SDR11 PE chemical feed line.

Amount as Proposed for Phase #6

\$ 42,500.00

Thank You.

Sincerely,

Bret A. Solomon
Solomon Diving, Inc.
1571 Beechwood Street
Monroe, MI 48162-4101
734-242-4777
734-242-1665 Fax
www.solomondiving.com

*Prevailing wage rates are not represented in this proposal.

**This proposal is valid for 30 calendar days from this date.

***Payment Due Upon Invoice Receipt.

****Accounts not paid within 30 calendar days of the invoice date will be charged a \$25.00 fee and 1 ½% interest compounded monthly.

ALL DESIGNS AND/OR PROCEDURES PRESENTED BOTH VERBALLY AND WRITTEN FOR THIS PROJECT ARE THE PROPERTY OF SOLOMON DIVING, INC.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Extending Moratorium on Growing, Sale and Dispensing of Medical Marihuana

DISCUSSION: Despite the fact that the Michigan Medical Marihuana Act (MMMA) was passed in late 2008 and became effective in mid-2009, there remains great uncertainty regarding the legality of various activities related to the growing, sale and dispensing of medical marihuana. A few communities have proceeded with adopting zoning and police-power ordinances in an attempt to fill in the extensive gaps and ambiguities in the State legislation. However, some of these ordinances have been challenged in the courts. Additionally, there has been legislation introduced that attempts to clarify some issues that have arisen since the MMMA was first passed. The City of Monroe planning staff and Citizens Planning Commission (CPC) have monitored the current cases, reviewed the new legislation, and keep updated through the guidance documents from municipal attorneys and the prosecuting attorneys association. Based on the court challenges still going through appeals, and the uncertainty of the new state legislation, the CPC has again recommended extending the current moratorium on growing, sale and dispensing of medical marihuana for one year.

The City planning staff and the CPC remain proactive on this issue, and maintain a sub-committee that meets every 3-4 months to review the status of the court cases and legislation. The most challenging issue for communities is that federal law still regulates marihuana as a Schedule 1 (illicit) drug and does not provide for any exemption for medical uses. However, the MMMA provides exemptions to state laws, and in the Michigan court case *Ter Beck vs. City of Wyoming*, the court found that the MMMA is not preempted by the federal Controlled Substances Act. *“Thus, under MCL 333.26424(a), we conclude that it is clear that registered, qualified medical marijuana users are not subject to any penalty, whether civil or criminal, if their medical use of marijuana conforms to the limitations set forth in the MMMA.”* The *People vs. McQueen* and *People vs. McDonald* cases have addressed the “sale” of marihuana between various individuals. In *Isabella Co.*, the prosecutor requested an injunction closing down a “compassion club,” which has been appealed to the Michigan Court of Appeals. The Court of Appeals has confirmed in this and the *McDonald* case, that the “sale” of marihuana between patients is prohibited. Additionally, the State Attorney General and other court cases have addressed the issue of “joint grow operations,” which they have deemed to be illegal.

There are new legislative actions at the State level to change the MMMA; as well as define what local governments are allowed to regulate. House Bill 4271 (2013) would allow for “Provisioning Centers,” which would need to be licensed and approved by the local government and establishes minimum distances from sensitive land uses (exp. churches and schools). House Bill 5104 (2013) would allow the production of “marihuana-infused products” by patients and caregivers. Public Act 268 of 2013 reclassified marihuana under State law as a schedule 2 drug which could be distributed by pharmacies, subject to the same reclassification under federal laws. However, there is not a current effort to change how marihuana is regulated at the federal level. In fact, legislation in Washington State that provided for licensing of medical marihuana dispensaries was vetoed by the governor after the US Attorney indicated anyone, including state employees, could be prosecuted for assisting in the establishment of medical marihuana facilities.

IT IS RECOMMENDED to allow additional time for the courts to rule on the pending cases related to the MMMA and for the state legislature to act on the proposed bills that would change permitted uses under the MMMA; that City Council extend the moratorium on the submission or receipt of applications, and any and all City permits, licenses or approvals for the growing, sale or dispensing of medical marihuana within the City of Monroe for a period of one-year, in accordance with the attached resolution.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 20, 2014

REASON FOR DEADLINE: Current Moratorium Expired

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Economic and Community Development, Citizens Planning Commission

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Zoning Enforcement, Department of Economic and Community Development, Citizens Planning Commission

FINANCES

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

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

Budget Approval: _____

FACT SHEET PREPARED BY: Dan Swallow, Dir. of Economic and Community Development

DATE: 09/29/14

REVIEWED BY: George Brown, City Manager



DATE:

COUNCIL MEETING DATE: October 6, 2014

**CITY OF MONROE
RESOLUTION**

**Moratorium on the Submission or Receipt of Applications, and any and all
City Permits, Licenses or Approvals for the Growing, Sale or Dispensing of
Medical Marihuana**

WHEREAS, on December 4, 2008 the Michigan Medical Marihuana Act (MCL 333.2641 et. seq.) took effect, exempting seriously ill patients and their primary caregivers from criminal liability for possession and cultivation of marihuana for medical purposes; and

WHEREAS, there have been reports from around the State of Michigan of dispensaries, compassion clubs and home-based businesses for the growing, sale and distribution of medical marihuana; and

WHEREAS, neither the Michigan Medical Marihuana Act nor the administrative rules authorize or regulate dispensaries, compassion clubs and home-based businesses, and there have been several legal challenges filed related to these types of businesses which are currently under judicial review; and

WHEREAS, the operation of medical marihuana dispensaries, compassion clubs and home-based businesses may constitute unique threats to public health, safety and welfare; and

WHEREAS, there have been new bills introduced in the State legislature to amend the Michigan Medical Marihuana Act that may impact municipal regulatory authority, and are still making their way through the legislative process; and

WHEREAS, allowing the growing, sale or dispensing of medical marihuana prior to the amendment of the City of Monroe Zoning Ordinance or Code of Ordinances would be contrary to the goals of the City Comprehensive Plan; and

35 WHEREAS, it is within the legal rights of the City of Monroe to establish
36 reasonable regulations to control the growing and dispensing of medical marihuana in
37 order to protect the public health, safety and welfare in a manner consistent with state
38 and federal law; and

39
40 WHEREAS, imposing a moratorium, on a limited temporary basis, is reasonable
41 and necessary in order to allow time for consideration of the opinions and orders related
42 to judicial review of the application of the Michigan Medical Marihuana Act, the passage
43 and interpretation of any state legislation, and development of potential amendments to
44 the City of Monroe's ordinances; and

45
46 WHEREAS, the City Council established a moratorium on the submission or
47 receipt of applications, and any and all City permits, licenses or approvals for the sale or
48 dispensing of medical marihuana within the City of Monroe for a period of one hundred
49 eighty (180) days at their regular meeting held on January 4, 2011 (R 11-01), extended
50 that initial moratorium at its regular meeting held on June 6, 2011 (R 11-32), and
51 further extended the moratorium at its regular meeting held on January 17, 2012 (R
52 12-01); and

53
54 WHEREAS, City staff has continued investigations and research into the
55 provisions of the Michigan Medical Marihuana Act, monitored the status of the current
56 legal challenges in the courts and reviewed potential legislation pertaining to medical
57 marihuana facilities. Further, the Citizens Planning Commission has established a sub-
58 committee to evaluate the various ordinance and licensing options available to the City
59 and has recommended establishing a moratorium for an additional period of one-year.

60
61 NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Monroe
62 hereby establishes a moratorium on the submission or receipt of applications, and any
63 and all City permits, licenses or approvals for the growing, sale or dispensing of medical
64 marihuana within the City of Monroe; and that during the moratorium dispensaries,

65 compassion clubs and home-based businesses for the growing, sale or distribution of
66 medical marihuana shall not be permitted in the City.

67

68 BE IT FURTHER RESOLVED, the moratorium imposed by this resolution shall
69 remain in effect for a period of one-year or three hundred sixty five (365) days following
70 the adoption date of this resolution or until amendments to the City of Monroe
71 ordinances become effective, whichever comes first.

72

73 Motion:

74 Seconded by:

75 Ayes: Nays: Absent:

76

77 I, Michelle J. LaVoy, City Clerk-Treasurer of the City of Monroe, State of Michigan, do
78 hereby certify that the foregoing resolution is an exact copy of a Resolution adopted by
79 the City Council of said City, at a regular meeting thereof held on the ____ day of
80 _____, 2014.

81

82

83

84

85

86

Michelle J. LaVoy
City Clerk-Treasurer



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: Resolution Authorizing the Acquisition of 1101 E. Front Street from the Monroe County Treasurer through the Tax Foreclosure Procedure in the General Property Tax Act

DISCUSSION: The property located at 1101 E. Front Street, Property Identification Number 49-01016-000, has been foreclosed upon by the Monroe County Treasurer due to nonpayment of property taxes. The General Property Tax Act, Section 78m (Michigan Compiled Laws 211.78m) grants the City the right to purchase the property for a public purpose by payment of the minimum bid consisting of delinquent property taxes and any costs associated with the foreclosure action. If the property is not sold during the Treasurer's regular auction, which is the case for this property; the City can request the property for the administrative fee of \$250.00.

The City has an interest in the property due to its location within the River Raisin Heritage Corridor-East Master Plan, which designates this area as a proposed Peace Garden. The City of Monroe Parks and Recreation Master Plan (2014) further supports the acquisition of this property for development of the planned Peace Garden. The property is also adjacent to the City's Rauch Park. The small parcel to the north was already acquired by the City through the Treasurer's foreclosure auction. The only other reasonable use for the property is in combination with the parcel to the north for commercial redevelopment. Due to its small size, the property is not viable for commercial redevelopment by itself. Therefore, acquisition of this property would add to existing park land in the short term, and provide for common ownership by the City if future redevelopment was considered.

The most significant costs to the City for acquiring this property for recreational purposes are environmental investigations and demolition. Due to the prior use of the property as a service station, it is anticipated that there could be soil contamination by petroleum products or metals, which will need to be documented and possibly remediated if the site is ultimately used for recreational purposes. In order to protect itself from environmental liability, the City will at minimum need to complete Phase I and Phase II environmental assessments, at an estimated cost of \$10,500.00. If contamination is discovered the City will then need to file a Baseline Environmental Assessment (BEA) and follow due care guidelines for future use of the property. If utilized for recreation purposes, the buildings will have to be demolished and some soil remediation may be required. The demolition costs are estimated between \$8,000.00 and \$12,000.00 depending on any remediation required.

It is important to note that acquisition of property by the City through the tax foreclosure process must be for an identified "public purpose." If for any reason the City chose to sell the property for a non-public purpose, any excess amount above and beyond the demolition and maintenance costs would need to be returned to the Monroe County Treasurer. Therefore, the resolution specifically states the public purpose envisioned by the City.

IT IS RECOMMENDED that the City Council approve the resolution, authorizing acquisition of 1101 E. Front Street from the Monroe County Treasurer through the Tax Foreclosure Procedure; and authorize the expenditure of \$250.00 for the administrative fee and up to \$2,500.00 to cover the cost of a Phase I Environmental Assessment.

Note: This does **not** include anticipated costs for a Phase II Environmental Site Assessment, filing of a Baseline Environmental Assessment, or the cost of demolition and soil remediation.

CITY MANAGER RECOMMENDATION:

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



APPROVAL DEADLINE: October 6, 2014

REASON FOR DEADLINE: Deadline for submittal of application to Monroe County Treasurer, prior to no minimum bid auction.

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Economic and Community Development Division

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Department of Public Services, Recreation Department

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ 22,750.00
	Cost of This Project Approval	\$ 2,750.00
	Related Annual Operating Cost	\$ 1,000.00 (est.)*
	Increased Revenue Expected/Year	\$ 0

* Mowing, snow removal and general property maintenance costs.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
Community Development	General Contracted Services	101-65.802-818.020	\$2,750.00
	<u>Other Funds</u>		

Budget Approval: 

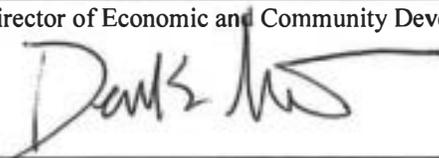
FACT SHEET PREPARED BY: Dan Swallow, Director of Economic and Community Development

DATE: 09/30/2014

REVIEWED BY: George Brown, City Manager

DATE:

COUNCIL MEETING DATE: October 6, 2014



**CITY OF MONROE
RESOLUTION**

**Authorizing the Acquisition of 1101 E. Front Street from the Monroe County
Treasurer through the Tax Foreclosure Procedure in the General Property Tax Act**

WHEREAS, the property located at 1101 E. Front Street, Property Identification Number 49-01016-000, has been foreclosed upon by the Monroe County Treasurer due to nonpayment of property taxes; and

WHEREAS, the General Property Tax Act (MCL 211.78m) grants the City the right to acquire the property for a public purpose prior to the no minimum bid auction by paying an administrative fee; and

WHEREAS, the City has an interest in the property for use as a "Peace Garden" associated with the River Raisin National Battlefield Park as further described in the River Raisin Heritage Corridor-East Master Plan (2013) and City of Monroe Parks and Recreation Master Plan (2014) as; and

WHEREAS, use of the property as a public park constitutes a public purpose under the General Property Tax Act.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Monroe hereby authorizes the City Manager and City staff to prepare and execute an application to the Monroe County Treasurer and any other necessary documents to acquire the tax foreclosed property located at 1101 E. Front Street, Property Identification Number 49-01016-000, for a public purpose.

BE IT FURTHER RESOLVED, the City Council hereby authorizes the expenditure of funds to pay the administrative fee for the acquisition of the property as required by the General Property Tax Act.

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Motion:
Seconded by:
Ayes: Nays: Absent:

I, Michelle J. LaVoy, City Clerk-Treasurer of the City of Monroe, State of Michigan, do hereby certify that the foregoing resolution is an exact copy of a Resolution adopted by the City Council of said City, at a regular meeting thereof held on the ____ day of _____, 2014.

Michelle J. LaVoy
City Clerk-Treasurer

Application to Obtain Real Estate for Public Purpose

Pursuant to Michigan Compiled Laws, Section 211.78m

Name, Address, Phone number and Contact Person of Local Unit making application:

Dan Swallow
Director of Economic and Community Development
City of Monroe
120 E. First Street
Monroe, MI 48161
(734) 384-9134

Parcel Information:

Tax ID #: 49-01016-000

County: Monroe

City/Village/Township Name: City of Monroe

Street address: 1101 E. Front Street

Public Purpose for acquiring this property is (describe in detail):

Addition to adjacent City owned property for the development of a Peace Garden in accordance with the River Raisin Heritage Corridor Plan (2014).

This acquisition **has** **has not** been specifically authorized by resolution of the governing body of the Local Unit. (**Attach minutes and resolution**)

The Local Unit **does** **does not** plan to resell or transfer this property to another person, entity or group.

Entity is:

- Individual(s) A non-profit entity A for Profit entity
 A government Board, Commission, Agency or Department.

Name and address of Purchaser (if known at this time):

River Raisin National Battlefield Park Foundation

If property is being sold or transferred, please state end-users Public Purpose of this property:

Development of a Peace Garden in accordance with the River Raisin Heritage Corridor Plan (2014).
--

Will property be returned to the tax roll?

Yes

No

Applicable regulation Disclosure:

The Foreclosing Governmental Unit (FGU) discloses that MCL 211.78m requires:

- That a sale/transfer under this section must be for a “**Public Purpose**”;
- That if the property is sold or transferred at a profit (as therein defined), that such profit **MUST be returned to the FGU** and deposited in its delinquent tax property sales proceeds account for the year in which the property was purchased by the city, village, township, or county.

The Foreclosing Governmental Unit (FGU) requires, as a condition of this application, that the Local Unit agrees to:

- **Fully indemnify the FGU** and its agents for any and all costs, damages, awards, fees and other matters which may arise from, or as a consequence of, the foreclosure through which the property was obtained, including (but not limited to): title defense actions, environmental remediation, and boundary disputes.
- **Maintain and perpetuate the “Public Purpose” use** of the property.

- **Reconvey the property to the FGU** (at the unilateral option of the FGU, without “profit” as defined in MCL 211.78m) at any time it is no longer used for the specific “public purpose” given herein, unless a suitable alternate “public purpose” has been approved by the FGU.
- **Obtain approval of the FGU for any sale** or transfer of this property not herein disclosed, at any time in the future that it may occur, at least 14 days prior to such event.
- **Provide copies** of all transfer documents and financial settlement statements regarding any sale or transfer, within 30 days of such event, without further request.
- **Compensate the FGU** for any “profit” (as defined in MCL 211.78m) in this same time period if the property is sold or transferred.

These conditions must be agreed to by the Applicant, and will be made covenants/restrictions to such transfer in the conveyance documents.

The Applicant **agrees** **does not agree** to the terms disclosed above, and consents to their inclusion in the documents of conveyance.

Submitted by : George Brown

Signature: _____

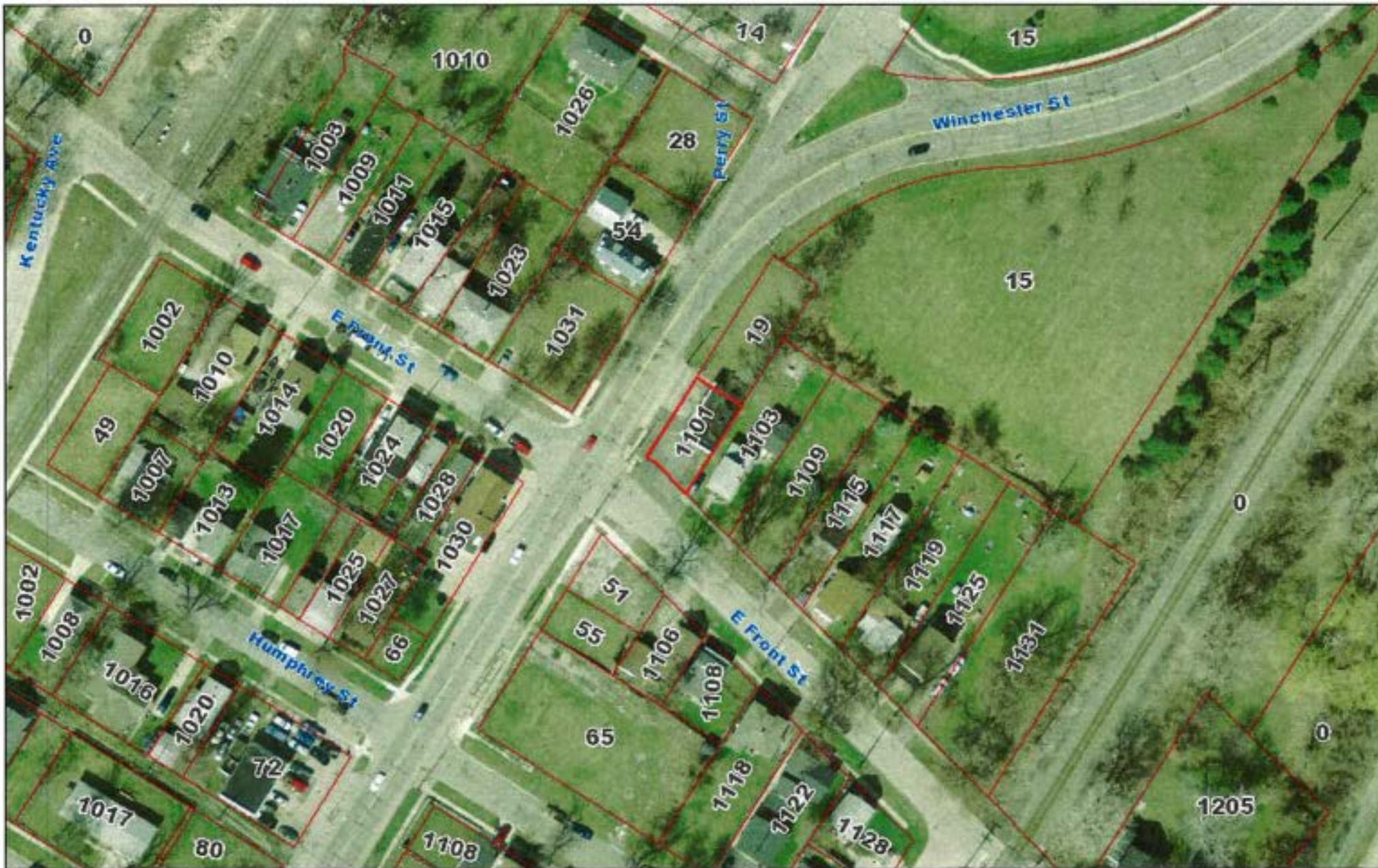
Name and official capacity:

George Brown City Manager City of Monroe
--

Application dated : 10/ 06 /2014

For FGU Use

Received: / / Response: Approved Denied



Geographic Information System (GIS)
Engineering Department

1 inch = 100 feet
September 30, 2014
City of Monroe
1101 E. Front Street



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various cities, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City of Monroe does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City of Monroe does not represent that the GIS data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by the User, its employees or agents, or third parties which arise out of the User's access or use of data provided.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: NEW PUBLIC SAFETY BUILDING – PROFESSIONAL SERVICES AWARD FOR SCHEMATIC DESIGN

DISCUSSION: For the past eighteen (18) months, the City Administrative team has been working with Redstone Architects, Inc. of Bloomfield Hills to review spatial needs, physical characteristics, and operational parameters for various sites that could accommodate a proposed new facility that could house some or all of the City's Public Safety functions. To date, the following expenditures have been authorized by the City Council for these work activities, all of which have been completed for some time:

<u>Award Date</u>	<u>Amount</u>	<u>General Description</u>
2/19/13	\$26,062	Needs Analysis and Concept Study
9/3/13	\$1,850	Run-Time Analysis for two (2) Generic Sites
2/18/14	\$14,940	Concept Study for Phased-in Approach
3/3/14	\$15,200	Existing Condition Report – Central Fire Station

In addition to the above, which totals \$58,052, \$45,000 was also appropriated by the City Council on July 21, 2014 for the purchase of 207 East Second Street, which is being held should the City determine to move ahead with construction on that block.

While a full discussion of all background materials relating to this study is effectively beyond this Fact Sheet narrative alone, numerous public work sessions with the City Council have been held, most recently on September 15, and one is also scheduled for October 6 at 6:00 P.M. In these work sessions, a variety of phasing schedules, site layouts, and financing options have been discussed, and in order to continue moving forward with this project in whatever form it will take, formal direction needs to be given from the City Council. Since construction of any new facility will likely require substantial additional funding such as a voted millage, significantly more in-depth schematic layouts must be developed in order to adequately determine the exact nature of a possible request before submitting it to the voters for consideration. As such, we have asked Redstone Architects for a proposal to prepare a complete schematic design for a facility that could accommodate all public safety functions, even if the Council eventually determines that only a portion of the facility should be built at the present time. We feel it is prudent to plan for the future final build-out, particularly where acquisition of property may need to occur now. This proposal, in the amount of \$135,000, has been attached for your review and consideration. It should be noted that while the proposal seems to provide for lower-cost options for a smaller facility, this does not provide any information on what would be necessary for future sizing of building systems such as HVAC, electric, plumbing, etc. should the building be expanded in the future. In such a fashion, should the City determine in the future that a larger facility should be built, there will be greater construction challenges and / or inefficiencies in simply adding on to the building without a previous plan for expansion. As such, we feel that the entire schematic design study should be awarded now if Council wishes to move forward with any part of this initiative.

IT IS RECOMMENDED that the City Council award a professional services contract for a full schematic design for a public safety facility in the amount of \$135,000 to Redstone Architects, Inc., and that the City Manager, Director of Engineering and Public Services, or their designee be authorized to execute any necessary and appropriate agreements on behalf of the City.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Voted millage request could be placed on the ballot as soon as May 2015, and limited time remains prior to this date for a complex design process

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Police Department, Fire Department, Engineering Department, emergency services consumers at large

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$Unknown*
	Cost of This Project Approval	\$135,000**
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Probable cost will vary, particularly depending on the results of this additional study.

**Council authorization is also sought to exceed this value by a small amount (\$2,000 or less) should reimbursable expenses exceed estimated values in proposal.

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
	Fire Station Study	401-95.336-818.020 13C12	\$10,115.41
	Contingencies	101-95.941-998.000	\$125,000.00*

*Rounded for simplicity, actually yields \$115.41 more than necessary for this project.

Other Funds

Budget Approval: 

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/30/14

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 6, 2014





Law Enforcement
Justice
Public Safety
Municipal
Corporate/Commercial

Redstone Architects, Inc.

2709 S. Telegraph Road, Bloomfield Hills, MI 48302-1008

September 9, 2014

Mr. George Brown, City Manager
City of Monroe
121 East First Street
Monroe, MI 48161

Re: Development of a Schematic Design
Monroe Public Safety Department
Our file No: 3559.02

Dear George:

As discussed, in order to go to the voters next May, it is important to have an accurate, project cost projection in place. In order to achieve that end, you, Patrick Lewis, and I have discussed preparing a Schematic Design that would permit the development of such an estimate.

In addition, three options were developed for the City Council and citizens to consider: Option 1 is for a fire station only; Option 2 is for a Public Safety Operations Building; and Option 3 is for a complete facility. If Option 1 or 2 were chosen, it is our understanding that the intent of the City of Monroe is to eventually construct the remainder of the Public Safety Facility.

Based on the above, we are proposing the development of a complete schematic design that takes into consideration the building of an initial smaller facility that can be expanded in the future in a well-planned manner.

Last May we presented a cost analysis of the three options. 2014 construction costs were estimated at \$3,800,000 for a fire station only, \$6,900,000 for a Public Safety Operations Building, and \$10,600,000 for a complete Public Safety Building. (Note: Soft costs were not included in these numbers).

Using the budgeted Architectural fees provided in May and applying the industry standard 15% to a schematic design phase, Schematic Design fees for a full building would be in the neighborhood of \$135,000. (By comparison, schematic design fees for a fire station only would be about \$49,000 and for a PS Operations Building about \$88,000- both assuming that there would be no future addition)



Mr. George Brown, City Manager
City of Monroe

September 9, 2014
Page 2

By developing a Schematic Design Model for the entire Public Safety Department, we will be able to develop a more accurate cost projection of both a complete facility and a phased facility prior making a decision on which way to proceed. The design model will also permit our design team to plan for an efficient phasing of the project, should that be the decision of the City Council.

We propose to provide you with the schematic design you need for a single or two-phased project for a not-to-exceed professional fee of \$135,000. We will invoice you on an hourly rate basis, as shown on the attached schedule. By providing you with a maximum fee for this phase, all of the savings we may be able to achieve by the use of our REVIT software will accrue directly back to the City. Our REVIT software will generate the models and renderings needed to illustrate the phasing and the look of the phases developed.

The professional not-to exceed fee includes schematic design from our civil, structural, mechanical, and electrical engineering consultants. Reimbursable expenses would be in addition to the professional fee. .

Certain items, normally provided by the Client, would also be in addition to the NTE professional fee. These items include Topographical surveys, Soil Investigations, Environmental studies that may be required. We suggest that a budget of \$15,000 be established for these items.

We have made the assumption that we will not be preparing civil engineering and landscape documents that would normally be required for submission to the Planning Commission, as this might require a completed civil and landscape plan.

Please let me know if you have any questions, or if you wish me to attend next week's meeting.

Sincerely,

Daniel Redstone, FAIA, NCARB

President

FIRM NAME AND STAFF	STANDARD HOURLY RATES
<u>Redstone Architects, Inc.</u>	
Principal - Daniel Redstone, FAIA	\$150
Project Manager- Matt Berge, AIA	\$105
Architect - CAD	\$75
<u>Desai/Nasr Consulting Engineers (Structural)</u>	
Principal	\$145
Senior Engineer	\$125
CAD	\$65
<u>Sellinger Associates (Mechanical, HVAC, Plumbing)</u>	
Principal	\$135
Senior Engineer	\$110
Mechanical Engineer	\$90
Designer	\$80
CAD	\$70
Clerical	\$50
<u>ETS Associates (Electrical)</u>	
Principal	\$120
Project Engineer	\$90
CAD	\$56
Clerical	\$32
CIVIL ENGINEERING/LANDSCAPE ARCH. SERVICES	TO BE DETERMINED

Rates shown are for **Schematic Design Services** for the Public Safety Building

**TAKEN FROM MAY, 2014 PROJECT
COST PROJECTIONS**

	19,570	29,252	38,985
	\$ 143.36	\$ 173.29	\$ 200.00
Building Location:	Site 1 or 2	Site 1 or 2	Site 1 or 2
	new building	new building	new building

Item	Scheme A Phase 1	Scheme B Phase 1	Complete Public Safety Building
	FIRE ONLY	PS OPERATIONS	COMPLETE FACILITY
Base Cost	\$2,805,600.00	\$5,069,130.00	\$7,797,000.00
General Conditions	\$224,448.00	\$405,530.40	\$623,760.00
OH & Profit	\$280,560.00	\$506,913.00	\$779,700.00
	\$3,310,608.00	\$5,981,573.40	\$9,200,460.00
Design Contingency	\$496,591.20	\$897,236.01	\$1,380,069.00
Subtotal: 2014 Project Const. Costs	\$3,807,199.20	\$6,878,809.41	\$10,580,529.00
A/E Fees	\$323,611.93	\$584,698.80	\$899,344.97
Subtotal:	\$4,130,811.13	\$7,463,508.21	\$11,479,873.97
Demolition	\$0.00	\$0.00	\$0.00
Bond Costs	\$82,616.22	\$149,270.16	\$229,597.48
Land Cost	TBD	TBD	TBD
Misc. Owner	\$30,000.00	\$30,000.00	\$30,000.00
Security Allow:*includes design fees	\$40,000.00	\$50,000.00	\$200,000.00
FF & E Allow:* includes design fees	\$50,000.00	\$150,000.00	\$400,000.00
Subtotal:	\$4,333,427.35	\$7,842,778.37	\$12,339,471.44
Escalation to 2015-2016	\$433,342.74	\$784,277.84	\$1,233,947.14
Total Project Costs 2015-2016	\$4,766,770.09	\$8,627,056.21	\$13,573,418.59

Plus Land Plus Land Plus Land

SCHEMATIC DESIGN FEES AT 15% OF TOTAL
\$48,541.79 \$87,704.82 \$134,901.74

ASSUMPTIONS- APPLICABLE TO ALL

General Conditions	8.00%
Design Contingency	15.00%
Builder Overhead & Profit	10.00%
A/E Fees	8.50%
Bond Costs	2.00%
Escalation Costs	10.00%

THIS IS NOT MEANT TO BE A COMPLETE LISTING.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: NORTH CUSTER BIKE PATH RESURFACING – CHANGE ORDER AWARD

DISCUSSION: As a part of the 2013-14 and 2014-15 Capital Improvements Program budgets, a total of \$150,000 was appropriated for the resurfacing of a portion of the North Custer Road Bike Path (also named as the Mark G. Worrell Trail by the City Council in 2013), with \$125,000 allocated for construction and \$25,000 for engineering design, inspection, and management costs. This 6-foot wide pathway was generally constructed in phases between 1979 and 1981 and is one of the City's most heavily used recreational facilities. Since it has not been resurfaced since its original construction, it is now in need, and the Engineering Department has proposed to remove the entire 3-inch thick asphalt surface, leave in place the existing 6-inch thick stone base, widen the pathway (including stone base) to eight (8) feet wide, and install a new 3-inch thick asphalt surface. The City did submit an application for Federal funding through the Transportation Alternatives Program (TAP) in 2013, but since we cannot widen the pathway to the American Association of State Highway Transportation Officials (AASHTO) standard of a 10-foot width with 2-foot clearance on each side without removing nearly all of the adjacent mature trees, our application was not accepted. As such, we must begin the resurfacing of this corridor with City funds in phases.

At the June 16, 2014 City Council meeting, the 2014 Curb Replacement and Resurfacing Program was awarded to Cadillac Asphalt LLC of Canton, Michigan following public bidding in the amount of \$509,248.58. They have completed all work satisfactorily and well ahead of schedule on eight (8) different streets. Fortunately, though we are still confirming final pay quantities with the contractor, it appears that their contract work could be as much \$48,000 under the awarded amount, which also puts it nearly \$100,000 under the total Council authorization, which included contingencies. Assuming the City's quantities are correct, we intend to direct them to perform spot milling and resurfacing in two (2) additional locations (on West Elm / North Custer under the Telegraph Road bridge and on North Macomb Street between Maywood and the City line) to address areas of intensive cold patching before winter. However, since not all of the remaining amount would be spent on these locations, some of this contingency amount would also be available for the North Custer Road Bike Path resurfacing as well.

Ordinarily, the Engineering Department would have included the bike path resurfacing in its original bid documents. However, in May, this project was not ready for bidding, whereas the other work locations were, so it was determined to bid the overall project as early in the season as possible to take advantage of better unit pricing, a decision that has proven to be correct and resulted in work being completed by early September. With the 2014 Curb Replacement and Resurfacing Project being the City's only 2014 asphalt contract of substance, we approached Cadillac Asphalt to provide a quotation for the bike path resurfacing as well. While a project such as this could be bid separately, working with Cadillac to develop the scope and method of work that results in maximum efficiency, and has actually saved significant staff time in having to prepare full-blown plans and specifications. At this point in time, the only way to get the work completed this fall is to award it as change order, otherwise it would have to be undertaken in the spring based on bidding timetables. The quotation from Cadillac for the section of pathway between Cranbrook Boulevard and the westerly driveway to Veterans' Park has been attached for your review. While they could not hold their unit prices from the base contract for asphalt due to their inability to place it with large trucks, we feel their pricing is reasonable. They can begin work immediately, and the work also includes significant landscaping modifications at Worrell Park (formerly Cranbrook) at the west end. While only \$125,000 is available in the project account, we feel another \$10,000 could be transferred from the Engineering line item and the remainder can fit within the original contract contingencies. As a last resort, the project could be scaled back on its eastern end, since it will need to be phased in any case.

IT IS RECOMMENDED that the City Council award a change order for the resurfacing of the North Custer Road Bike Path to the 2014 Curb Replacement and Resurfacing Program to Cadillac Asphalt, LLC in the amount of \$167,716, and that the Finance Director be authorized to make the necessary transfers as shown in the financial details. **IT IS FURTHER RECOMMENDED** that the Director of Engineering and Public Services be authorized to sign the change order.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 6, 2014

REASON FOR DEADLINE: Contract work can commence as soon as the award is made

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 and residents, bike path users

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$167,716*
	Cost of This Project Approval	\$167,716*
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Contingencies have already been appropriated as a part of the base contract.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	N. Custer Pathway Resurf.	401-95.756-818.020 14C03	\$125,000
	N. Custer Pathway Resurf.	401-95.756-825.005 14C03	\$10,000
	Remaining Contingencies	Encumbered in P.O. 140310	\$32,716*

*Funding in this purchase order originated generally from the Major Street Fund and / or Local Street Fund, and non-motorized pathway resurfacing is an eligible expense from both funds. Any additional contingencies for this project needed will also come from this purchase order, and / or the project can be scaled back as needed.

Other Funds

Budget Approval: 

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 09/30/2014

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 6, 2014



Cadillac Asphalt LLC
 51777 West 12 Mile Road
 Wixom, Michigan 48393

PAVING PROPOSAL

Phone: (248) 349-8600 Fax (248) 347-2589

Bid Presented To:

Customer Name	City of Monroe	
Address	120 E. First St.	
City, State, Zip	Monroe, MI 48161	
Phone	734-243-0700	Fax
Jobsite Phone		
Owner Of Real Estate	City of Monroe	

For Asphalt Pavement Construction

Job Name	Change Order 2-Pathway Construction	
Address		
City, State, Zip	Monroe, MI 48161	
Date of Bid	September 27, 2014	
Architect-Engineer	Patrick Lewis	
No. & Date of Plans	N/A	

Items of work, specifications, quantities and unit prices:

UNIT	QTY	Scope of work: Base bid	UNIT PRICE	TOTAL
SY	424	6" Concrete Pavt. (includes ramp flags, no ADA tile)	\$ 34.00	\$ 14,416.00
Ton	100	21AA Limestone Spec	\$ 30.00	\$ 3,000.00
SY	2,180	R&D Bike Path Pavement	\$ 18.00	\$ 39,240.00
SY	722	Grading for Bike Path Incl. 21AA	\$ 30.00	\$ 21,660.00
Ton	560	36A Pathway 3" 1 Lift	\$ 115.00	\$ 64,400.00
LS	1	Traffic Control	\$ 5,000.00	\$ 5,000.00
LS	1	Site Restoration	\$ 20,000.00	\$ 20,000.00
			total	\$167,716.00

Notes & Exclusions

Engineering, testing, permits, dues and bonds are excluded
 Final billing to be based on field installed quantities

We offer to furnish necessary labor and materials to do the above work in accordance with the above specifications and the Terms and Conditions listed on the reverse of this document for the sum of _____ dollars
 (_____) , or at a unit price of _____ Per _____

Signed _____
 Cadillac Asphalt LLC Representative, Jim Bliss

The prices quoted above may be subject to change if not accepted within 10 days from the date hereof. Final acceptance by Cadillac Asphalt LLC is subject to the approval of the Division Manager and Credit Department

Acceptance
 We hereby accept this proposal. The specifications and prices are approved and satisfactory. The Terms & Conditions are understood and accepted. Payment will be made in accordance with the terms offered. I further represent that I am authorized to sign this contract.
 Accepted by Cadillac Asphalt LLC: _____ Accepted by Customer: _____
 _____ Signature (Title) _____ Signature (Title)
 By initialing, Customer acknowledges and accepts the Terms and Conditions stated on the reverse of this document _____

TERMS & CONDITIONS



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: SOUTH MONROE STREET LANE RECONFIGURATION STUDY – PROFESSIONAL ENGINEERING SERVICES CHANGE ORDER

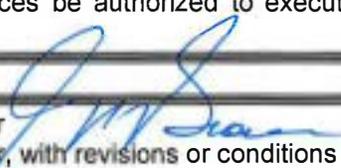
DISCUSSION: At the March 17, 2014 City Council meeting, a professional services contract was awarded to Hubbell, Roth & Clark, Inc. (HRC) of Bloomfield Hills in the amount of up to \$16,000 to evaluate options for a "road diet" on South Monroe Street (M-125) between Third Street and Elm Avenue. This potential lane configuration would reduce the number of lanes from five (5) to three (3) or four (4) depending on the block, which would provide for parking on the west side of the roadway in this area, lower vehicle speeds, and provide for a more pedestrian-friendly corridor. Since M-125 is under the jurisdiction of the Michigan Department of Transportation (MDOT), they must approve any changes in the roadway.

The initial study report and traffic simulation model was sent to MDOT for review in June following the endorsement of the request by City Council on June 2, and the Brighton Transportation Service Center (TSC) returned with comments on July 3. The cover email and comments have been attached for your information. While most of these are not out of the ordinary, addressing some of them required additional work that was not necessarily included in the original proposal from HRC. In addition, since MDOT required an additional unexpected public meeting that was held on July 30, HRC needed to prepare supplemental materials and staff this meeting as well. As such, the Engineering Department authorized them to complete work activities as necessary to address MDOT's concerns as much as possible in order to see this initiative through to a decision by MDOT. At the present time, they have exceeded their original allocation by \$539.31 (see attached invoice), and there could be a few other minor changes that may be necessary should MDOT have any further questions on their responses. Since items 10, 11, and 12 on the MDOT comments list are not specifically related to the model, the Director of Engineering and Public Services will be addressing these and preparing the overall formal response on behalf of the City, which is expected to happen shortly. Unfortunately, the Brighton TSC Manager has told the City that it is highly unlikely any changes will occur in 2014, given their lengthy approval process.

To provide for the payment of the attached invoice, we are asking for at least \$539.31 in spending authority to be approved, and the Engineering Department recommends that up to \$1,000 in total be authorized for any subsequent revisions that MDOT still may feel necessary.

IT IS RECOMMENDED that the City Council authorize up to an additional \$1,000 in work to Hubbell, Roth & Clark, Inc. for the above work beyond the original \$16,000 authorized by the City Council on March 17, 2014. **IT IS FURTHER RECOMMENDED** that the Director of Engineering and Public Services be authorized to execute any necessary and appropriate agreements on behalf of the City.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Some of the funds have already been expended by the consultant

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, Economic and Community Development Department, Downtown Development Authority, Downtown business owners and patrons, roadway and non-motorized users of the roadway, community at large

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$17,000*
	Cost of This Project Approval	\$1,000
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes previous (original) authorization of \$16,000.

SOURCE OF FUNDS:	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
	Major Street Fund Balance		\$1,000
	<u>Other Funds</u>		

Budget Approval: 

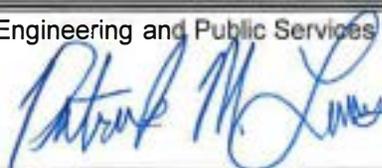
PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 09/30/14

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 6, 2014





HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS
PO BOX 824
BLOOMFIELD HILLS, MICHIGAN 48303-0824
(248) 454-6300

September 24, 2014
 Project No: 20140132.21
 Invoice No: 0131679

CITY OF MONROE
 120 EAST FIRST STREET
 MONROE, MI 48161

ATTENTION: PATRICK LEWIS, PE, DIRECTOR OF ENGINEERING

SOUTH MONROE STREET LANE CONFIGURATION STUDY
 ADDITIONAL SERVICES FOR MDOT REPORT REVIEW

Professional Services for period ending September 20, 2014

Professional Personnel

		Hours	Rate	Amount	
HILL-STRAMSAK, COLLEEN	8/9/2014	2.00	119.13	238.26	
HILL-STRAMSAK, COLLEEN	9/20/2014	2.50	120.42	301.05	
Totals		4.50		539.31	
Total Labor					539.31
			Total this Invoice		\$539.31

Billings to Date

	Current	Prior	Total
Labor	539.31	0.00	539.31
Totals	539.31	0.00	539.31



Patrick Lewis <patrick.lewis@monroemi.gov>

RE: Resolution of Support - M-125 Road Diet

Sweeney, Mark (MDOT) <Sweeneym@michigan.gov>

Thu, Jul 3, 2014 at 2:35 PM

To: "Lewis, Patrick" <patrick.lewis@monroemi.gov>

Cc: "Ramirez, Wendy (MDOT)" <RamirezW@michigan.gov>, "Martin, Kari (MDOT)" <MartinK5@michigan.gov>, "Hodges, Andrew (MDOT)" <Hodgesa@michigan.gov>, "Hill-Stramsak, Colleen" <chill@hrc-engr.com>, "Palmer, Stephanie (MDOT)" <PalmerS3@michigan.gov>, "Foley, Jennifer (MDOT)" <FoleyJ3@michigan.gov>

Good afternoon Mr. Lewis,

Attached are MDOT's initial comments regarding the M-125 Lane conversion traffic study. Note these are initial comments, and that we need responses before continuing with our review.

In addition to the attached, please note that there are items on the MDOT Road Diet Checklist that still need to be addressed.

Note also that a Public Meeting, which invites all road users, needs to be held. Please inform our office as to when this meeting will be held, and as to how the notification for this meeting will be disseminated to the public.

Thank you, and please let me know if you have any questions.

Mark Sweeney, MDOT

Brighton TSC Manager

10321 Grand River Road

Suite 500

Brighton, Mi 48116

(810) 225-2622



South Monroe Street (M-125)
Traffic Study Report
July 2, 2014

The Michigan Department of Transportation (MDOT) has completed its initial review of the South Monroe Street (M-125) Traffic Study Report. The City of Monroe requested the study to evaluate the feasibility of converting the existing 5 lane section to a 3 lane section along M-125 from Third Street to Elm Avenue for the purpose of installing on-street parking on the west side of M-125. Overall, the report was well written and easy to follow.

The following are MDOT's initial comments on the submitted report:

Specific Comments:

- 1) Section 2 – Existing Conditions: 2.1
 - a. Although the study area overview discusses M-125 as an alternate route for US-24, it does not identify that M-125 is part of the Fermi 2 Evacuation Route. If M-125 is reduced to 3 lanes, how will it accommodate the traffic in the event of an emergency? This should be addressed in the report.
 - i. A letter of support from the Fermi 2 Emergency Evacuation Coordinator (or their equivalent) will be required.
 - b. In the event of an incident on I-75, M-125 and US-24 become alternate routes, with M-125 being signed as such. MDOT is concerned with how M-125 will operate if it is reduced to a 3 lane section should an incident occur on I-75. Mitigating this traffic would be essential in the operations of M-125. It should be noted that MDOT has documented at least one incident occurring on I-75 per quarter resulting in a significant delay. Please address this in the report.
 - c. In addition, the commercial vehicle percentage ranges from 24-28% on I-75. How would M-125 operate with an increase in truck traffic during an incident? Mitigating this traffic would be essential in the operations of M-125. Please address this in the report.
- 2) Section 2.2 – Traffic Volumes
 - a. In the report it is noted that the June 2013 MDOT traffic volumes, south of Front Street, were taken when the Macomb Street bridge over the River Raisin was closed. This, per the report, resulted in an increase of traffic volumes on M-125. MDOT disagrees. This ADT was reviewed for 2012 and the volumes were consistent with what was reported in 2013, regardless of the detour that was in place. MDOT also reviewed the 2012 hourly data, just south of Front Street, and found that the hourly volumes were higher than what was reported in 2013 for the same location. Please revise the statement about detour in section 2.2.

- b. The ADT in this section of M-125 ranges from 23,000 to 25,600 vehicles. This ADT exceeds our average of 10,000 for road diets, and is above the upper limit (20,000-21,000) normally considered acceptable. MDOT has concerns that safety issues may develop with the reduction of capacity and the addition of on-street parking for a roadway with an ADT in this upper range. Please address.
- 3) Section 2.3 – Intersection Volumes
 - a. The turning movement counts were taken on 4/1/14 and 4/9/14. Please confirm that school was in session when these counts were taken.
- 4) Section 5.0 Safety Analysis
 - a. The report states that parking related crashes may decrease due to the proposed buffer between the parking and travel lanes. What about the potential for an increase in other types of crashes due to the decrease in capacity along the roadway? Please address.
 - b. In the report, the type of parking being proposed (i.e.: on street back in angle or parallel) was not specified. Please address.
- 5) Section 5.2 – Highway Safety Manual Analysis
 - a. The report states that “Based on HSM analysis, the three lane (modified) option shows virtually no difference from a safety perspective than the five lane alternative.” The HSM spreadsheet analysis was not included. Please provide the HSM analysis for review.

Synchro Review:

- 6) What are the proposed lane widths between First and Front Street for the side by side left turn lanes? The Synchro default is 12 foot lanes. Are 12 foot lanes proposed for all lanes in this section?
- 7) How much buffer space is between the parking lane and the through lane from First Street and Front Street with the proposed mitigation?
- 8) The following are the Synchro models that were submitted:
 - a. OP (AM, OP, PM)
 - b. 3 Lane (AM, OP, PM)
 - c. 3 Lane Final (AM, OP, PM)
 - d. 4 Lane (AM, OP, PM)

The report addresses a growth rate for the future year 2025; however there are no Synchro models or analysis for this future year. Please provide the electronic Synchro models and analysis for review.
- 9) When reviewing the existing PM model versus the 3 Lane Final alternative model, the queue length for the NB thru movement substantially increased from 86 feet to over 561 feet between Third and Second Streets. The SIM traffic model revealed traffic queuing

through the Third Street intersection for a short time period. This traffic queuing was not observed in existing model. Can this be mitigated? How will this operate in 2025?

General comments:

- 10) MDOT will be reconstructing a portion of the I-75 freeway in 2015 and 2016, with later sections to follow thereafter. During this construction, the M-125 corridor will serve as an alternate route for motorists. How will the M-125 corridor accommodate the increase in traffic? Please address in the report.
- 11) The report does not address the need for the increase in parking spaces. Therefore, MDOT requests that a Parking Impact Study be provided that balances the need for addition parking against the reduction in lane capacity. This study should include, but should not be limited to:
 - a. Why the additional parking is needed,
 - b. The number of existing parking spaces currently along M-125.
 - c. The issue with the current capacity of parking spaces.
 - d. The availability of parking within walking distance on other roadways.
 - e. The number of parking spaces being proposed along M-125?
- 12) We have learned that parking may have been once allowed in this area during the 1970's, but was later removed. As this would have been done with City involvement, please investigate.
- 13) For the businesses along M-125, how are deliveries made? Are they from the front along M-125? Or do the trucks access the businesses from the back?
- 14) Note that the proposed signal changes have not yet been reviewed by our signals unit. This will occur upon our subsequent review, after the Region's/TSC's comments are addressed.

Thank you and please contact me if you have any further questions.

Wendy Ramirez
Traffic and Safety Engineer
MDOT-Brighton TSC
810-225-2626



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: TRAFFIC COMMITTEE MINUTES OF SEPTEMBER 24, 2014 AND TRAFFIC CONTROL ORDER APPROVAL

DISCUSSION: The Mayor's Traffic Committee meeting was held on September 24, 2014, and the draft minutes are attached for your information. There is one (1) Traffic Control Order representing regulatory changes recommended by the Committee. Traffic Control Order 216-005 prohibits parking on the east side of Winchester Street between the driveways to 609 and 615 Winchester Street to provide for access to a Wastewater pump station on the adjacent property.

IT IS RECOMMENDED that the City Council place on file the minutes from the September 24, 2014 Mayor's Traffic Committee meeting, and approve Traffic Control Order 216-005.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: N/A

REASON FOR DEADLINE:

STAFF RECOMMENDATION: X For Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

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

FINANCES

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

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

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Dir. of Engineering and Public Services **DATE:** 09/29/14

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 6, 2014



CITY OF MONROE
MAYOR'S TRAFFIC COMMITTEE MINUTES
September 24, 2014

Meeting was called to order by Mayor Clark on Wednesday, September 24, 2014 at 5:00 P.M. in the City Council Chambers.

Members Present: Mayor Clark, Councilman Hensley, Lt. Greg Morgel, James Crammond (arrived at 5:03), Scott Davidson, Michael Miletti, Anthony Webb

Members Absent: Councilman Sisk

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

Citizens Commenting: Earl Crocker, owner of 1009 Franklin Street
Jerry Grays, contractor for 1009 Franklin Street
April Peck, owner of Jim's Towing, 1012 Franklin Street
Donnelda Cupp, on behalf of Jim's Towing
Kelly Meadows, on behalf of 805 O'Brien Street

1. Approval of the Traffic Committee minutes from the May 28, 2014 meeting.

Motion: It was moved by Councilman Hensley and supported by Michael Miletti to approve the minutes from the May 28, 2014 meeting.

Action: The motion passed unanimously (6-0).

2. Report back from the Engineering Department on the parking surveys for the Mason Run Subdivision.

Motion: It was moved by Michael Miletti and supported by Lt. Morgel to accept the Engineering Department recommendation to leave parking as is on Baptiste Avenue, Fontaine Street, and Mason Run Boulevard.

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

3. Request from the Wastewater Department to prohibit parking in front of their pump station on the east side of Winchester Street south of Sixth Street.

Motion: It was moved by Scott Davidson and supported by Anthony Webb to approve Traffic Control Order 216-005, which prohibits parking on the east side of the street between 609 and 615 Winchester Street.

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

4. Request from the City Administration to prohibit parking on the west dead end of Franklin Street for 50 feet to the east on both sides, and on the north side between the dead end and Winchester Street.

Motion: It was moved by Michael Milette to accept the recommendation of the Administration.

Action: The motion died for lack of support.

Motion: It was moved by Councilman Hensley and supported by Scott Davidson to postpone this item until the next meeting.

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

5. Request from citizen Jim Vallade for speed bumps or other traffic control devices on the 1500 block of Arbor Avenue.

Motion: It was moved by Councilman Hensley and supported by Anthony Webb to refer this issue to the Police Department and to direct the Engineering Department to install a speed limit 25 sign at the north end of the street if one does not already exist.

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

6. Appeal from the Monroe Center for Independent Living on behalf of Heather Strack Lyons to reconsider the removal of on-street parking adjacent to 805 O'Brien Street.

Action: No action was taken on the request.

7. Update from staff on the following pending items:
 - a) Lane reconfiguration study of Monroe Street between Third Street and the River Raisin
 - b) Request to prohibit left turns from Telegraph Road onto Custer Drive in both directions.
 - c) Request from citizen Harold Caldwell to establish a set street sweeping schedule to coincide with trash collection

Action: No action was necessary.

8. Request from St. John's Church to allow five (5) disabled parking spaces on the south side of East Fifth Street between Monroe and Washington Streets during church service days and times.

Action: This item was postponed by general consent to the next meeting to allow the Engineering Department to prepare a staff analysis.

9. Adjournment

Motion: It was moved by Lt. Morgel and supported by Anthony Webb to adjourn the meeting.

Action: The motion was passed unanimously (7-0) and the meeting was adjourned at 6:35 P.M.

DRAFT



CITY OF MONROE
TRAFFIC CONTROL ORDER

ORDER NO. 216-005 PROPOSED

EFFECTIVE DATE: October 2014

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

The following regulations shall apply to Winchester Street:

Parking

1. Permitted parking, with no time limitations, from the northern terminus of Winchester Street to Perry Street, both sides.
2. "No Parking" from Perry Street to East Front Street, both sides.
3. "No Parking" from East First Street to the alley north of East First Street, east side.
4. One-hour parking, the first two spaces north of the alley between East First Street and East Second Street, west side, with enforcement times of 7:00 A.M. to 5:00 P.M., Monday through Saturday.
5. **"No Parking between the driveway to 615 Winchester and the driveway to 609 Winchester, east side.**
6. Permitted parking, with no time limitations, in all other areas from East Front Street to East Eighth Street, both sides.

Intersection Control

7. "Four-way STOP" at East Third Street.
8. "Four-way STOP" at East First Street.
9. "Four-way STOP" at East Fourth Street.

The following Traffic Control Orders shall hereby be rescinded: 216-004

City Traffic Engineer

City Clerk-Treasurer

Date

Date



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: VEHICLE AUCTION AUTHORIZATION

DISCUSSION: The City's Stores and Equipment Fund, an Internal Service Fund, is responsible for the maintenance, purchase, and disposition of most City vehicles, including all in the Building, Engineering, Police, Planning, Assessing, and Public Services Departments, and selected vehicles in the Water, Wastewater, and Fire Department. The Stores and Equipment Fund is managed by the Department of Public Services, which is in turn responsible for the sale and disposal of unused items. In November 2012, the Department held a comprehensive auction to dispose of a large number of items that were past their service life. While this auction was highly successful, we would like to better attempt to stay current in future years by disposing of unneeded items on an annual basis, rather than engaging significant staff time to organize a large-scale auction every few years.

At the present time, the Department has five (5) vehicles in our possession that should be disposed of, as they all need significant repair work to return to service and have been replaced with other units, and in one case, an out-of-service Police patrol unit has already been retired and used for spare parts. While sealed bids could be sought for these items on an individual basis, given the success of the previous on-site auction, we would like to place these in an off-site auction service for sale. Our previous auctioneers, Rollo Juckette and Brad Neuhart, who frequently work together, have again offered their services to us in this fashion as they did in fall 2013, and since they were selected following submission of competing proposals, we feel it is appropriate to utilize them again, as we were very pleased with their performance. The auction into which they will be placed is scheduled for Saturday, November 29 at 12544 Carpenter Road in Milan and our items will be included in the advertising material. A ten percent (10%) commission will be charged for each item, which is the same as last year and in 2012 when the auction was held on our site.

Monroe Code Section 114-5B requires that sale of any assets of value greater than \$500 must be approved by the City Council, and since they will be auctioned off rather than sold through sealed bids, approval must occur prior to the date of sale. Proceeds from the sale of these units would be directed to the appropriate funds. The units to be sold are as follows:

- 1999 Ford Ranger (previously used by Wastewater) – approx. mileage 75,000
- 2001 Crown Victoria (previously used by Police Detective Bureau) – approx. mileage 122,000
- 2003 Ford Taurus (previously used by Water Distribution) – approx. mileage 47,000
- 2005 Ford Crown Victoria (previously used by Police Detective Bureau) – approx. mileage 110,000
- 2009 Ford Crown Victoria (previously used by Police Patrol) – engine removed, used for parts

IT IS RECOMMENDED that the City Council authorize the Department of Public Services to place the above items into a public auction hosted by Rollo A. Juckette Auctioneer and / or Brad Neuhart, Auctioneer, and to allow them to secure a 10% commission on all items sold to the highest bidder.

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: November 17, 2014

REASON FOR DEADLINE: The desired auction will be held on November 29, though we would prefer to deliver these items sooner if 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, Department of Public Services, Police Department, Water Department

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$*
Cost of This Project Approval	\$*
Related Annual Operating Cost	\$N/A
Increased Revenue Expected/Year	\$8,000**

*This award does not in and of itself result in any cost, fees will be taken as commission on sale

**Expected revenue would accrue to Stores and Equipment Fund, less a 10% commission, since all units have been replaced by assets owned by the Fund. As all units are relatively old and high-mileage, values are estimates only.

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

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 9/29/14

REVIEWED BY:



DATE:

COUNCIL MEETING DATE: October 6, 2014



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: NAVARRE LIBRARY WINDOW REPLACEMENT – BID AWARD

DISCUSSION: As a part of the 2014-15 Capital Improvements Program, \$40,000 in funding was set aside for the replacement of all windows at Navarre Library, located at 1135 East Second Street. While the facility is operated by the Monroe County Library System, the City of Monroe owns the facility and is responsible for all capital improvements. Fortunately, since this library is located within an area designated as low to moderate income, the City can utilize a portion of its Community Development Block Grant (CDBG) funds that are administered through the Department of Housing and Urban Development (HUD).

In August, the City invited three (3) architectural firms with past experience on City facilities to submit design proposals for the project, and all submitted proposals. As the costs were under \$5,000, in accordance with the City's Professional Services Procurement Policy (attached), a purchase order was entered into with James S. Jacobs Architects, PLLC of Monroe in the amount of \$3,800, and did not require City Council approval. The original proposal has been attached at this time for your information.

Bids for this project were advertised on the Michigan Intergovernmental Trade Network (MITN) for three weeks, and advertisements were also mailed to other bidders thought to have an interest in the work. Bids were opened on September 24, and there was only one (1) bidder, though an additional bidder submitted a bid roughly two (2) minutes late and their bid was not opened. A bid tabulation has been attached for your information, which includes the base bid amount and an alternate for the installation of blinds. The lone bid submitted on time is from Envision Builders, Inc. of Wixom. They performed the lower floor renovations at the Arthur Lesow Community Center for the City in 2013 and as such we believe they are certainly qualified to complete this project, and it appears that they will be acting as the general contractor in partnership with a local glass contractor. Based on the attached recommendation letter from the architect, it is highly unlikely that re-bidding this project will result in significant cost savings, and doing so would likely push completion of the project past the winter 2014-15 heating season, and efficiencies lost by doing so would likely negate any possible gains. As such, despite the bid being over the budgeted funding, it is recommended to proceed with the award at this time, though the blinds alternate cannot be funded now. A proposal from James S. Jacobs Architects, PLLC to perform professional consulting services in the construction phase has been attached for your review as well. Though their fee of \$6,500 represents roughly 15% of the construction costs, this is a relatively small project such this percentage is felt to be appropriate.

Lastly, a bid award for the second phase of building improvements at the Arthur Lesow Community Center has been placed on this agenda for your approval as well. Since the award of the base bid and logical alternate for that project will result in surplus funding being available (and no additional alternates could be funded at this time) and both facilities are eligible for CDBG funding, in order to complete the Navarre Library work in 2014, Engineering and Planning staff both recommend transferring \$25,300 from the ALCC project to complete this funding package.

IT IS RECOMMENDED that the City Council award the above contract for the base bid to Envision Builders Inc. in the amount of \$49,875, and that a total of \$55,000 be encumbered, which includes a 10% project contingency. **IT IS FURTHER RECOMMENDED** that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe. **IT IS FURTHER RECOMMENDED** that a contract for professional services be awarded to James S. Jacobs Architects, PLLC in the amount of \$6,500, and that the Director of Engineering and Public Services be authorized to execute any necessary agreements on behalf of the City. **IT IS FURTHER RECOMMENDED** that the Finance Director be authorized to make any necessary transfer to complete the funding for this project.

CITY MANAGER RECOMMENDATION:

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

203

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: We would like to complete work this fall to maximize cost savings from the new windows for the 2014-15 heating season.

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, Planning Department, library users and staff

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$65,300*
Cost of This Project Approval	\$61,500**
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

*Includes this award plus previous design costs of \$3,800

**Includes \$49,875 in base construction costs, \$5,125 in contingencies, and \$6,500 in professional consulting services for the construction phase.

SOURCE OF FUNDS:

<u>City</u>	<u>Account Number</u>	<u>Amount</u>
Navarre Library Window Repl.	401-95.265-818.020 15C05	\$6,500*
Navarre Library Window Repl.	401-95.265-975.000 15C05	\$55,000**

*Includes consulting services, requires \$5,300 transfer from 401-95.265-975.000 13C01 (ALCC)

**Includes construction cost plus contingencies, requires \$20,000 transfer from 401-95.265-975.000 13C01 (ALCC)

Other Funds

Budget Approval: 

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 10/01/14

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: October 6, 2014



NAVARRE LIBRARY WINDOW REPLACEMENT - BID TABULATION - SEPTEMBER 24, 2014

		BASE BID - WINDOW REPLACEMENT	ALTERNATE 1 - BLINDS INSTALLATION
BASE BID RANK	CONTRACTOR	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT
1	ENVISION BUILDERS, INC.	\$ 49,875.00	\$ 9,450.00

**CITY OF MONROE
PURCHASING POLICY
PROFESSIONAL SERVICE CONTRACTS**

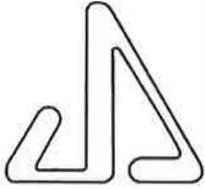
1. Professional service contracts with an estimated contract cost of \$5,000 or less may be entered into after receiving approval of the Finance Director *and* City Manager.
2. Professional service contracts with an estimated contract cost of more than \$5,000, but less than \$15,000 may be entered into after receiving at least three (3) quotes and after receiving approval of the City Council.
3. Professional service contracts with an estimated contract cost of more than \$15,000 may only be entered into after requesting sealed proposals and receiving approval of the City Council.
4. When solicited under the seal-proposal process, requests for proposals (RFP) for professional services shall include language which specifies that the sealed proposal shall be submitted or mailed to the office of the City Clerk and that all proposals submitted will be opened on a specified date and time and at a specified place. The opening of sealed-proposals shall be performed under the supervision of the City Clerk or his/her designee at the specified time and place. The opening of sealed proposals shall be conducted in a place which is open to the public at the time of opening. One copy of each proposal submitted shall remain in the possession of the City Clerk until presented to and acted on by the City Council, and be made available for public examination when requested.
5. A purchase order will be required for any contract with an estimated cost greater than \$1,000.
6. These rules may be waived with approval of the City Manager. All contracts with a cost greater than \$5,000 will require the approval of the City Council regardless of the process for negotiating the contract.

CITY MANAGER APPROVAL

Signature

Date

5/28/2014



JAMES S. JACOBS ARCHITECTS, PLLC

25 WASHINGTON STREET • MONROE, MICHIGAN 48161 • (734) 241-7933

September 29, 2014

City of Monroe
120 East First Street
Monroe, Michigan 48161-2169
Attn.: Patrick M. Lewis, P.E. – Director of Engineering and Public Services

Re: Navarre Library Award of Contract Recommendation

Dear Pat,

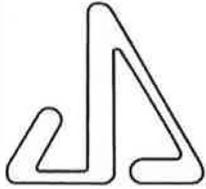
As you are aware, we had contacted three local contractors to inform them of the project. I'm not sure why they didn't respond as each had expressed interest and had adequate time to review and bid the project, in my opinion.

That said, after reviewing the bid from Envision Builders, I see no benefit in bidding the work again. The pricing appears to be reasonable and re-bidding would not likely result in any cost savings. Also, after making several calls it would appear that Monroe Glass, one of the local contractors called, may be a sub-contractor to Envision Builders for the installation of the glazing systems.

James S. Jacobs Architects, PLLC appreciates this opportunity to be of service to you on this project. Should you have any questions, I can be reached by email at jimj@jsajacobsarch.com or by phone at 734-241-7933.

Sincerely,
JAMES S. JACOBS ARCHITECTS, PLLC

James S. Jacobs AIA



JAMES S. JACOBS ARCHITECTS, PLLC

25 WASHINGTON STREET • MONROE, MICHIGAN 48161 • (734) 241-7933

July 28, 2014

City of Monroe
120 East First Street
Monroe, Michigan 48161
Attn. Patrick M. Lewis, P.E., Director of Engineering & Public Service

Re: Professional Services Fee Proposal for the Navarre Library Window Replacement project.

Dear Pat,

Thank you for the opportunity for Jacobs Architects to provide a proposal for professional design services for the CDBG funded window Replacement project for the Navarre Branch Library located in the City owned property at 1135 E. Second Street.

Multi-Phased Professional Services Proposal #1

To best address your needs, as we understand them, we are offering the following multi-phased service proposal. Please note that the fees proposed are accumulative.

While the RFP has only requested a “Not to Exceed” cost for design and construction document services, stating that bidding and construction administration should not be included in the proposed fee, we feel it is necessary and appropriate to provide a fee proposal for bidding and construction administration services for you to have a complete fee picture. As this is a small project from the design and document side the fees for these additional services will potentially result in more time and effort depending on the contractor involved resulting in an equal or greater fee than the base requested services.

Phase 1 – Design, Design Development & Construction Documents

Jacobs Architects’ fee for the phase 1 services outlined below would be a Not to Exceed fee of three thousand eight hundred (\$3,800.00) dollars, invoiced hourly in accordance with the attached current hourly rate Schedule Plus reimbursable expenses.

In general, Phase 1 of this proposal includes.

- Meeting with the Owner to finalize conceptual planning and design choices
- Code review

- Field measuring of existing exposed architectural features. Input of existing field measurement data obtained into AutoCAD to establish base drawings for layout purposes in defining the remodeling scope of work
- Construction Documents for the renovations for the above described scope of work including, but not limited to, the following documents:
 - Title sheet w/legends, code data, and general notes
 - Floor plan(s) (documenting existing conditions & proposed modifications)
 - Exterior Elevations, Details & Schedules
 - Other details and sections as deemed necessary and appropriate by Architect.
 - Coordinate communications, if required, with review agencies for final review.
- Estimate of Probable Construction Costs

Phase 2 Services – Bidding, Construction Observation & Administration Services (Optional services suggested but not required)

Jacobs Architects’ fee for this phase would be a Not to Exceed fee of six thousand five hundred (\$6,500.00) dollars, invoiced hourly in accordance with the attached current hourly rate schedule plus reimbursable expenses.

In general, Phase 2 of this proposal includes.

- Bidding Coordination Services – Assist the Owner in obtaining construction bids from three to four pre-selected Contractors.
- Assist the Owner in bid review and contract coordination upon selection of a successful bidder.
- Construction Administration services to assist in interpretation of the bid documents, issue addenda and bulletins, clarifications, and change orders, shop drawing review, pay application review and processing, field inspections, punch list inspection, and project closeout services.

The following services are NOT included in this proposal: (Any or all of these services can be provided as additional services upon request.)

- Consultation for Programs including, but not limited to, Incentive Funding, Tax Credits for Historic Preservation, Brownfield, Obsolete Building, Façade Grants and other similar programs
- Renderings and/or models
- Professional photographic documentation
- Professional witness testimony
- Hazardous materials testing or consultation

Changes and/or modifications required by governing agencies, not related to the specified work area and or beyond due care practice, shall be billed as additional services using the attached hourly rate fee schedule.

Time Frame & Staff

Our current workload would allow us to begin work within two (2) weeks of award of contract. We would anticipate completion of the project two to three weeks after commencement depending on City staff meeting schedules and design approvals.

As for Staff involved in the project, your main contact would be me with project coordination and production being coordinated by Brenda Rigdon, RA, LEED BD&C, with CAD assistance by Jeanette Marrs and specification coordination by Val Johnson.

Should you wish to proceed we recommend that we use a Standard AIA Agreement to formalize our working relationship with you.

James S. Jacobs Architects, PLLC appreciates this opportunity to be of service to you on this project. Should you have any questions, I can be reached by email at jimj@jsajacobsarch.com or by phone at 734-241-7933.

Sincerely,
JAMES S. JACOBS ARCHITECTS, PLLC

James S. Jacobs, AIA

JAMES S. JACOBS ARCHITECTS, PLLC
25 Washington Street • Monroe, Michigan 48161

HOURLY FEE SCHEDULE:

Clerical	\$35.00 per hour
Drafter	\$42.00 per hour
Designer	\$55.00 per hour
Architect	\$66.00 per hour
Project Manager	\$75.00 per hour
Project Architect	\$82.50 per hour
Principal	\$90.00 per hour

Hourly rates are computed in fifteen-minute increments rounded to the nearest increment. Consultant fees and reimbursable expenses are charged at 1.10 times cost.

REIMBURSABLE EXPENSES:

The only anticipated expense for this project would be printing costs billed at \$3 per sheet for black and white prints and \$5 for color prints. Our suggested budget for this project would be four hundred (\$400).



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ARTHUR LESOW COMMUNITY CENTER (ALCC) BUILDING IMPROVEMENTS PHASE TWO – BID AWARD

DISCUSSION: In 2009, a facility evaluation study of the Arthur Lesow Community Center (ALCC), located at 120 Eastchester Street, was commissioned by the Engineering and Planning Departments. Since the center serves a large number of low-to-moderate income persons, it is eligible for funding through the City's annual Community Development Block Grant (CDBG) entitlement funding. As a result of the facility study, the City began making significant investments in the complete rehabilitation of the facility, through \$400,000 in CDBG allocations in the 2010-11 and 2011-12 fiscal years for an overhaul of the mechanical / ventilation and electrical systems. As a part of the 2012-13 and 2013-14 Capital Improvements Program (CIP), the City Council funded an additional \$300,000 toward the remaining interior building renovation elements, and these funds were expended in fall 2013 for the complete renovation of the lower level (first floor) toilet and shower rooms and various other rooms on this level. In keeping with the long-term plans for this facility, another \$150,000 was allocated through the 2014-15 CIP to continue with the remaining renovations, which are still expected to take through the 2015-16 or 2016-17 fiscal years to complete based on expected funding availability. It is expected that an additional \$300,000 will be needed over the 2014-15 and 2015-16 fiscal years to complete all remaining activities, which include complete renovation of all toilet rooms and offices on the upper (second) floor, kitchen renovations and equipment replacement, exterior stair modifications, and elevator modifications and upgrades.

In February 2013, a design contract was awarded to Mitchell and Mouat Architects of Ann Arbor for the overall project design, and we have been highly satisfied with their work to date. Since all remaining work was designed in 2013, for each year's bidding we have directed them to place the highest priority remaining work (for the 2014 this is the upper level toilet room work) into the base bid, and packaging the remaining elements as individual bid alternates. In such a fashion, the City could entertain awarding one or more alternates on top of the base bid if possible, and essentially the same set of plans could be reused for bidding of uncompleted alternates in subsequent years with a very minimum in design changes. As per normal, bids for this project were advertised on the Michigan Intergovernmental Trade Network (MITN) for three weeks, and advertisements were also mailed to other bidders thought to have an interest in the work. Bids were opened on September 24, and there were two (2) bidders, though an additional bidder submitted a bid roughly two (2) minutes late and their bid was not opened. A bid tabulation has been attached for your information.

Following review of the bids and supplied references, the project architect returned with a recommendation for award, which is attached to this fact sheet. The Engineering Department concurs with the recommendation, which is to award the work to Cross Renovation Inc. of Garden City based on past experience on similar work. Based on funding constraints, it appears that only the base bid and alternate #1 (second floor office renovations) can be awarded. However, based on subsequent conversations with the architect, they recommend trying to incorporate some elements of alternate #2 into this year's project, so we will recommend negotiation with the contractor to add the most critical components at this time within the allocated contingencies. Further, the Navarre Library Window Replacement project bid (also on this agenda) exceeds its budget, so we will be recommending transferring the needed funding (\$25,300) from the ALCC project account to complete work this fall. A proposal from Mitchell and Mouat to perform professional consulting services in the construction phase has been attached for your review as well, and their proposed fee is very reasonable, being less than 7.5% of the construction costs.

IT IS RECOMMENDED that the City Council award the above contract for the base bid and alternate #1 to Cross Renovation Inc. in the amount of \$99,615, and that a total of \$114,700 be encumbered, which includes a 15% project contingency. **IT IS FURTHER RECOMMENDED** that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe. **IT IS FURTHER RECOMMENDED** that a contract for professional services be awarded to Mitchell and Mouat Architects in the amount of \$7,350, and that the Director of Engineering and Public Services be authorized to execute any necessary agreements on behalf of the City.

CITY MANAGER RECOMMENDATION:

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

204

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: We would like to complete work this fall if 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 Department, Planning Department, ALCC users and staff

FINANCES

COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$650,000*
	Cost of This Project Approval	\$122,050**
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

*Includes remaining design, construction, and inspection / management of remaining phases, including 2013 work, this award, and work contemplated for the 2015-16 and 2016-17 fiscal years.

**Includes \$99,615 in base construction costs, \$15,085 in contingencies, and \$7,350 in professional consulting services for the construction phase.

SOURCE OF FUNDS:	<u>City</u>	Account Number	Amount
	ALCC Contractual	401-95.265-818.020 13C01	\$7,350*
	ALCC Building Renovations	401-95.265-975.000 13C01	\$114,700**

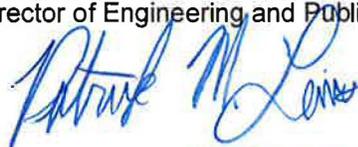
*Includes consulting services, and funding should be transferred from 401-95.265-975.000 13C01 for proper tracking.

**Includes construction cost plus contingencies.

Other Funds

Budget Approval: 

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services **DATE:** 10/01/14

REVIEWED BY: 

DATE:

COUNCIL MEETING DATE: October 6, 2014

BUILDING IMPROVEMENTS FOR CITY OF MONROE ARTHUR LESOW COMMUNITY CENTER PHASE TWO - BID TABULATION - SEPTEMBER 24, 2014

		BASE BID - UPPER LEVEL RENOVATIONS EXCLUDING OFFICE	ALTERNATE 1 - UPPER LEVEL OFFICE RENOVATIONS	ALTERNATE 2 - EXTERIOR STAIRS AND RELATED MODIFICATIONS	ALTERNATE 3 - KITCHEN RENOVATIONS	ALTERNATE 4 - ELEVATOR MODIFICATIONS AND UPGRADES
BASE BID RANK	CONTRACTOR	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT	LUMP SUM BID AMOUNT
1	CROSS RENOVATION INC.	\$ 58,615.00	\$ 41,000.00	\$ 69,585.00	\$ 78,998.00	\$ 28,000.00
2	ENVISION BUILDERS, INC.	\$ 64,800.00	\$ 49,200.00	\$ 69,700.00	\$ 73,800.00	\$ 26,800.00
Note: Low Bidder for each base bid / alternate is listed in bold print.						

MEMO

Project:	Arthur Lesow Community Center Phase II	Project No.:	1306
To:	City of Monroe	Date:	9-24-14
Attn:	Patrick Lewis	No. of Pages:	1

Re: Contract Recommendation

We have reviewed the bids for the above project and have the following recommendations:

Contractor:

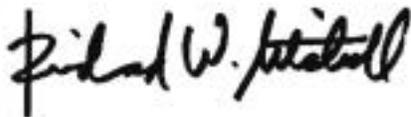
Cross Renovation Inc. is the low bidder.

We have spoken to Brian Humenay, the estimator for Cross, and he reports that Cross Renovation stands by the base bid and alternate bids.

We contacted and discussed past performance of Cross Renovation with three references and had positive comments. Each spoke highly of Cross Renovation's ability to perform and work well with all parties. In addition, we found Cross Renovation Inc. has performed work similar in scope to the Phase II work at the Arthur Lessow Community Center (ALCC).

Mitchell and Mouat Architects Inc. recommend that the City of Monroe award this project to **Cross Renovation Inc.**

Sincerely,
MITCHELL and MOUAT ARCHITECTS, Inc.



Richard Mitchell

copies:



Mitchell and Mouat architects

September 26, 2014

Mr. Patrick M. Lewis, PE
Director of Engineering and Public Services
Monroe, Michigan

RE: Arthur Lessow Community Center, Phase II
Construction Phase Fee Proposal

Dear Mr. Lewis,

We would like to respond to request for a proposal to provide construction phase services related to phase II of the renovations at the Arthur Lessow Community Center.

In keeping with our agreement with the City of Monroe, dated March 8, 2013, We would like to propose Mitchell and Mouat Architects, Inc. will provide the following scope of services:

1. Pre-construction meeting with Contractor and owner.
2. Review and approve material and color submittals.
3. Bi-weekly progress meeting.
4. Respond to requests for information from the Contractor.
5. Inspections for conformance to construction documents.
6. Review and approve Contractor's application for payment.
7. Process change orders.
8. Inspection and preparation of punch lists.
9. Prepare as-built drawings in AutoCAD.

It is understood that no extra work that expands or alters the general scope of this proposal shall be made unless in pursuance of a written order by the Owner. All changes shall be executed under the conditions of the original contract except that any claim for extension of time caused by the change shall be adjusted at the time the change is approved.

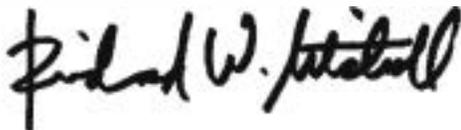
It is also understood that the architect and/or engineer may be requested to provide proof of continuing insurance coverage as specified in the contract as a condition of award of any proposal.

Proposed Compensation:

The compensation for this project will be a not-to-exceed figure of **\$7,350**, as follows:

Mitchell and Mouat Architects, Inc.	\$5,250
MEEC (MEP engineering)	<u>2,100</u>
Total	\$7,350

Sincerely,
Mitchell and Mouat Architects, Inc.



Richard W. Mitchell, AIA

113 South Fourth Avenue Ann Arbor, Michigan 48104
734-662-6070 FAX 734-662-3802 MaMA@MitchellandMouat.com



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: REIMBURSEMENT OF EXPENDITURES FROM FUTURE BOND PROCEEDS

DISCUSSION: On August 26, 2014, the City closed on the purchase of property located at 207 East 2nd Street. The purpose of this purchase was for the potential future location of a public safety facility (police and/or fire) in that general area. If a facility were to be constructed, it would most likely require the City to issue debt in the form of a bond issue. In order for these up front capital purchases to be eligible to be funded by a future bond issue, the City needs to declare its intent to make that future reimbursement within sixty (60) days of the actual purchase.

A resolution is attached that would give the City Manager approval to make a declaration of official intent to reimburse expenditures. In addition to the resolution, the actual declaration form that would be used by the City Manager is attached as well. This approval does not commit the City to any type of debt issue.

The funds that were used for the purchase of 207 East 2nd Street came from the Capital Projects Fund reserves. The fund has a very limited reserve and reimbursing these expenditures with a future bond issue would help to fund other smaller capital projects. Also, if additional properties are purchased, the Capital Projects Fund reserves will likely be depleted and will need to be reestablished if a bond issue were to occur.

It is recommended that the Mayor and City Council approve the attached "RESOLUTION AUTHORIZING CITY MANAGER TO MAKE DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES."

CITY MANAGER RECOMMENDATION:

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

APPROVAL DEADLINE: October 24, 2014

REASON FOR DEADLINE: Sixty days from property purchase

STAFF RECOMMENDATION: For Against

REASON AGAINST: N/A

INITIATED BY: Edward Sell, Finance Director

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Finances

FINANCES

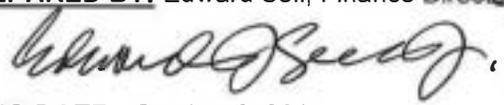
COST AND REVENUE PROJECTIONS:	Cost of Total Project	\$ N/A
	Cost of This Project Approval	\$ N/A
	Related Annual Operating Cost	\$ N/A
	Increased Revenue Expected/Year	\$ N/A

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

Budget Approval: _____

FACT SHEET PREPARED BY: Edward Sell, Finance Director 

DATE: 9/30/14

REVIEWED BY: 

DATE: 9-30-14

COUNCIL MEETING DATE: October 6, 2014

**RESOLUTION AUTHORIZING CITY MANAGER TO MAKE DECLARATION OF
OFFICIAL INTENT TO REIMBURSE EXPENDITURES**

CITY OF MONROE
County of Monroe, State of Michigan

Minutes of a regular meeting of the City Council of the City of Monroe, County of Monroe, State of Michigan, held on the 6th day of October, 2014, at 7:30 p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

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

WHEREAS, from time to time the City of Monroe, County of Monroe, State of Michigan (the "City") determines that it is necessary for the public health, safety and welfare of the City to acquire or construct buildings, land, property, or equipment to be used for public purposes; and

WHEREAS, from time to time the City determines that it is the best interest of the City to fund expenditures for the acquisition or construction of buildings, land, property, or equipment to be used for public purposes on a long-term basis with proceeds of bonds or other debt obligations issued in expectation of reimbursement of the expenditures; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulation §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the "Reimbursement Regulations"), governing proceeds of debt used for reimbursement, pursuant to which the City must declare official intent to reimburse expenditures with proceeds of tax-exempt debt; and

WHEREAS, the Reimbursement Regulations specify conditions under which a reimbursement allocation may be treated as an expenditure of proceeds of tax-exempt debt, and the City intends by this resolution to authorize the City Manager of the City to declare "official intent" to reimburse expenditures with proceeds of tax-exempt debt within the meaning of the Reimbursement Regulations, so as to qualify expenditures of monies advanced by, or on behalf of, the City for reimbursement from the proceeds of tax-exempt debt in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City designates the City Manager of the City as the person authorized on behalf of the City to declare "official intent" of the City to reimburse itself for expenditures from debt proceeds in accordance with the requirements of the Reimbursement Regulations. The City Manager is authorized to take any and all actions necessary to assure that any expenditures advanced by, or on behalf of, the City prior to issuance of debt are eligible for reimbursement from the proceeds of debt in accordance with the requirements of the Reimbursement Regulations.

2. This resolution does not bind the City to acquire and construct any improvements or to issue any obligations of the City.

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

AYES: Members: _____

NAYS: Members: _____

RESOLUTION DECLARED ADOPTED.

Michelle LaVoy
City Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Monroe, County of Monroe, State of Michigan, at a regular meeting held on the 6th day of October, 2014, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Michelle LaVoy
City Clerk

22952783.1\061967-00054

City of Monroe
County of Monroe, State of Michigan

DECLARATION OF OFFICIAL INTENT TO
REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX-EXEMPT DEBT

WHEREAS, the Internal Revenue Service has issued Treasury Regulation §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the "Reimbursement Regulations"), governing proceeds of debt used for reimbursement, pursuant to which a municipality must declare official intent to reimburse expenditures with proceeds of debt in order for interest on the debt to be tax-exempt; and

WHEREAS, the City Council of the City of Monroe, County of Monroe, Michigan (the "City") by resolution adopted October 6, 2014 has authorized me, as the City Manager of the City, to declare "official intent" to reimburse expenditures with proceeds of tax-exempt debt within the meaning of the Reimbursement Regulations, so as to qualify expenditures of monies advanced by, or on behalf of, the City for reimbursement from the proceeds of tax-exempt debt in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, it is expected that the City Council will consider issuance of bonds to finance acquisition, construction, furnishing and/or equipping the improvements as more fully described in Exhibit A (the "Improvements"); and

NOW, THEREFORE, I make the following declaration of official intent for the purpose of complying with the reimbursement rules of Treasury Regulation §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

1. As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in Section 2 below with proceeds of debt to be incurred by the City.
2. The expenditures described in this Section 2 are to pay certain costs associated with the Improvements which were or will be paid subsequent to 60 days prior to the date of this declaration which will be paid prior to the issuance of the debt from the general funds or capital funds of the City.
3. As of the date of this declaration, the maximum principal amount of debt expected to be issued for reimbursement purposes for the Improvements, including reimbursement of debt issuance costs, is \$1,200,000, which debt may be issued in one or more series and/or together with debt for other purposes.
4. A reimbursement allocation of the expenditures described in Section 2 above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Improvements are placed in service or abandoned, but in no event more than three years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.

5. The expenditures for the Improvements are “capital expenditures” as defined in Treasury Regulation §1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of “placed in service” under Treasury Regulation §1.150-2(c)) under general federal income tax principles (as determined at the time the expenditure is paid).

6. This declaration is executed to indicate the intent of the City only, and does not bind the City to acquire and construct any improvements or to issue any obligations of the City with respect to the same.

CITY OF MONROE

By: _____
George Brown
Its: City Manager

Date: October __, 2014

EXHIBIT A
DESCRIPTION OF IMPROVEMENTS

The Improvements include the acquisition of land and real property for public improvements.