

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, APRIL 7, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 7, 2008 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Members Beneteau, Clark, Conner, McGhee, Molenda, Paisley and Mayor Worrell.

Charles Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Charles D. Evans, City Clerk/Treasurer, stated that item 69, Replacement of Ambulance Cot was removed from the Consent Agenda.

Proclamations.

57 Monroe High School Health Fair Day – April 12, 2008.

Mayor Worrell stated that he received a T-Shirt from the Monroe High School fast pitch softball team after throwing the first pitch at Friday's game.

Council Action

58 It was moved by Councilman Beneteau and seconded by Councilman McGhee that the communication from the Finance Director, submitting proposed Ordinance No. 08-002, an ordinance to adopt the Fiscal Year 2008-2009 Budget for the City of Monroe, be placed on its first reading and the public hearing be set for Monday, April 21, 2008.

Ayes: 7 Nays: 0

Motion carried.

Councilman Molenda stated he cannot support the budget as presented because it includes \$794,000 in budget stabilization funds and he is committed to balancing the budget without using those funds.

Councilman Clark agreed with Councilman Molenda, stating that he wants the process to move forward but without using budget stabilization funds.

Councilwoman Conner agreed that the budget should not be balanced with budget stabilization funds and felt that some departments have already done what they needed to do and the remaining departments need to get on board and do the same.

Councilman McGhee also agreed stating that they are going to balance the budget and asked all departments that are not on board to rethink what they can do to take the burden off the taxpayers.

Mayor Worrell concurred with Council stating that there is a need to right size government and we can't be in denial about the problems we have.

After discussion, a vote was taken on the motion.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-002 was then presented for the first time and laid over for its second reading and public hearing.

Consent Agenda. (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and may be approved by one motion. Any item may be removed for separate discussion by a Councilperson or citizen.)

A. Approval of the Minutes of the Regular meeting held on Monday, March 17, 2008, the minutes of the Work Session held on Thursday, March 20, 2008, the minutes of the Work Session held on Monday, March 24, 2008, the minutes of the Work Session held on Tuesday, March 25, 2008, and the minutes of the Work Session held on Tuesday, March 31, 2008.

B. Approval of payments to vendors in the amount of \$885,009.14.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

59 Replacement Police Patrol Vehicles.

1. Communication from the Police Department, reporting back on a bid for the replacement of Police Patrol Vehicles, 5009, 5011, 5012, and 5007 and one administrative vehicle, 5002, and recommending that the bid be awarded to Signature Ford out of Owasso, MI, for the following amounts: the Crown Victoria will be \$21,182.00 per vehicle, the Ford Explorer will be \$21,835.00, and the Ford Taurus will be \$19,145.00, with a total purchase price of \$83,344.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

60 Employment Agreement for Joann VanAken.

1. Communication from the Human Resources Director, submitting an employment agreement between the City of Monroe and Joann VanAken, to employ Ms. VanAken on a part-time basis following her retirement on March 30, 2008, and recommending that the agreement be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

61 Employment Agreement for David Cousino.

1. Communication from the Human Resources Director, submitting an employment agreement between the City of Monroe and David Cousino, to employ Mr. Cousino on a part-time basis following his retirement on March 13, 2008, and recommending that the agreement be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

- 62 Employment Agreement for Loretta Hopson.
1. Communication from the Human Resources Director, submitting an employment agreement between the City of Monroe and Loretta Hopson, to employ Ms. Hopson on a part-time basis following her retirement on March 28, 2008, and recommending that the agreement be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 63 Employment Agreement for Connie Ochs.
1. Communication from the Human Resources Director, submitting an employment agreement between the City of Monroe and Connie Ochs, to employ Ms. Ochs on a part-time basis following her retirement on April 1, 2008, and recommending that the agreement be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 64 Weeds and Grass Cutting – Proposed Resolution.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 21, 2008 as the date of the public hearing on the assessment roll for the cutting of weeds and grasses where the owners have failed to do so, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 65 Sidewalk Repair – Proposed Resolution.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 21, 2008 as the date of the public hearing on the assessment roll for the expenses of sidewalk repair where the owners have failed to pay for same, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 66 Rental Property Inspection Fee – Proposed Resolution.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 21, 2008 as the date of the public hearing on the assessment roll for the expenses of unpaid rental property inspection fees where the owners have failed to pay for same, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.

67 Demolition Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 21, 2008 as the date of the public hearing on the assessment roll for the demolition expenses where the owner have failed to pay for same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

68 Blight Removal – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 21, 2008 as the date of the public hearing on the assessment roll for the expenses of blight removal in those cases where the owners have failed to do so, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

69 This item was removed from the agenda at the beginning of the meeting.

70 Habitat for Humanity of Monroe County Request.

1. Communication from the Director of Engineering and Planning, requesting an extension of the "sunset clause" for the parcel located at 1738 Oak Street, and recommending the extension request is approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

71 Dorsch Memorial Library Improvements.

1. Communication from the Director of Engineering and Planning, reporting back on bids for the third phase of Dorsch Memorial Library Improvements, and recommending that the City of Monroe enter into a contract with T.H. Marsh Construction, Inc., with a budget of \$122,000 for the work to be completed by this contractor, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

72 Harbor Avenue Pavement Reconstruction – Change Order to 2007 Concrete Paving Program Contract.

1. Communication from the Director of Engineering and Planning, submitting a request for a change order to the 2007 Concrete Paving Program Contract, and recommending that the Council award the change order to Dominic Gaglio Construction, Inc., for the reconstruction of Harbor Avenue in the amount of \$178,306.01, and that a total of \$205,000.00 be encumbered to include a 15% project contingency, and further recommending that the City Engineer be authorized to sign the change order on behalf of the City of Monroe. It is further recommended

that the Finance Director be authorized to transfer funds as necessary from the Major Street Fund Balance to fund any work prior to July 1, 2008.

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

73 Purchase of Property.

1. Communication from the Director of Engineering and Planning, submitting a request to purchase the property located at 22 W. Front Street (formerly referred to as the Townsite Property or Valmassei's), and recommending City Council exercise its option to purchase the property for \$37,068.40 from Robart Associates Ltd. and Steppingstone Properties, and further recommending that City Council authorize the Mayor or his designee to execute all necessary documents related to the purchase of this property.
2. Supporting Documents.
3. Action: Accept, place on file and the recommendation be carried out.

74 March of Dimes Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from the March of Dimes for permission to display a banner across East Front Street from April 1 – April 28, 2008, and recommending that the request be approved.
2. Supporting Documents.
3. Action: Accept, place of file and the recommendation be carried out.

75 Transfer Ownership of Escrowed 2007 SDM Licensed Business.

1. Communication from the City Manager's Office, reporting back on a request from Good Choice Boat, Bait & Tackle Rental to transfer ownership of an escrowed 2007 SDM licensed business located at 1509 E. Front Street, Monroe, MI from Joan & Lewis Roe, Sr., and recommending that City Council approve this requested transfer.
2. Supporting Documents.
3. Action: Accept, place on file and the recommendation be carried out.

76 Employment Agreement.

1. Communication from the Human Resources Director, submitting an employment agreement between the City of Monroe and Carol Evans, to employ Ms. Evans on a part-time basis following her retirement on March 29, 2008, and recommending that the agreement be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

77 Mercy Memorial Hospital – Resolution.

1. Communication from City Manager's Office submitting a proposed resolution to recognize the Mercy Memorial Hospital Guild as a non-profit organization, 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 Councilman Beneteau and seconded by Councilman Clark that items 59, 61, 62, 63, 64, 65, 66, 67, 68, 72, 74, 75, 76, and 77 be approved as indicated and that items 60, 70, 71 and 73 be removed and considered separately.

Ayes: 7 Nays: 0.

Motion carried.

60 The communication from the Human Resources Director, was presented, submitting an employment agreement between the City of Monroe and Joann VanAken, to employ Ms. VanAken on a part-time basis following her retirement on March 30, 2008, and recommending that the agreement be approved.

Adam Yeager, 1833 South Custer Road, stated that there are no time limits on any of the temporary employment agreements and questioned why people were not trained to take over positions ahead of time if the City knew people were going to retire or be laid off.

George Brown, City Manager, stated the City didn't have the opportunity to train any of the people who were to succeed those who were leaving because they didn't know who those individuals would be until the bidding/bumping process could get under way. He further explained that in almost all of the cases, they are filling the need until the vacancies can be filled and are having overlapping training from the former employees to the new employees filling the positions. He also stated that the contracts are open ended; anywhere from a couple of weeks to several weeks of part time employment with no guarantees of how often or how long they will last.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that item 60 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion passed.

70 The communication from Director of Engineering and Planning was presented, requesting an extension of the "sunset clause" for the parcel located at 1738 Oak Street, and recommending the request be approved.

Councilman Clark commended Habitat for Humanity for moving forward and for their contacts with the citizens and Council regarding developing some architectural modifications as Habitat homes are built in the community.

Councilman Molenda expressed appreciation for what Habitat has done for the community and feels that there is a commitment from them to work with us a little bit more in coming up with architecture that is more consistent with the neighborhoods and keeping with the Council's broader public policy goals.

It was moved by Councilman Clark and seconded by Councilman Molenda that item 70 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

71 The communication from Director of Engineering and Planning was presented, reporting back on bids for the third phase of Dorsch Memorial Library Improvements, and recommending that the City of Monroe enter into a contract with T.H. Marsh Construction, Inc., with a budget of \$122,000 for the work to be completed by this contractor, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.

Adam Yeager, 1833 S. Custer Road asked what this money would be used for and wanted to know if the work would be done and then torn down making it more wasted money.

George Brown, City Manager, responded stating that this is Phase III of the multi year improvements at Dorsch Library which is funded by a Community Development Block Grant that the City is entitled to annually. He explained that this is a wrap up project that is relatively minor in regard to the whole project and should give Dorsch Library another generation of life.

After discussion, it was moved by Councilman Paisley and seconded by Councilman Molenda that item 71 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Ayes: 0

Motion carried.

73 The communication from the Director of Engineering and Planning was presented, submitting a request to purchase the property located at 22 W. Front Street (formerly referred to as the Townsite Property or Valmassei's), and recommending City Council exercise its option to purchase the property for \$37,068.40 from Robart Associates Ltd. and Steppingstone Properties, and further recommending that City Council authorize the Mayor or his designee to execute all necessary documents related to the purchase of this property.

Adam Yeager, 1833 S. Custer Road, stated he was curious why the City needs to purchase property and asked what it was going to be used for.

George Brown, City Manager stated that the purchase of the property at 22 West Front Street is a repurchase which comports with a sale and purchase agreement that was completed on this property in 1997 and amended in 1999 and gives the City the opportunity to reacquire this property to make sure that we get it back into good hands and good development eventually.

Mr. Yeager stated that he is against government buying property with his money and then having control over who gets it if it is ever to be developed.

It was moved by Councilman Clark and supported by Councilman Paisley that item 73 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Councilwoman Conner)

Motion carried.

Council Comments.

Councilman Molenda commented on the interim recreation superintendent's good approach with the offering of new recreation programs such as a backpacking class, yoga in the park, evening swim classes,

walking programs, drop-in basketball and bocce, and a skate park program and encouraged people to re-engage in recreation activities.

Councilwoman Conner stated she attended the MML conference in Lansing where Governor Jennifer Granholm spoke and gave a phone number for people to call for mortgage help. The number is available at the City Manager's Office. She also stated that she is excited about the new recreation offerings including the sensory garden at Veteran's Park.

Councilman Paisley stated that the budget process is extremely difficult and asked Ed Sell, Finance Director, to discuss certain budget scenarios at the next meeting. He also commented on the government stimulus package encouraging people to "buy local".

Councilman McGhee commented on the city's bicycle ordinance stating that he thinks we can coexist in the City of Monroe with regard to bicycles downtown if we just are considerate to fellow citizens. He also echoed the appreciation and enthusiasm over the recreation department stating he thinks it will be very beneficial to the citizens of the city.

City Manager Comments.

George Brown, City Manager, stated that the new recreation newsletter will be out in the Monroe Evening News at the end of the month or information can be obtained by calling the recreation department at 734-384-9156. He also read a letter from Mr. Randazzo thanking the city for their assistance in getting Elm Avenue cleaned up at the battlefield site.

Citizen's Comments.

Mark Farris, 419 East Second Street, asked that the names and addresses of Council members be broadcast on television, the same as any citizen speaking at the meeting. He stated that the Mayor should ask the audience for input when an agenda item is pulled for discussion and also commented on the city employment contracts stating that he was not impressed with Mr. Brown's answer and felt that the bid process should have started sooner. He stated he asked Tom Ready, City Attorney, for permission to read an atheist prayer and was told that he would have to wait until the "Citizen Comment" period. Mr. Farris felt this was discrimination against him.

Mr. Ready explained he had a conversation with Mr. Farris before the meeting and indicated that it is the prerogative of Council who should give the invocation and that it would be impractical to have a hundred invocations at the beginning of the meeting.

Mr. Farris then read an atheist prayer. He also spoke in regard to the Ford/ACH situation asking what the city's argument was when negotiating the initial amount from \$734,000 to \$333,000.

Tom Ready, City Attorney, explained that the matter was dealt with primarily through the assessor's office, but he did review the documents. He stated it was his understanding that after all of the expert opinions had been weighed regarding the value of the property; it was in the best interest of the city to make the settlement that it did.

Mayor Worrell stated that he did agree with Mr. Farris's comment that he should be asking the audience for input when a citizen pulls an item for discussion.

Selma Rankins, 221 Ross Drive, feels the city should not be putting his tax money in Monroe Bank & Trust because they are a bad bank stating that they don't hire people who "look like him". He further stated that Fifth Third and National City are no better and it is like putting your money in a Klu Klux Klan bank. He suggested that the city invite him to a meeting to discuss what to do with the money besides putting it in Monroe Bank & Trust.

Nora Young, 414 Conant Avenue, asked that the city keep the traffic light at the intersection of Winchester and Third Streets rather than the blinking red light and stop signs because it is such a busy intersection. Mayor Worrell stated that this would come up for review before the Traffic Committee.

John Timko, 1034 Bentley Drive, spoke in regard to item 59, stating that he sees no reason to go out of town to buy a police vehicle when there are a lot of dealers locally.

Tim Reed, 1201 Riverview, Firefighter/Paramedic, read a letter from the Monroe Firefighters Association in regard to a proposal by the Chief of Police to cross train his patrol officers as firefighters, asking the Mayor and Council to dismiss any idea of implementing a Public Safety Officer program in the City of Monroe and to let the firefighters and police officers provide the high level of professional services to the community in their respective departments.

Councilwoman Conner commented on information Council received from the Firefighters Association this week in regard to their request to start negotiations with the City and stated that she thinks something needs to be said to be sure the city is bargaining in good faith.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that Council go into closed session to discuss collective bargaining at 8:33 p.m.

Derek Whittaker, President, Local 326 Firefighters, 9091 Newport Creek Road, asked if they should be included in the closed session since it is to discuss their negotiations.

Mayor Worrell responded that there are three reasons Council can go into executive session; to discuss land acquisition, labor negotiations or litigation and it would not be appropriate for them to be included in the closed session.

A vote was then taken on the motion.

Ayes: 7 Nays: 0

Motion carried.

Council reconvened at 10:23 p.m.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman McGhee that the meeting adjourn at 10:24 p.m. until the Regular Meeting on Monday, April 21, 2008 at 7:30 p.m.

Ayes: 7 Nays: 0
Motion carried.

Charles D. Evans
City Clerk-Treasurer

Mark G. Worrell
Mayor