

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, MAY 5, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, May 5, 2008 at 7:30 p.m. in the City Hall Council Chambers.

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

Excused: Council Member Clark

Charles Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation of a check to the City from Bill Swinkey, Monroe Area Soccer Association.

Public Hearings.

89 This being the date set to hear public comments on the Annual Action Plan for the City of Monroe's allocated Community Development Block Grant funds, there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Adam Yeager, 1833 S Custer Road, stated he hopes the grant will benefit the citizens.

Councilman Molenda stated that the section of the report labeled Proposed Budget 2007 should read 2008.

Pat McElligott, 813 Reisig Street, questioned how the grant would be dispersed.

Pat Lewis, Director of Engineering and Planning, pointed out several projects that will benefit from the grant, including the gymnasium floor, windows, ventilation system, and the concrete terrace surrounding the building at the Arthur Lesow Center.

Councilman McGhee pointed out that there will also be a renovation of the weight room and the boxing ring at the Arthur Lesow Center.

There being five persons present commenting and no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

Council Action

93 It was moved by Councilman Paisley and seconded by Councilman Beneteau that the communication from the Director of Water and Wastewater Utilities, submitting proposed Ordinance No. 08-003, an ordinance to establish water rates pursuant to Sections 1044.05, 1044.07, 1044.14, 1044.25 & 1044.28 of

the Codified Ordinances of Monroe, Michigan, be placed on it's first reading and that the public hearing be set for Monday, May 19, 2008.

Ayes: 6 Nays: 0

Motion carried.

Proposed Ordinance No. 08-003 was then presented for the first time and laid over for its second reading and public hearing.

94 It was moved by Councilman Paisley and seconded by Councilman McGhee that the communication from the Director of Public Services, submitting proposed Ordinance No. 08-004, an ordinance to create a "No Wake Zone" area on the River Raisin, be placed on it's first reading and that the public hearing be set for Monday, May 19, 2008.

Ayes: 6 Nays: 0

Motion carried.

Proposed Ordinance No. 08-004 was then presented for the first time and laid over for its second reading and public hearing.

Charles Evans, Clerk- Treasurer stated that Council was presented with an amended item number 96, 2008 water main rehabilitation program bids.

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, April 21, 2008
- B. Approval of payments to vendors in the amount of \$529,408.21
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

95 Wastewater Facility Rehab Advance.

1. Communication from the Director of Water and Wastewater Utilities, submitting a request to pre-purchase the Aeration Blowers and Motors for a Wastewater Facility rehabilitation project, and recommending that the Wastewater Fund provide the necessary funds to pre-purchase the Aeration Blowers and Motors, etal so as to maintain the original construction schedule to complete the project on time. The Wastewater Fund would then be reimbursed by the County of Monroe once the bond sale and closing has occurred.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

96 2008 Water Main Rehabilitation Program.

1. Communication from the Director of Engineering and Planning, reporting back on bids received on April 21, 2008 for the 2008 Water Main Rehabilitation Program, and recommending that Council award the contract to Liqui-Force Services (USA), Inc. in the amount of \$2,531,093.00 and that a total of \$2,900,000.00 be encumbered to include a 15% project contingency, and further recommending that the Mayor and Clerk-Treasurer

be authorized to sign the contract on behalf of the City of Monroe, and further recommending that funding be appropriated from the Bond Sale that was authorized by City Council on April 21, 2008, and if necessary, the Finance Director be authorized to advance funding from the Water Fund reserves to provide progress payments to the Contractor if proceeds are not yet available from the sale.

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

97 Community Development Block Grant.

1. Communication from the Director of Engineering and Planning, submitting the Community Development Block Grant Annual Action Plan for Fiscal Year 2008, and recommending that the Annual Action Plan be approved as shown and staff be allowed to submit the plan to HUD for approval.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

98 Tower 98.3/WTWR Request.

1. Communication from the City Manager's Office, reporting back on a request from Tower 98.3/WTWR to use St. Mary's Park and bandshell on May 17, 2008 from 12 noon to 6:00 p.m. to hold an event to raise funds for a critically ill child and that the fees are waived, and recommending that Council approve the request to waive the fees contingent upon items being met as outlined by the administration, that all necessary park deposits are paid, and that the City Manager be granted the 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.

99 Monroe County Procession Committee.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Procession Committee for permission to block West Elm Avenue on May 25, 2008 at 12:30 p.m. so that the procession can cross the street uninterrupted, and recommending that Council approve the request contingent upon items being met as outlined by the administration, and that the City Manager be granted the 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.

100 Cub Scout Pack 584 Graduation.

1. Communication from the City Manager's Office, reporting back on a request from Cub Scout Pack 584 for permission to use a picnic shelter at Munson Park on June 6, 2008 from 6:00 to 9:00 p.m. for their graduation and that the fees be waived, and recommending that the request be approved and that the City Manager be granted the 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.

101 Stewart Road Christian Ministries Center "Operation Love".

1. Communication from the City Manager's Office, reporting back on a request from the Stewart Road Christian Ministries Center for permission to use St. Mary's Park, bandshell and shelter from 3:00 to 9:30 p.m. on August 17, 2008 to hold their annual "Operation Love" event, and recommending that Council approve the request contingent upon items being met as outlined by the administration, that all necessary park deposits are paid, and that the City Manager be granted the 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.

102 Monroe Bank and Trust Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from Monroe Bank and Trust for permission to display a banner across East Front Street from May 19 to June 14, 2008, announcing their anniversary celebration on June 14, 2008 from 12 noon to 6:00 p.m. at the MBT Expo Center, and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendations be carried out.

103 Downtown Monroe Business Network – 5th Annual Fine Art Fair.

1. Communication from the City Manager's Office, reporting back on a request from the Downtown Monroe Business Network (DMBN) to hold the 5th annual Fine Art Fair in conjunction with the 2008 River Raisin Jazz Festival on August 9 and 10, 2008, for use of utilities, services, personnel from the City, closure of the affected streets, and that all fees be waived, and recommending that Council approve the request to hold the Art Fair contingent upon items being met as outlined by the administration, that the City Manager be granted the authority to alter/amend the event due to health and/or safety reasons, and that the request for fees to be waived is denied and that all costs for city services are reimbursed.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

104 Plante & Moran Contract Renewal.

1. Communication from the Director of Finance, submitting a renewal for the audit contract with Plante & Moran, and recommending that Council approve the extension of the audit contract with Plante & Moran for the fiscal years 2008 through 2012.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out

It was moved by Councilman Paisley and seconded by Councilman Beneteau that items 95, 96, 97, 100, 101, 102, and 104 be approved as indicated and that items 98, 99, and 103 be removed and considered separately.

Ayes: 6 Nays: 0

Motion carried.

98 The communication from the City Manager's Office was presented, reporting back on a request from Tower 98.3/WTWR to use St. Mary's Park and bandshell on May 17, 2008 from 12 noon to 6:00 p.m. to hold an event to raise funds for a critically ill child and that the fees are waived, and recommending that Council approve the request to waive the fees contingent upon items being met as outlined by the administration, that all necessary park deposits are paid, and that the City Manager be granted the authority to alter/amend the event due to health and/or safety reasons.

Councilwoman Conner stated she didn't think we should pick and choose which fees we waive, just not waive fees and make it fair to everyone.

George Brown, City Manager, stated that there are fees brought before council to be waived and fees waived administratively. He explained the difference tentatively and said during the work session the subject will be covered in full.

Pat McElligott, 813 Reisig Street, agreed with Councilwoman Conner.

It was moved by Councilwoman Conner and seconded by Councilman Beneteau that item 98 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

99 The communication from the City Manager's Office was presented, reporting back on a request from the Monroe County Procession Committee for permission to block West Elm Avenue on May 25, 2008 at 12:30 p.m. so that the procession can cross the street uninterrupted, and recommending that Council approve the request contingent upon items being met as outlined by the administration, and that the City Manager be granted the authority to alter/amend the event due to health and/or safety reasons.

Adam Yeager, 1833 S. Custer Road, asked what the procession committee is and why traffic should be interrupted when we do not know how many people will be there.

Mayor Worrell read the request letter from the Monroe County Procession Committee and explained that the letter is the information we have on file.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that item 99 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

103 The communication from the City Manager's Office was presented, reporting back on a request from the Downtown Monroe Business Network (DMBN) to hold the 5th annual Fine Art Fair in conjunction with the 2008 River Raisin Jazz Festival on August 9 and 10, 2008, for use of utilities, services, personnel from

the City, closure of the affected streets, and that all fees be waived, and recommending that Council approve the request to hold the Art Fair contingent upon items being met as outlined by the administration, that the City Manager be granted the authority to alter/amend the event due to health and/or safety reasons, and that the request for fees to be waived is denied and that all costs for city services are reimbursed.

Councilman Paisley stated he has many issues with this item. He is concerned about waiving fees for non-profit organizations and about the additional costs the City of Monroe is incurring from staffing the events. He would like to have a set fee for non-profit organizations to help off set some of the costs and would like to have full council discussion regarding the fee and other issues.

Mayor Worrell asked if the Artist's are charged a fee to set up and does it cover the costs.

Councilman Paisley stated the fee covers advertising.

George Brown, City Manager, stated that the last statement in his recommendation should have read "that all overtime costs for city services are reimbursed."

Councilman Paisley again expressed concern about drawing the line on what is fair and equitable to have non-profit organizations pay. He still has a concern with locking the DMBN into \$1,750 in costs that the city may not incur.

It was moved by Councilman Paisley and seconded by Councilman McGhee that item 103 be postponed.

Ayes: 6 Nays: 0

Motion carried

Council Comments.

Councilwoman Conner reported on a task force meeting she is attended which is made up of "Major Players" that the State of Michigan is helping to market the Battle of 1812. She also expressed concern about the number of foreclosures in the city, the blight issues surrounding them and the time allowed before the city takes action.

Scott Davidson, Director of Public Services, explained the time limit allowance according to the weed ordinance before the city takes action.

Councilwoman Conner further stated she had a call from a neighbor about the deterioration of the curbs on Lavender Street.

Patrick Lewis, Director of Engineering and Planning, gave an overview of how each street is rated and how each project is prioritized. He invited calls from the public to discuss their area and where they are likely to fall in the funding stream.

Mayor Worrell asked if we have an estimated figure for costs to bring our city streets back to the standards they were when built.

Patrick Lewis, Director of Engineering and Planning, stated it will take about a mil of revenue a year for 10 years just to catch up on the wholesale rebuild but it will also depend on how much more would deteriorate during that ten year period.

Councilman Beneteau asked when the city receives notification of ownership for a property after a foreclosure.

George Brown, City Manager, indicated that after foreclosure the register of deeds office should be notified by either the lending company or Sheriffs Office and when a document or affidavit is filed we would be notified.

Councilman Paisley spoke about balancing the budget and negotiating the union contracts.

Councilman McGhee commended Mayor Worrell on his article regarding the city budget. He thanked Monroe County Community College and Agora for the opportunity to be involved in a diversity panel during "The Big Read."

Councilman Molenda commented on the following: the budget, blight and helping with the clean-up in the third precinct.

Charles Evans, Clerk-Treasurer, reminded everyone about the election the following day and explained what was on the ballot.

City Manager Comments.

George Brown, City Manager, gave an early announcement about the River Days Festival sponsored by the Chamber of Commerce. He gave the location and the dates from June 9 through June 15 and informed of various parking areas.

Citizen's Comments.

John Timko, 1034 Bentley Drive, spoke against removing the traffic lights, especially at the Third Street and Scott Street intersection. He is in favor of selling the Ice Arena and also commented on the sidewalk replacement program and how costly it is to the property owner and the city.

Mayor Worrell responded to Mr. Timko's concerns about the Ice Arena and sidewalk program. He deferred the traffic light issue to Patrick Lewis. He also explained why the sidewalk program is effective.

Patrick Lewis, Director of Engineering and Planning, explained how they justified removal of each traffic light and stated they are looking at each of them in a separate study for 6 months.

Linda Compora, 411 Bentley Drive, commented on the Ice Arena study, the city budget and specific positions to be eliminated. She inquired about the changes for the fire department budget and the public safety budget.

Mayor Worrell responded to each item.

Jackie McGhee, 431 Clark Street, commented on the four way stop at Third Street and Winchester Street and expressed concern for the blind person in her neighborhood who depends on the light for safety in crossing.

Alisha Cooley, 306 South Macomb Street, gave positive feedback about the signal change at Scott Street and Third Street. She spoke of concern about the Dorsch Library being closed for the summer.

Pat McElligott, 813 Reisig Street, responded to Mayor Worrell's interview in the Monroe Evening News and implementation of the Operational Assessment.

Adam Yeager, 1833 S. Custer Road, inquired about the last increase of water rates and property foreclosures.

Barry LaRoy, Director of Water and Wastewater Utilities, stated the last commodity rate increase was in 1995.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman McGhee that the meeting be adjourned at 9:37 p.m. until the Regular Meeting on Monday, May 19, 2008 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Mark G. Worrell
Mayor