

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, MAY 19, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, May 19, 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.

Presentations.

Presentation by the Monroe County Youth Farm Stand Project.

Presentation by Will Sweat, Executive Director ALCC, of a "Certificate of Appreciation" to members of the Monroe City Fire Department and the Monroe City Police Department.

Presentation by Betty Wilhelm, Eden's Garden Club, Dedication Ceremony June 14, 2008 of the Blue Star Memorial Marker.

Public Hearings.

93 This being the date set to hear public comments on Proposed Ordinance No. 08-003, an Ordinance to establish water rates pursuant to Sections 1044.05, 1044.07, 1044.14, 1044.25 and 1044.28 of Chapter 1044, Water, of the Codified Ordinances 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.

Dennis Knab, 959 Western Avenue, asked what percentage, if any, would wastewater be increased and questioned how they arrived at a 21% increase. He inquired about income for the water department during fiscal year 2006/07, what is expected in 2007/08, and does the water department have outstanding loans to other funds in the City and how much?

Barry LaRoy, Director of Water and Wastewater Utilities, stated the increase to wastewater, approved in the budget, is about 6.5% from the past fiscal year and the 21% increase is an average normal increase. He explained what the 21% included in separate increments and stated that the budgeted revenue is 7.367 million; expenses are about 7.367 million; and income is about 7.4 million. He also stated the water department has loaned money to Mason Run for cleanup and purchase of some property.

Melissa Wilt, 1241 Michigan Avenue, spoke against the water rate increase.

Pat McElligott, 813 Reisig Street, spoke against the water rate increase.

Barry LaRoy, Director of Water and Wastewater, indicated that there is a decrease in water consumption, and the largest decrease comes from loosing industrial usage. He gave statistics for other water regions.

Councilman Molenda, spoke in favor of the water rate increase.

Dave Roberts, 706 Broadway, Superintendent of Frenchtown Water and Wastewater, explained why water rates need to be increased with continued consistency and that we have the lowest rates around even with the increase.

David Smith, 530 Hollywood Blvd., spoke in favor of the rate increase.

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

94 This being the date set to hear public comments on Proposed Ordinance No. 08-004, an Ordinance to amend Section 492.01, Speed On River Raisin, of the Codified Ordinance of the City of Monroe, and there being no 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 Beneteau and seconded by Councilman Paisley that 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 its final reading.

Ayes: 7 Nays: 0

Motion Carried.

Proposed Ordinance No. 08-003, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

Ordinance Passed.

94 It was moved by councilman Beneteau and seconded by Councilman Paisley that Proposed Ordinance No. 08-004, an Ordinance to amend Sections 492.01, Definitions and 492.02, Speed On River Raisin, of the Codified Ordinance of Monroe, Michigan, be placed on its final reading.

Proposed Ordinance No. 08-004, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

Ordinance Passed.

105 It was moved by Councilman Paisley and seconded by Councilman Clark that the communication from the City Attorney Timothy J. Laitur, submitting proposed Ordinance No. 08-005, an ordinance to amend Section 653.03, Trespass, as it concerns the trespassing upon the lands or premises of another, of the Codified Ordinances of Monroe, Michigan, be placed on it's first reading and that the public hearing be set for Monday, June 2, 2008.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-005 was then presented for the first time and laid over for its second reading and public hearing.

106 It was moved by Councilman Paisley and seconded by Councilman Beneteau that the communication from the City Attorney Timothy J. Laitur, submitting proposed Ordinance No. 08-006, an ordinance to amend Section 658.01, Disorderly Conduct, of the Codified Ordinances of Monroe, Michigan, be placed on its first reading and that the public hearing be set for Monday, June 2, 2008.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-006 was then presented for the first time and laid over for its second reading and public hearing.

107 It was moved by Councilman Paisley and seconded by Councilman Clark that the communication from the City Attorney Timothy J. Laitur, submitting proposed Ordinance No. 08-007, an ordinance to amend Section 628, False Reporting of Violations, with the addition of a new chapter title and the creation of a new section concerning false identification, of the Codified Ordinances of Monroe, Michigan, be placed on its first reading and that the public hearing be set for Monday, June 2, 2008.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-007 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, May 5, 2008 & the Minutes of the Special Meeting held on Wednesday, May 7, 2008.

B. Approval of payments to vendors in the amount of \$869,158.90  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

108 Athlete Services Agreement.

1. Communication from the Director of Water and Wastewater Utilities, Interim Director of Recreation, submitting a request to enter into an Athlete Service Agreement with Premise, Inc. for providing consulting services for a City of Monroe Skatepark Event, and recommending that the attached agreement be approved and that the Interim Recreation Superintendent, Loretta LaPointe be authorized to sign the agreement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

109 Ultraviolet Disinfection System Barscreen Fiberglass Bids.

1. Communication from the Director of Water and Wastewater Utilities, reporting back on bids received for a Fiberglass Housing to cover the recently installed mechanical bar screens on the Ultra Violet (UV) Disinfection system at the Wastewater Treatment Plant, and recommending that City Council award a purchase order in accordance with the bid plans and specifications to McDonald Modular solutions in the amount of \$11,829.34.
2. Supporting documents.

3. Action: Accept, place on file and the recommendation be carried out.
- 110 Electric Vacuum Contractors at the Wastewater Treatment Plant Bids.
1. Communication from the Director of Water and Wastewater Utilities, reporting back on bids received for the Installation of the West High Service Vacuum Contractors at the Water Treatment Plant, and recommending that the City Council award a purchase order in accordance with the bid plans and specifications to Romanoff Electric Company, LLC in the amount of \$42,000.00 and that a total of \$48,000.00 be encumbered to include a 15% project contingency.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 111 AT&T Above-Ground Utility Structure – Request for Permit Approval – Location #22.
1. Communication from the Director of Engineering and Planning, submitting a request for approval of AT&T Above Ground Utility Structure Location #22, in the south terrace of East First Street, roughly 200 feet west of Kentucky Avenue, and recommending that the cabinet at location #22 be approved contingent upon no objections from the reviewing department and that the Engineering Department be authorized to issue a right-of-way permit for the work, subject to minor relocation for any conflicting utilities.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 112 AT&T Above-Ground Utility Structure – Request for Permit Approval – Location #23.
1. Communication from the Director of Engineering and Planning, submitting a request for approval of AT&T Above Ground Utility Structure Location #23, in the south terrace of Greenwood Avenue roughly midway between Riverview and Arbor Avenues, and recommending that the cabinet at location #23 be approved contingent upon no objections from the reviewing department and that the Engineering Department be authorized to issue a right-of-way permit for the work, subject to minor relocation for any conflicting utilities.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 113 Great Lakes Commission Grant.
1. Communication from the Director of Engineering and Planning, submitting notice of a grant award in the amount of \$2,000 through the Great Lakes Commission to assist in paying for costs for supplies to be used in the clean-up associated with the removal of the sluice gates on six (6) City dams along the River Raisin, and recommending that the above described and attached grant be formally approved by the City Council, and that the Finance Director be authorized to set up a project account for funding, and handle all reimbursements of eligible work activities and supplies.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 114 Application Seeking Designation as a Preserve America Community.

1. Communication from the Director of Engineering and Planning, submitting an application for designation as a Preserve America Community and recommending that City Council approve preparation and submittal of a Preserve America Community application; and that the Mayor be authorized to sign all necessary documents relating to the application.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 115 GodWorks Family Soup Kitchen Proposed Resolution.
1. Communication from the City Manager's Office, submitting a proposed resolution to recognize GodWorks Family Soup Kitchen as a non-profit organization and recommending that the resolution be adopted.
  2. Supporting documents.
  3. Action: Accept, place on file and that the resolution be adopted.
- 116 Monroe Family YMCA Fitness Challenge.
1. Communication from the City Manager's Office reporting back on a request from the Monroe Family YMCA for permission to hold their annual Fitness Challenge on June 14, 2008, to use Veterans and Munson Parks, for the closure of West Elm Avenue for the start of the event, and to waive all fees, and recommending that City Council approve the request upon items being met as outlined by the administration, that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons, recovery of overtime costs to be reimbursed, if any, and recommending waiver of application fee only.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 117 Home Builders Association Banner Request.
1. Communication from the City Manager's Office, reporting back on a request from the Home Builders Association for permission to display two banners: first banner across Monroe Street from September 22 – 30, 2008 and then moved to West First Street and the second banner across East Front Street from September 22 – October 20, 2008 announcing the Home Tour and Builders Show and recommending that Council approve the request.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 118 Home Builders Association Banner Request
1. Communication from the City Manager's Office, submitting a request from the Home Builders Association for permission to display two banners: first banner across Monroe Street from February 9 – March 2, 2009 and the second banner across East Front Street from February 9, - March 2, 2009 announcing the Home Tour and Builders Show and recommending that Council approve the request.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out

- 119 2008 Construction Projects – Consultant Inspection Award Recommendation
- a. Communication from the Director of Engineering and Planning, reporting back on proposals for consultant inspection of 2008 construction projects and recommending that the City Council award a contract to both The Mannik and Smith Group and TTL Associates, for “as needed” services up to \$60,000 for each firm. It is further recommended that the City Engineer be authorized to sign the contracts on behalf of the City of Monroe, and to direct the scheduling of these inspection activities during 2008.
  - b. Supporting documents.
  - c. Action: Accept, place on file and the recommendation be carried out.
- 120 Proposal to purchase City-owned parking lot
1. Communication from the Director of Engineering and Planning, submitting an offer to purchase a city-owned parking lot at East Elm Avenue adjacent to and immediately east of the former Masonic Lodge (8 N. Monroe Street) and the Subway shop (20 N. Monroe Street) and recommending that a public hearing be scheduled for June 2, 2008, to hear public comment on the proposed sale and to allow for any other proposals to be considered.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 121 Contractual mowing of City owned properties Bid.
1. Communication from the Director of Public Services, reporting back on bids received for contractual mowing of city owned properties and recommending that the bids be awarded as follows: Grass Gators – Petersburg, MI Division A, C & E for a total of \$57,540, Dave’s Lawn Care – Monroe, MI Division G, I, & S for a total of \$14,497, Greenview Lawn Care – Romulus, MI Division H, for a total of \$19,707, and Noel Lawn Care – Division B, D, & F for a total of \$29,425.20, and further recommending that the City Manager be authorized to sign the appropriate contract documents.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 122 Memorial Park Flower Purchase.
1. Communication for the Director of Public Services, submitting a request to purchase flowers for the traditional block “MONROE” arrangement at Memorial Park (S. Monroe St. and W. Seventh St.) and recommending that the purchase be made from North Monroe Greenhouse for a total amount of \$5,350.32.
  2. Supporting documents.
- Action: Accept, place on file and the recommendation be carried out.

It was moved by Councilman Beneteau and seconded by Councilman Paisley that items 109, 110, 111, 112, 113, 114, 115, 117, 118 and 119 be approved as indicated and that items 108, 116, 120, 121 and 122 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

108 The communication from the Director of Water and Wastewater Utilities, Interim Director of Recreation, was presented, submitting a request to enter into an Athlete Service Agreement with Premise, Inc. for providing consulting services for a City of Monroe Skatepark Event, and recommending that the attached agreement be approved and that the Interim Recreation Superintendent, Loretta LaPointe be authorized to sign the agreement.

Pat McElligott, 813 Reisig Street, requested an explanation of this item.

Barry LaRoy, Director of Water and Wastewater Utilities, Interim Director of Recreation, explained this is an agreement with a consulting service agency for a half-day skate boarding event at the Multi-Sports Complex to recognize professional skaters and is funded by a private donor.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that item 108 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

116 The Communication from the City Manager's Office, was presented, reporting back on a request from the Monroe Family YMCA for permission to hold their annual Fitness Challenge on June 14, 2008, to use Veterans and Munson Parks, for the closure of West Elm Avenue for the start of the event, and to waive all fees, and recommending that City Council approve the request upon items being met as outlined by the administration, that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons, recovery of overtime costs to be reimbursed, if any, and recommending waiver of application fee only.

Pat McElligott, 813 Reisig Street, expressed concern about waiving of fees.

George Brown, City Manager, stated the recommendation is that overtime costs to the City should be reimbursed, and application fees be waived for non-profit organizations.

It was moved by Councilman Paisley and seconded by Councilman Clark that item 116 be accepted, placed on file, and the recommendation be carried out.

Ayes: 5 Nays: 2 (Councilwoman Connor, Councilman McGhee)

Motion carried.

120 The communication from the Director of Engineering and Planning, was presented, submitting an offer to purchase a city-owned parking lot at East Elm Avenue adjacent to and immediately east of the former Masonic Lodge (8 N. Monroe Street) and the Subway shop (20 N. Monroe Street) and recommending that a public hearing be scheduled for June 2, 2008, to hear public comment on the proposed sale and to allow for any other proposals to be considered

Councilman Beneteau, informed the council that he will abstain from voting on this item due to his family's financial interest in the property adjacent to the parking lot.

Councilman Paisley, expressed concern about losing the parking spaces and not replacing them elsewhere, closer to downtown.

Councilwoman Connor, talked about refurbishing the Finzel-Lauer lot and the area that previously held the United Way building.

Pat McElligott, 813 Reisig Street, asked for more information on this purchase.

George Brown, City Manager, stated if the item passes tonight, there will be a public hearing set for June 2, 2008 to consider the purchase offer in more detail.

It was moved by Councilman Paisley and seconded by Councilwoman Connor that item 120 be accepted, placed on file, and the recommendation be carried out.

Ayes: 6 Nays: 0 Abstain: 1 (Councilman Beneteau)

Motion carried.

121 The communication from the Director of Public Services, was presented, reporting back on bids received for contractual mowing of city owned properties and recommending that the bids be awarded as follows: Grass Gators – Petersburg, MI Division A, C & E for a total of \$57,540, Dave's Lawn Care – Monroe, MI Division G, I, & S for a total of \$14,497, Greenview Lawn Care – Romulus, MI Division H, for a total of \$19,707, and Noel Lawn Care – Division B, D, & F for a total of \$29,425.20, and further recommending that the City Manager be authorized to sign the appropriate contract documents.

Pat McElligott, 813 Reisig Street, wondered if having insurance is part of the bid package.

Scott Davidson, Director of Public Services, stated an insurance requirement and standard specifications are included in the bid specs.

Councilman Beneteau, asked if the contractors who are awarded the bid will be supervised by the city.

Scott Davidson, Director of Public Services, explained there is a specification in the bid that the contractor will provide the Department of Public Services with a schedule of services, and from that schedule we can monitor their work.

It was moved by Councilman Paisley and seconded by Councilwoman McGhee that item 121 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

122 The communication from the Director of Public Services, was presented, submitting a request to purchase flowers for the traditional block "MONROE" arrangement at Memorial Park (S. Monroe St. and W. Seventh St.) and recommending that the purchase be made from North Monroe Greenhouse for a total amount of \$5,350.32.

Councilman McGhee, asked if there was a bid process for this project.

Scott Davidson, Director of Public Services, stated the flowers are a sole source item and the bid process was used in the past, but North Monroe Greenhouse was the only bid received for the type of flower used in this arrangement. The cost has varied minimally in the past 10 years.

Councilman Clark expressed interest in the bid process to include other companies to see if we can obtain a better rate.

Scott Davidson, Director of Public Services, stated that North Monroe Greenhouse is the only one in the area to carry their flower. He further stated that we would need to bid this in mid-summer for the following year because the tropical flower requires a longer cultivating time and has specific planting needs.

Councilman Clark, asked if it would be possible to research another flower that could change the cost and the planting needs.

Scott Davidson, Director of Public Services, explained that the flower is our "trademark" and is the one we have always used.

Councilwoman Connor, said the flower was planted and designed by Mr. Purvins, the original gardener, and we continue to plant them in dedication to him.

It was moved by Councilman Molenda and seconded by Councilwoman Beneteau that item 122 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

#### Council Comments.

Councilwoman Conner, stated she would like to have a meeting this week to consider a charter change for council length of terms.

Councilman Beneteau, congratulated Councilman Paisley for being elected as a delegate on the executive committee at SEMCOG. He asked Patrick Lewis for an update of city owned parcel sales.

Pat Lewis, Director of Engineering and Planning, explained that progress has been slow but non-buildable lots have been offered to the adjacent property owners and about 7 or 8 of them have been unloaded.

Councilman Beneteau, expressed concern about waving of fees, the United Way building and the desire to have a Work Session regarding the items.

Councilman Clark, spoke about the Lake Erie Transit meeting on Friday, recent foreclosures and block grants.

Councilman Paisley spoke about Mac Steel, Salvation Army, the Job Fair in Dundee and SEMCOG.

Councilman McGhee spoke against purchasing flowers for the block "MONROE" without an open bid, and the third precinct cleanup.

Councilman Molenda spoke about volunteerism in the community, including GodWorks, the Enlist Group, the cleanup in the third precinct, and the Jazz Festival.

Charles Evans, Clerk-Treasurer, introduced Sharon Malotky, the new Deputy Clerk.

#### Citizen's Comments.

June Coyne, 226 Scott Street, asked about the progress on the Dorsch Library "Request for Proposals" (RFP), and expressed her concern about keeping the library downtown.

Jackie McGhee, 431 Clark Street, thanked all who helped with the cleanup in the third precinct, and expressed interest in helping with cleanup in other precincts.

Josh Meyers, Representative for Congressman Dingell, spoke about foreclosures with HUD and asked to be informed of any blight issues surrounding HUD properties.

Daryl Tamsen, 646 Lavender Street, suggested having a city run beer tent for the Jazz Festival, with all the proceeds going to overtime expenses, and the Recreation Department.

David Smith, 535 Hollywood Drive, commented on the Library Feasibility Study.

Pat McElligott, 813 Reisig Street, spoke about rental properties, the operational assessment, and blight.

Frank Grzywacki, 116 Hollywood Drive, spoke about 22 W. Front Street sales agreement and expressed interest in purchasing the property or permission to clean it up before the Jazz Festival.

Councilman Molenda, added street sweeping and the sign ordinance, including the mural, to the list for the closed work session.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that council go into executive session to discuss property acquisitions at 9:32 p.m.

Ayes: 7 Nays: 0

Motion carried.

Council reconvened at 10:30 p.m.

Adjournment.

It was moved by Councilwoman Connor and seconded by Councilman Paisley that the meeting be adjourned at 10:38 p.m. until the Regular Meeting on Monday, June 2, 2008 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Charles D. Evans  
City Clerk-Treasurer

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Mark G. Worrell  
Mayor