

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, AUGUST 4, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, August 4, 2008 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles D. Evans, Clerk, City Clerk's Office, gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation by Jeanne Micka, Lotus Garden Club, to Mayor and Council, a tote bag with a Lotus Flower.

Public Hearings.

183 This being the date set to hear public comments on special assessment roll for S.A.D #230, on the necessity of installing a new public storm sewer relief outlet to alleviate drainage problems between Roessler and John L Drive, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor the declared the hearing opened.

Gary Jenkins, 1330 John L Drive, stated that he thinks the flooding problem involves more residents than are named in the assessment and thinks more residents in the area should be assessed.

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

211 This being the date set to hear public comments on Ordinance No. 08-012, an Ordinance to amend Chapter 296, Municipal Employees' Retirement System to revise Section 296.48(b)(2)A, Hybrid Pension retirement window, 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

211 It was moved by Councilman Paisley and seconded by Councilman Beneteau that Proposed Ordinance No. 08-012, an Ordinance to amend Chapter 296, Municipal Employees' Retirement System to revise Section 296.48(b)(2)A, Hybrid Pension retirement window, be placed on its final reading.

Ayes: 7 Nays: 0

Motion Carried.

Proposed Ordinance No. 08-012 was then presented for the second time, after which the Mayor asked, Shall this ordinance pass?

Ayes: 7 Nays: 0

Ordinance Passed.

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, July 21, 2008, the Minutes of the Regular Meeting.
- B. Approval of payments to vendors in the amount of \$ 542,528.33.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

212 Demolition Bid - 523 West Front Street.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 523 West Front Street, and recommending that the award be made to Erie Demolition & Salvage Inc., for a total cost of \$7,000.00, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

213 Appointments Resolution.

1. Communication from the Mayor's Office, submitting a proposed resolution for appointments to various City Boards and Commissions whose terms have expired and/or where there is a vacancy, and recommending the proposed resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

214 East Front Street Reconstruction Funding Contract with MDOT.

1. Communication from the Director of Engineering, Public Services, and Planning, submitting a proposed resolution approving Contract Number 08-5278 with the Michigan Department of Transportation (East Front Street between Conant Avenue/East First Street and I-75), and recommending that the attached resolution be approved, and the local share of the costs be appropriated as detailed in the financial information.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

215 2008 Concrete Paving Program (4 Project Locations).

1. Communication from the Director of Engineering, Public Services and Planning, submitting a Change Order to the 2007 Concrete Paving Program for the reconstruction of the following projects (Hollywood Drive – Cul-de-sac north of Maywood; Noble Avenue – Telegraph to Bentley; Huron Street – ½ block west of Woodville; and Lavender Street – Hendricks to McCormick), and recommending that Council award a change order to the 2007 Concrete Paving Program to Dominic Gaglio Construction, Inc. for the reconstruction of the above four projects in the amount of \$218,001.12, and that a total of \$251,000 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.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

216 Alley Paving and Aesthetic Improvements – Contract Award.

1. Communication from the Director of Engineering, Public Services and Planning, reporting back on bids received for the concrete paving and aesthetic improvements for the alley east of South Monroe Street between East First and East Front Streets, and recommending that the City award a contract for the project to Andrews Construction Company, Inc. in the amount of \$210,760.85 and that a total of \$242,000 be encumbered to include a 15% project contingency, subject to the written approval of an extension by the MEDC sufficient to complete the project, and further recommending that the Mayor and Clerk-Treasurer be authorized to execute the contract on behalf of the City, and further recommending that a purchase order in the amount of \$5,000.00 be issued to Monroe Bank and Trust for the purchase of six (6) Washington post lights to be used on the project.
2. Supporting documents.
3. Action: Accept, place on file and that the recommendation be carried out.

217 Installation of New Public Storm Sewer Relief Outlet – St. Mary's Gardens – S.A.D. #230.

1. Communication from the Director of Engineering, Public Services and Planning, submitting Resolution #5, confirming the special assessment roll for the installation of a new public storm sewer relief outlet to alleviate drainage problems between Roessler and John L Drive, 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 Paisley and seconded by Councilman McGhee that items, 212, 214, 215 and 216 be approved as indicated and that items 213 and 217 be removed and considered separately.

Ayes: 7 Nays: 0

Motion Carried.

213 The communication from the Mayor's Office was presented, submitting a proposed resolution for appointments to various City Boards and Commissions whose terms have expired and/or where there is a vacancy, and recommending the proposed resolution be adopted.

It was moved by Councilwoman Conner and seconded by Councilman Clark that item 213 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion Carried.

217 The communication from the Director of Engineering, Public Services and Planning, was presented submitting Resolution #5, confirming the special assessment roll for the installation of a new public storm sewer relief outlet to alleviate drainage problems between Roessler and John L Drive, and recommending that the resolution be adopted.

Councilman Paisley requested that the Director of Engineering, Public Services and Planning explain the assessment and address Gary Jenkins concerns.

Patrick Lewis, Director of Engineering, Public Services and Planning explained that the assessed area is underserved by a storm sewer with only a catch basin at the corner of Calgary & John L Drive and a 6" clay rear yard tile that serves the back yards of the assessed properties, and that there appears to be a blockage somewhere in the tile. He further explained that the best course of action was to address the issue as it exists with the property owner's who are having a problem.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that item 217 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion Carried.

Mayor Comments.

Mayor Worrell said that he went to Washington with a committee to meet the Senate pertaining to the River Raisin Battlefield, and thought it was a productive meeting. He further stated that organization and preparation on a local level was very good and reminded everyone about the Jazz Festival this weekend.

Council Comments.

Councilman Paisley said the National Park's Secretary of Interior was impressed with the marsh and the River Raisin Battlefield.

Councilwoman Conner stated that there were 161 foreclosures in the City of Monroe in the month of July, and the lights on the Martin Luther King Bridge will be lit during the Jazz Festival.

Councilman Beneteau mentioned that the Monroe Tourism Bureau invited a group from Tiffin, Ohio to Monroe because they are thinking about redeveloping their downtown and also having a Jazz Festival, and he thanked John Patterson for all he does for the city of Monroe. He also commented on meeting with the students from Japan and hopes the tradition continues.

Councilman Clark commented on the action line and how quickly the reported problems are taken care of. He asked about the inspection of the proposed demolition property at 1128 E. Second Street and what the next step would be.

George Brown, City Manager stated that the inspection was done on July 31st and that there are time limitations set for pulling building permits, scheduled inspections and if the time limits are not met the request for demolition will come before council again.

Charles Evans, City Clerk, reminded everyone of the Primary Election and the poll hours for Tuesday, August 5, 2008, and urged everyone to get out and vote.

Citizen's Comments.

Andrea Jones, Executive Director, DDA, stated that the Christmas tree in the square will be decorated with LED lights the season, gave response from the public about the tear off maps of Monroe and gave times for the different activities during the Jazz Festival this weekend.

Mayor Worrell asked about the bids for the alley work behind the Main Street Office and if there will be a substantial savings.

Patrick Lewis, Director of Engineering, Public Services and Planning, informed council that the city was awarded \$400,000.00 and that about \$350,000.00 of that grant will be used but that the money is only for the alley, so anything not used will go back to the MEDC. He further stated that the plans for the alleyscape are pretty elaborate, including 8" thick concrete for truck access, overhead trellises with vines growing on them, planter boxes and other items to beautify the space.

Jeanne Micka, 47 E. Elm Street, informed council of the National History Conference on June 4, 2010 and gave a brief explanation for the purpose of the conference.

Omar Ferdin, 213 Conant Street, spoke about the Arthur Lesow Community Center, the board, meetings, procedures and by-laws, and read a letter from the United Way regarding the board and requested that the Mayor investigate the complaints.

Dean Walters, 326 E. Second Street, said he is a new board member of the Old Village Plat Neighborhood Association and that the Old Village Plat Neighborhood Association is sponsoring a garage and antique sale on Saturday from 9:00 a.m. – 4:00 p.m. to be coordinated with the Jazz Festival and that details and locations will be published in the Monroe Evening News.

Emilio Areas, 1326 Frank Drive, President of Monroe High School Student Council requested approval for the Monroe High School homecoming parade on October 3rd at 5:00 p.m.

George Brown, City Manager said that the request from Mr. Areas is in the circulation process.

Richard Micka, 47 E. Elm Street, thanked the Mayor and delegation on behalf of the 1812 Steering Committee for appearing before the Senate Committee.

Nora Young, 414 Conant Avenue asked who the ALCC board reports to.

Tom Ready, City Attorney, explained that the ALCC is a private non-profit organization that receives funding from the County of Monroe and the City of Monroe. He further explained that the duty of the board is to act in the best interest of the ALCC.

Kellie Vining, 1652 W. Lorain Apt 101, stated that the reason the public has responded so strongly is because they have not been given answers to their questions, and there are major events coming up that William Sweat is deeply involved in. She said there are many unanswered questions and asked who someone could go to when they have a problem with the board?

Tom Ready, City Attorney stated he will not comment on oversight of the board.

Selma Rankins, 221 Ross Drive, spoke about freedom of speech, diversity and unanswered questions and issues from the representatives of the City of Monroe and the ALCC.

Larry Thompson, 500 Avenue DeLafayette, questioned why the residents of his neighborhood were not notified of the “when, why and what to expect” regarding installation of the ADA Accessible Ramps and stated that the two ramps installed in his front yard hold water, which will cause freezing in the winter. He said he was told that it’s his responsibility as a property owner to take care of that problem and he explained that during construction his yard was torn up, three sprinkler zones were damaged and he has made three complaints about the damages to no avail.

Patrick Lewis, Director of Engineering, Public Services and Planning, stated that the Engineering Department is working with Mr. Thompson on his complaints. He further stated that the ADA is unfortunately constraining when it comes to certain kinds of ramps but that our ordinance puts the responsibility on property owners to maintain their walks from debris and ice, and that the city builds the ramps and walks so they are maintainable for the property owner.

Pat White, 1437 Peters Street, said she would like to know how many times the public will have to inquire about information about William Sweat’s termination.

Mayor Worrell responded that the City of Monroe is not directly in charge of what happens at the ALCC and that the city helps to fund the ALCC but is not the authority to the board.

Jenny Black, 1737 Oak Street, complained about the blight in and around her mother's property from the old Consolidated building and said she did not think her mother should be ticketed for the dumping and weed growth.,

Patrick Lewis, Director of Engineering, Public Services and Planning, stated that he had investigated a concern about dumping on a city lot, 1733 Oak Street, and found an issue with weeds but did not notice any dumping. He stated that he is not aware of any citations given to property owners.

Councilman McGhee stated that he was contacted by the property owner about the dumping and when he responded to the complaint he did find dumping on the city owned property but that the weeds were so high the dumping was not visible.

Pat McElligott, 813 Reisig Street, asked if the employee contracts were settled, about the lawsuit against the city involving the scrap yard and wondered about the city's finances. He also asked about the millage and fare increase for LETC.

George Brown, City Manager, stated that of the six contracts, only the Firefighters contract has been settled, that the others are still in negotiations and that contract language is being updated. He further stated that the scrap yard lawsuit is still in the court system and that the team representing the city is reporting to council as needed.

Mayor Worrell said that from the fiscal perspective of the budget, the city is doing well.

Nina Spaulding, 326 W. Front Street, asked if the demolition for 523 W. Front Street was passed and the time frame for when it will be demolished.

Joe Lehman, Building Official, said there is a thirty day limitation once the permit is pulled.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that the meeting adjourn at 9:18 p.m. until the Regular Meeting on Monday, August 18, 2008 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
Clerk, Clerk's Office

Mark G. Worrell
Mayor