

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, OCTOBER 6, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 6, 2008 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles Evans, City Clerk-Treasurer, stated that item 257, Installation of a New Elliptical Concrete Pipe on Harbor Avenue, will be added to the Consent Agenda.

Mayor Worrell introduced his parents Mr. & Mrs. Worrell and announced that they are celebrating their 60<sup>th</sup> Wedding Anniversary on Thursday, October 9<sup>th</sup>, 2008.

Proclamations.

246 October 2008 United Way of Monroe County Month.

Connie Carroll indicated that of the 25 agencies that the United Way serves, two of them were in attendance at the Council Meeting, the Boy Scouts and the Habitat for Humanity.

Council Action.

241 This item was tabled at the September 15, 2008 meeting.

Communication from the Director of Water & Wastewater Utilities, submitting the lease agreement of the Water Department house at 6369 Pointe Aux Peaux Road, and recommending that the City lease the house at 6369 Pointe Aux Peaux Road to William Anderson and that the Mayor and City Clerk-Treasurer be authorized to sign the attached lease on behalf of the City of Monroe.

It was moved by Councilperson Beneteau and seconded by Councilperson Conner that item 241 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion carried.

Barry LaRoy, Director of Water and Wastewater Utilities stated that the insurance requirements were reviewed by Tom Ready, City Attorney and he made a recommendation to which the tenant has provided a copy of the updated insurance policy which has been incorporated into the lease agreement. Also the trip hazards and roof condition's were referred to the Building Official and he submitted a recommendation with four items that need to be addressed of which three of the items will be completed this fall and the fourth item will be budgeted in the next budget cycle. He further stated that the rent is \$500 each month but that the maintenance to the property provided by tenant is estimated to be about \$200 each month which brings the fee to \$700.

Pat McElligott, 813 Reisig Street, asked if the rent for the property will be increased.

George Brown, City Manager stated that the tenant does the maintenance on the property each month and that maintenance is sufficient to cover an increase in the rent at this time.

It was moved by Councilman Beneteau and seconded by Councilman Molenda that item 241, revised lease agreement, be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Councilperson Conner)

Motion carried.

247 It was moved by Councilman Paisley and seconded by Councilman Beneteau that the Communication from the Building Official, submitting Proposed Ordinance No. 08-014, an Ordinance to repeal Chapter 1426 of the Codified Ordinances of the City of Monroe being the Uniform Code for the Abatement of Dangerous Buildings, be placed on its first reading and that the public hearing be set for Monday, October 20, 2008.

Ayes: 7 Nays: 0

Motion Carried.

Proposed Ordinance No. 08-014 was then presented for the first time and laid over for its second reading and public hearing for Monday, October 20, 2008.

248 It was moved by Councilman Paisley and seconded by Councilman Clark that the communication from the Director of Engineering and Public Services, submitting Proposed Ordinance No. 08-015, an Ordinance to amend Section 1020.04, Removal of Snow, Ice, Filth and Dirt from Sidewalks, of the Codified Ordinances of Monroe, Michigan, be placed on its first reading and that the public hearing be set for Monday October 20, 2008.

Ayes: 7 Nays: 0

Motion Carried.

Pat McElligott, 813 Reisig Street asked for clarification of the ordinance.

Tom Ready, City Attorney explained the ordinance and the request to amend the Ordinance.

Proposed Ordinance No. 08-015 was then presented for the first time and laid over for its second reading and public hearing for Monday, October 20, 2008

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 Regular Meeting held on Monday October 6, 2008.

B. Approval of payments to vendors in the amount of \$1,103,389.61.

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

249 Replacement Police Patrol Vehicle #5019

1. Communication from the Police Department, reporting back on a bid for the replacement of Police Patrol Vehicle #5019 and recommending that the bid be awarded to Signature Ford out of Owasso, MI, for the amount of \$21,182.00 for a 2008 Ford Crown Victoria Police Interceptor.

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

250 Proposed Rezoning CPC Case #RZ 08-003.

1. Communication from the Interim Director of Planning and Recreation, reporting back on the zoning of the referenced properties, 11 Scott Street, 15 Scott Street, 308 East Front Street, and 320 E. Front Street, Case #RZ 08-003, concurring with the findings of the Department of Planning & Recreation on September 3, 2008, it is recommended that 11 Scott Street (Parcel #39-00469-000), 15 Scott Street (Parcel #39-00469-002) and 308 E. Front Street ( 39-00469-001) be rezoned to R-2; Two-Family Residential; and that 320 E. Front Street (39-00469-003) be rezoned to C-1, Local Commercial; and that the official zoning map be amended to reflect the zoning changes made.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

251. Addition of 10% interest to Unpaid Special Assessment.

1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the addition of 10% interest to all delinquent special assessments and then be reassessed and added onto 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.

252. Collection of Delinquent Summer Taxes and Other Delinquent Charges.

1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the addition of a 5% penalty to all delinquent taxes and charges, 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.

253. Land Division 1272 E. Third Street (49-01394-000).

1. Communication from the Interim Director of Planning and Recreation, submitting a proposed request from Habitat for Humanity of Monroe County for the land division of 1272 E. Third Street into two parcels and recommending that Council approve the land division.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

254. Land Division 900 Ternes Drive (59—01909-028).

1. Communication from the Interim Director of Planning and Recreation, submitting a proposed request from Persiconi and Persiconi, LLC, for land division of 900 Ternes Drive (59-01909-033) & (59-01909-028), CPC Case #S 08-003, into two parcels and recommending that Council approve the land division.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

255. Sanitary Manhole Reconstruction Change Order.

1. Communication from the Director of Engineering and Public Services, submitting a change order to add several manhole reconstruction projects to the 2007/2008 Sanitary Sewer Program and recommending that Council award a Change Order to the North Telegraph Road Sanitary Pump Station project to Triangle Excavating in the amount of \$11,250 for the replacement of a sanitary sewer manhole near LaPlaisance and Dunbar Roads, 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.

256. 2009 Drinking Water Revolving Fund

1. Communication from the Director of Engineering and Public Services, submitting a project proposal for a large-scale main replacement and rehabilitation program and recommending that Council award a contract to The Mannik and Smith Group for surveying and design services up to \$208,000 according to the attached proposal and further recommending that the City Engineer 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.

257. Installation of New Elliptical Concrete Pipe on Harbor Avenue. (This item was added to the agenda at the meeting)

1. Communication from the Director of Engineering and Public Services, submitting a change order to add a subcontractor through Dominic Gaglio Construction to perform the installation work and recommending Council award the Change Order to Shumaker Brothers Construction in the amount of \$7,800 for the removal of the existing 36" concrete pipe and replacement with new 42" x 30" elliptical pipe for approximately 56 feet, along with reconnections to the adjacent structures along Harbor Avenue. It is further recommended that the City Engineer be authorized to issue 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.

It was moved by Councilman Paisley and seconded by Councilman McGhee that item's 254, 255, 256 and 257, be approved as indicated and that items 249, 250, 251, 252, and 253 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

249 The communication from the Police Department was presented, reporting back on a bid for the replacement of Police Patrol Vehicle #5019 and recommending that the bid be awarded to Signature Ford out of Owasso, MI, for the amount of \$21,182.00 for a 2008 Ford Crown Victoria Police Interceptor.

Councilman Clark asked what the usual replacement mileage would be on this vehicle and what the assignment history is. He also asked who takes care of the removal and installation of the radios for the vehicles.

John Michrina, Chief of Police stated we have not asked to replace a vehicle at 46,000 miles before but this vehicle has had many problems and that is why the mileage is low. He further stated that mileage is not a good representation of use on a patrol car because there is so much idling time. He also stated that the County's IT Department works with us on some issues but that the car change over is bid out.

It was moved by Councilman Clark and seconded by Councilman Beneteau that item 249 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

250 The communication from the Interim Director of Planning and Recreation was presented, reporting back on the zoning of the referenced properties, 11 Scott Street, 15 Scott Street, 308 East Front Street, and 320 E. Front Street, Case #RZ 08-003, concurring with the findings of the Department of Planning & Recreation on September 3, 2008, it is recommended that 11 Scott Street (Parcel #39-00469-000), 15 Scott Street (Parcel #39-00469-002) and 308 E. Front Street ( 39-00469-001) be rezoned to R-2; Two-Family Residential; and that 320 E. Front Street (39-00469-003) be rezoned to C-1, Local Commercial; and that the official zoning map be amended to reflect the zoning changes made.

Councilman Paisley stated he wanted to inform everyone that this item was a correction to a clerical error.

It was moved by Councilman Paisley and seconded by Councilman Clark that item 250 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

251 The communication from the City Clerk-Treasurer was presented, submitting a proposed resolution authorizing the addition of 10% interest to all delinquent special assessments and then be reassessed and added onto the winter tax bill, and recommending that the resolution be adopted.

Pat McElligott, 813 Reisig, asked for clarification of this item.

Charles Evans, City Clerk-Treasures explained the special assessment interest and penalty.

It was moved by Councilman Beneteau and seconded by Councilwoman Conner that item 251 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

252 The communication from City Clerk-Treasurer was presented, submitting a proposed resolution authorizing the addition of a 5% penalty to all delinquent taxes and charges, and then be collected on the winter tax bill, and recommending that the resolution be adopted.

It was moved by Councilman Beneteau and seconded by Councilman Paisley that item 252 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

253 The communication from the Interim Director of Planning and Recreation was presented, submitting a proposed request from Habitat for Humanity of Monroe County for the land division of 1272 E. Third Street into two parcels and recommending that Council approve the land division.

Councilman Molenda stated he plans to support this agenda item but wanted to revisit some prior discussion from the last Habitat for Humanity meeting. He expressed some of the past concerns raised by Council, including architectural consistencies and rehabilitating existing properties and wondered if it would be appropriate to ask for a formal response to the concerns raised by council.

Councilman McGhee agreed with Councilman Molenda and would like to be in a position to answer the question from the residents about the Habitat homes built in their area.

Councilman Beneteau stated he thinks it is a good idea to rehabilitate the existing properties to alleviate the amount of vacant houses and suggested that Council draft a letter to Habitat for Humanity to give their input about rehabilitation of the neighborhoods.

It was moved by Councilman Molenda and seconded by Councilman Clark that item 253 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

#### Mayor Comments.

Mayor Worrell commented on the student exchange program with Japan students and thanked Councilwoman Conner and Councilman Clark for their help during the recent visit with Mayor Matsuura and our guests from Hofu, Japan. He also commented on the curfew ordinance, murals and gateways.

#### Council Comments.

Councilman Molenda commended the County Commissioners for their support and leadership of the Academy Preserve project.

Councilwoman Conner commented on her participation with the group from Hofu, Japan, and on the program planned for Custer Week.

Councilman Beneteau commented on the renovation on the stabilization wall at Veteran's Park.

Councilman Clark commented on the discussion about the Habitat for Humanity, the block "MONROE" flower arrangement bid and the light issue on Roessler Street Bridge.

Councilman Paisley sited some of the Custer Week Events.

Councilman McGhee asked everyone to pray for former Councilwoman Dorothy Edwards who is in critical condition and assured Ms. Voss that he has information regarding her complaints and thanked everyone that helped in the end of the season East Orchard cleanup.

Charles Evans, Clerk-Treasurer stated that the Clerk's office has seen the largest amount of voter registration's this election than any time in his eleven years of service and that absentee ballots are issued by request. He read a prepared statement including requirements from the Open Meetings Act, in response to complaints regarding how the minutes are prepared for the Council Meetings.

George Brown, City Manager announced that leaf bags are available at the Department of Public Services on Jones Avenue Monday through Friday from 7:30 a.m. – 5:15 p.m. and also at the Monroe Police Department on East Second Street, Monday through Friday from 7:00 a.m. – 5:00 p.m. and Saturday from 7:00 a.m. – 2:00 p.m.

Citizen's Comments.

Rose Voss, 531 Borgess Avenue informed Council of damage to her property created by equipment belonging to Habitat for Humanity, said she was unable to get Habitat for Humanity to fix the damage and would like to know what she would have to do to get the problem solved.

Mayor Worrell suggested she meet with the City Manager who would in turn meet with the staff members to get the problem resolved.

Pat McElligott, 813 Reisig Street stated his concerns that the City Council Minutes are not a concise record of what was discussed and commented on the curfew ordinance.

Tom Fritz, 80 Linswood commented on the concerns brought up by Council members about Habitat for Humanity.

Dave Roberts, 706 Broadway commented on the dirty sidewalks in all seasons and is in agreement that something needs to be done to get them cleaned up.

It was moved by Councilman Paisley and seconded by Councilman McGhee that Council go into executive session to discuss Attorney Communication at 9:08 p.m.

Ayes: 7 Nays: 0

Motion carried.

Council reconvened at 9:42 p.m.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that the meeting adjourn at 9:43 p.m. until the Regular Meeting on Monday, October 20, 2008 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Charles D. Evans  
Clerk-Treasurer, City Clerk's Office

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Mark G. Worrell  
Mayor