

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, OCTOBER 20, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 20, 2008 at 7:30 p.m. in the City Hall Council Chambers.

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

Mayor Worrell asked for a moment of silence in memory of former Councilwoman Dorothy Edwards.

Charles Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation by Christine Floraday, Chairperson of the Historic District Commission, in recognition of property owners who have made substantial efforts to rehabilitate historic properties.

Jeff & Kim Heising, 624 W. Front Street, stated they have lived at their address for 14 years and that they have researched the history of the home and have been working on their home since they purchased it.

Ken & Rebecca Wickenheiser, Hotel Sterling, 109 W. Front Street, expressed gratitude for the recognition from the HDC and to the City and personnel from the Mayor's Office to the Building Department for their support and help during the revitalization of the property.

Presentation by Councilman Jeremy Molenda regarding the Hollywood / Elm Street Beautification Project.

Communications. (Communications are referred to city administration for action and report back unless otherwise noted.)

258 Communication from Michael J. Smith, AFL-CIO United Way Liaison, submitting a request for a reduction in fees for building permits for Project Ramp.

Public Hearings.

247 This being the date set to hear public comments on 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 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.

248 This being the date set to hear public comments on Ordinance No. 08-015, an Ordinance to amend Section 1020.04, removal of snow, ice, filth and dirt from sidewalks and 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, communicated his thoughts about the ordinance.

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.

265 This being the date set to hear public comments for the purpose of review and hearing comments on a request from a property owner to establish a new Obsolete Property Rehabilitation District in 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.

266 This being the date set to hear public comments for the purpose of review and hearing comments on an application for Obsolete Property Rehabilitation Tax exemption Certificate pursuant to Public Act 146 of 2000, as amended, from M. Diner, Inc. for property located at 546 South Telegraph Road and there being no comments on file in writing in the Clerk-Treasurer's Office the Mayor declared the hearing opened.

John Martin, 142 Lincoln Avenue informed council of the renovations he is doing to the property and his goals for the building and for that area of Telegraph.

Vern Starr, 1185 W. Front, asked what the tax base is under the abatement, how long the abatement lasts and does it affect others in the district.

Mayor Worrell referred him to Sam Guich, Assessors Office, and stated that the tax exemption certificate is for 12 years.

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

#### Council Action.

247 It was moved by Councilman Paisley and supported by Councilman Beneteau that 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 final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-014 was then presented for the second time after which the Mayor asked "Shall this Ordinance pass?"

Ayes: 7 Nays: 0

Motion carried.

248 It was moved by Councilman Paisley and supported by Councilman McGhee Proposed Ordinance 08-015, an Ordinance to amend Section 1020.04, removal of snow, ice, filth and dirt from sidewalks, be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance 08-015 was then presented for the second time after which the Mayor asked "Shall this Ordinance pass?"

Ayes: 7 Nays: 0

Motion carried.

259 It was moved by Councilman Paisley and supported by Councilman Clark that Communication from the Building Official, submitting Proposed Ordinance 08-016, an Ordinance to adopt the 2006 International Property Maintenance Code and to amend several Chapters and Sections of the Codified Ordinances of the City of Monroe relating to Building and Housing Codes, be placed on its first reading and that the public hearing be set for Monday November 3, 2008.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 08-016, was then presented for the first time and laid over for its second reading and public hearing be set for Monday, November 3, 2008.

Ayes: 7 Nays: 0

Motion carried.

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 20, 2008.

B. Approval of payments to vendors in the amount of \$958,026.16.

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

260 Arthur Lesow Community Center Gymnasium Floor Rehabilitation.

1. Communication from the Director of Engineering and Public Services, submitting a proposal from Mr. Jacobs for all work on the gymnasium floor, including design, shop drawing review and construction administration and inspection, and it is recommended that Council award a contract for design and construction administration services for the Arthur Lesow Community Center Gymnasium Floor Replacement in the amount of \$6,300 to James S. Jacobs architects, PLLC and further recommending that the Director of Engineering and Public Services be authorized to sign any applicable agreements on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

261 Demolition Bid - 810 East Noble Avenue.

1. Communication from the Building Official, reporting back on bids received for demolition of a property located at 810 East Noble Avenue, and recommending that the award be made to Homrich, Inc. in the amount of \$6,494 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.

262 American Red Cross Banner Request

1. Communication from the City Managers Office, reporting back on a request from the American Red Cross for permission to display a banner across East Front Street from March 2-23, 2009, announcing Red Cross Month and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

263 Homeless Network Committee banner Request

1. Communication from the City Managers Office, reporting back on a request from the Homeless Network Committee for permission to display a banner across Monroe Street from November 6-14, 2008, announcing homeless awareness week and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

264 Transfer Ownership of a 2008 SDM Licensed Business.

1. Communication from the City Manager's Office, reporting back on a request from Woodward Detroit CVS, L.L.C. to transfer ownership of escrowed 2008 SDM licensed business located at 919 S. Monroe Street, Monroe, MI 48161, Monroe County from Arbor Drugs, Inc. and recommending that council approve the requested transfer.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

265 Request to establish Obsolete Property Rehabilitation District.

1. Communication from the Interim Director of Planning and Recreation, submitting a request from a property owner to establish a new Obsolete Property Rehabilitation District in the City of Monroe to determine potential districts existing in the City of Monroe and recommending that council approve the request to establish a new Obsolete Property Rehabilitation District in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action, following a public hearing, at City Council's October 20, 2008 meeting.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

266 Obsolete Property Rehabilitation Certificate application – 546 S Telegraph Road.

1. Communication from the Interim Director of Planning and Recreation, submitting an application for Obsolete Property rehabilitation tax Exemption from M. Diner, Inc. for improvements proposed to be made at 546 South Telegraph Road, and recommending that Council approve the request in accordance with the recommendation of the EDRC, in the form of the attached resolution after a presentation by a representative of the applicant and authorize staff to forward the application to the State Tax Commission for their review and action following a public hearing at City Council's October 20, 2008 meeting.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

It was moved by Councilman Paisley and supported by Councilman Beneteau that item's 261, 262, 263, 264 and 266, be approved as indicated and that items 260 and 265 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

260 The communication from the Director of Engineering and Public Services was presented, submitting a proposal from Mr. Jacobs for all work on the gymnasium floor, including design, shop drawing review and construction administration and inspection, and it is recommended that Council award a contract for design and construction administration services for the Arthur Lesow Community Center Gymnasium Floor Replacement in the amount of \$6,300 to James S. Jacobs architects, PLLC and further recommending that the Director of Engineering and Public Services be authorized to sign any applicable agreements on behalf of the City of Monroe.

Councilman Paisley expressed concern about the buckling of the gymnasium floor and stated he would like to see the project started as soon as possible.

It was moved by Councilman Paisley and supported by Councilman McGhee that item 260 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

265 The communication from the Interim Director of Planning and Recreation was presented, submitting a request from a property owner to establish a new Obsolete Property Rehabilitation District in the City of Monroe to determine potential districts existing in the City of Monroe and recommending that council approve the request to establish a new Obsolete Property Rehabilitation District in accordance with the recommendation of the EDRC, in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action, following a public hearing, at City Council's October 20, 2008 meeting.

Councilman Clark explained to the public the area that the Obsolete Property Rehabilitation District encompassed and thanked the people who worked on this project.

Mayor Worrell asked if we should set a requirement that a property should be of a certain age, at least 30 years old, to be considered as an Obsolete Property.

Jeff Green, Interim Director of Planning and Recreation stated that creating a district does not automatically qualify a property for a tax freeze, that each building is looked at independently, and the different criteria for qualification.

It was moved by Councilman Clark and supported by Councilwoman Conner that item 265 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

#### Mayor Comments.

Mayor Worrell recognized Ms. Dorothy Edwards for her service as a Councilmember and stated he would like to have a plaque to recognize each Council Member and their precinct for their years of service.

#### Council Comments.

Councilwoman Conner commented on the information received regarding the police car up for replacement and the article in the Monroe Evening News about the Fire Department.

Councilman Clark commented on the rehabilitation of property within the City.

Councilman Paisley recognized all of the committees and the people who have helped to rehabilitate property within the city.

Councilman McGhee expressed concern about the liability to the city surrounding the problems with the Michigan Avenue Bridge. He further stated that Ms. Dorothy instilled him that the greatest service you can give is service to another person.

Patrick Lewis, Director of Engineering and Public Services stated that the engineering department has verbal clearance from the DEQ for the permit to replace the structure and hope to have the footers in before the frost and plans to open bids on October 31<sup>st</sup>. He further stated that there are some safety concerns and that signage has to be put in place to secure the area.

George Brown, City Manager announced that the Water Department is doing meter changes and to make appointments for that service the property owner should call 384-9150 or 384-9152 between 8:00am-4:30pm Monday through Friday. He further stated that he would offer a sincere apology to the Fire Department for any embarrassment or criticism his misrepresentation of information given to the Monroe Evening News regarding leaf bag distribution may have caused and he read a statement to correct the inaccurate information.

#### Citizen's Comments.

Derek Whitaker, 9091 Newport Creek Road, President of the IAFF Local 326 Firefighters Union, responded to the article in Saturday's Monroe Evening News and the correction statement from the City Manager and stated he would like to see that statement published in the paper also. He continued; the article in Saturday's paper was inaccurate and untruthful; that the City had taken the leaf bag distribution away from the Fire Department; that it was not negotiated out of their contract; it was discussed in negotiations but was not removed. He further stated the article said it had been mentioned in a staff meeting, but that was untrue; according to the Fire Chief there was no mention of leaf bag distribution. He continued that at times the public has been inconvenienced because cuts in staff left the office empty if the fire department was on a call. He further stated that the fire department has stepped up to the plate in the past and that they are the only union to have settled their contract, that they have lost ten jobs since last year, that they are the only union paying for health care and that from the 2007 to the 2008 budget year the fire department lost \$989,000, that their retirees were not offered any incentives or buy outs and through all of this the

fire department has not complained, they have been professional and they take issue with how they were portrayed to the public, with the lies that were told about them. He stated that the City Manager, George Brown has been reckless with the truth giving untrue statements to the press; he has shown in the past that he dislikes the fire department by giving more untrue statements to the press in April 2008 and in turn the fire department local 326 had to do damage control with a letter of correction to the editor. At that time the City Manager, George Brown sent an email of apology and said he was wrong in giving the information to the press. He further stated that City Manager, George Brown also lied while working in Adrian by backdating a document of disciplinary action and Council knew about his character issues but hired him irregardless. He further stated that the City Manager set precedence for city employees to live outside the residency area by renting an apartment here and living in Adrian. He continued that the city manager has hired a labor attorney to work with the Human Resource Department and has been employed by the city for almost a year at \$225 per hour to restructure contracts, which was voted on and passed for last years budget to increase the human resource budge by \$300,000 to pay for this attorney and at the same time the employee tuition reimbursement fund has run out of money. He stated that personally he is embarrassed to be associated with George Brown.

Andrea Jones, DDA Director announced that the new DDA website was launched last week and is more user friendly and will allow the public to add suggestions and comments to the site. The River Raisin Halloween Festival and downtown trick-or-treating is October 24<sup>th</sup> & 25<sup>th</sup>. She also mentioned that the I-75 Film series will be taking place at McGeady's Town Pub on the last Sunday of every month at 7:00 pm.

John Michrina, Chief of Police, stated that the leaf bags will continue to be available at the Police Department and commented that the both police unions would be happy to settle their contracts today for the same terms given to the Fire Department.

George Brown, City Manager stated that the accusations made by Derek Whitaker that he "lied" was not true and the information that he gave to the paper on an inquiry several months ago regarding firefighter retirements was accurate as it went but he was provided wrong information on the rank of a firefighter, however the amounts and benefits were accurate. He further stated that the information he provided for Saturday's article is information he had understood for several weeks and it turned out that he was wrong and had misunderstood the conversation where he gathered the information and in turn gave to the reporter. He stated that the information was inaccurate and he corrected it as soon as he realized it, but he did not lie, and he apologized to council for putting them in the position he has put them in.

Mayor Worrell stated he did not want to continue with this issue, that a public apology and explanation have been given. He asked if the contract with the fire department has been signed.

Peggy Howard, Human Resource Director stated that the contract has not been signed as of now and upon speaking with the president of the union, it was determined that the union would like to review the language changes in the contract for accuracy before signing it but that we have been operating as though the contract has been settled including health care changes.

Joe Lavelline, 1523 Dixie Drive asked about the progress on the Harbor Avenue water main repair and resurfacing because it has been going on for many months now.

Patrick Lewis, Director of Engineering and Public Services stated that the weather and the gap between the two different contracts (water main and street resurfacing) have been a big holdup and the replacement of the 36" drain pipe with a 30" was a requirement by the drain commission and that stopped progress. He stated he expects completion within a couple of weeks.

Adam Yeager, 1833 S. Custer Road commented on a very deep manhole on Front Street and would like to see it fixed.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that Council go into executive session to discuss Property Acquisition at 8:55 p.m.

Ayes: 7 Nays: 0  
Motion carried.

Council reconvened at 10:28 p.m.

Adjournment

It was moved by Councilman Molenda and seconded by Councilman Paisley that the meeting adjourn at 10:28 p.m. until the Regular Meeting on Monday, November 3, 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