

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, NOVEMBER 3, 2008

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, November 3, 2008 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation by Mayor Worrell, Length of Service Award – Ron Tuttle – 25 Years – Wastewater

Proclamations.

267 November 9-15, 2008 as Homeless Awareness.

268 November 2008 as National Family Caregivers Month.

Public Hearings.

259 This being the date set to hear public comments on Ordinance No. 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, 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.

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 final reading.

Proposed Ordinance No. 08-016, was then presented for the second time after which the Mayor asked "Shall this Ordinance Pass?"

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 Work Session Minutes held on Monday, October 20, 2008 Minutes of the Regular Meeting held on Monday October 20, 2008, and the Minutes of the Special Meeting held on October 27, 2008.
- B. Approval of payments to vendors in the amount of \$1,023,702.32.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

269 Michigan Municipal League Liability and Property Pool Board of Directors Ballot.

1. Communication from the Finance Director, submitting an official ballot for the MML Property and Liability Pool Board of Directors and recommending that Council approve voting for the two incumbents who have asked to be re-elected and further recommending that the Finance Director be authorized to sign the ballot and submit it to the pool on the city's behalf.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

270 Traffic Committee Minutes and Traffic Control Orders.

1. Communication from the Director of Engineering and Public Services, submitting the minutes from the Traffic Committee meeting held on October 22, 2008, and Traffic Control Orders, numbers 021-004, 054-004, 104-006, and 112-005 which have been in existence for some time now, and it is the opinion of the City Attorney that they be formalized through a traffic control order to be enforceable, and recommending that council accept and place on file the minutes from the October 22, 2008 Mayors Traffic Committee meeting and approve Traffic Control Orders 021-004, 054-004, 104-006, and 112-005.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

271 Michigan Avenue Bridge contract Award.

1. Communication from the Director of Engineering and Public Services, reporting back on bids due to open for the replacement of the Michigan Avenue Bridge over Mason Run Drain on Friday, October 31 at 3:00 P.M. and recommending that provided that the bids received are reasonable, the Engineering Department will recommend awarding a contract for this work. (A revised Fact Sheet was be provided at the meeting for approval.)
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

272 Arthur Lesow Community Center Professional Services award for Facility Study.

1. Communication from the Director of Engineering and Public Services, reporting back on the ALCC's eligibility for funding through the City's Annual allocation of Community Development Block Grant funding, that the City has approved various projects but that it was determined that the replacement of the gymnasium floor was by far the most pressing concern and Council awarded a proposal for design work to commence at the October 20, 2008 meeting and recommending that Council award a contract for facility study services for the Arthur Lesow Community Center in the amount of up to \$10,000 to James S, Jacobs Architects, PLLC, and further recommending that the Director of Engineering and Public Services be authorized to sign any applicable agreement on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

273 E. Elm Avenue Bicycle Trail from Battlefield Center to State Park-Design Work Consultant Selection.

1. Communication from the Director of Engineering and Public Services, reporting back on the Federal earmark received by the City of Monroe within the SAFETEA-LU Federal Transportation Bill in the amount of \$100,000 for the construction of a bicycle / shared use pathway that is intended to route from the end of the State Park trail to the current 1812 Battlefield Visitor Center and recommending that the City award a contract for design services to the Mannik and Smith Group, in the amount of \$12,400.00,

and that the Director of Engineering and Public Services be authorized to execute the agreement on behalf of the City.

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

It was moved by Councilman Paisley and supported by Councilman Clark that item's 269, and 271, be approved as indicated and that items 270, 272 and 273 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

270 The communication from the Director of Engineering and Public Services was presented, submitting the minutes from the Traffic Committee meeting held on October 22, 2008, and Traffic Control Orders, numbers 021-004, 054-004, 104-006, and 112-005 which have been in existence for some time now, and it is the opinion of the City Attorney that they be formalized through a traffic control order to be enforceable, and recommending that council accept and place on file the minutes from the October 22, 2008 Mayors Traffic Committee meeting and approve Traffic Control Orders 021-004, 054-004, 104-006, and 112-005.

Councilman Paisley stated that the issue of the designation of a disabled parking space at a particular location is a concern and the members of the committee can determine what level of handicap is deserving of the parking space.

Patrick Lewis, Director of Engineering and Public Services stated that the City has tried to get away from doing any designated spots in residential areas because it is hard to make them fully compliant with the American Disabilities Act because we do not have space for a loading zone, and secondly, we have had difficulty tracking when citizens move and do not need the space any longer and that the issue will only be brought in front of the Committee if there is no driveway at the property.

Councilman Paisley stated that when a space is designated for one individual it opens up the same for others and asked if a request was received from a downtown residents, how that would be regulated.

Patrick Lewis, Director of Engineering and Public Services stated that it is a courtesy to the citizens and if someone else comes along with a sticker, they would be eligible to park in that spot as well.

It was moved by Councilman Paisley and supported by Councilman Clark that item 270 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

272 The communication from the Director of Engineering and Public Services was presented, reporting back on the ALCC's eligibility for funding through the City's Annual allocation of Community Development Block Grant funding, that the City has approved various projects but that it was determined that the replacement of the gymnasium floor was by far the most pressing concern and Council awarded a proposal for design work to commence at the October 20, 2008 meeting and recommending that Council award a contract for facility study services for the Arthur Lesow Community Center in the amount of up to \$10,000 to James S, Jacobs Architects, PLLC, and further recommending that the Director of Engineering and Public Services be authorized to sign any applicable agreement on behalf of the City of Monroe.

Councilman Paisley expressed concerns about some of the items in the letter of request from Jim Jacobs, in that, some items were not included in the capitol improvements and not discussed by the board of directors at that location, and that the primary focus is to resolve the interior and structural problems located within the building.

Councilman Molenda asked if this facility study qualify to be funded through CDBG funds and questioned what would be determined by the study and asked to have the parameters of the study more narrowly define.

Patrick Lewis, Department of Engineering and Public Services stated that as a result of looking at previously funded projects to be completed, there were some other things to look at first such as, plumbing, ventilation, heating, etc. He continued that the needs of the facility were not clear so the study was looking at the large scale capitol items, and that some of the smaller items may not even be eligible under the CDBG program. He stated that initially he asked for a facility study to develop cost estimates and then allow the ALCC Board to prioritize based on the available funding.

Councilman McGhee stated that the study would need to be done to identify the projects and needs of the center.

Councilman Clark asked when the last assessment was done at the ALCC, what items were identified and completed at that time, and did the ALCC Board have input

Pat Lewis, Director of Engineering and Public Services stated that to his knowledge there has not been a comprehensive study of the building, and two weeks ago the basketball court design was approved, and that was perceived by everyone to be the biggest priority project, and it is a stand alone project. He further stated that the intent was to get the study done, send the findings to both the City Council and the ALCC Board in time for this years capitol improvements program cycle so that then the board could be involved in what they see as the high priority projects.

Pat McElligott, 813 Reisig Street expressed concern of the fragile relationship between the ALCC Board and the City Council and would like to be assured that there is some strong thought in restoring the faith in the center and he questioned the procedure in the study and the architect chosen to complete the study. He further stated he was concerned that this item was not bid out.

Councilman Paisley pointed out that Council has two members that currently sit on the ALCC Board and that Tom Ready, City Attorney is also on the board and the relationship between the board and council is open and working.

It was moved by Councilman Paisley and supported by Councilman McGhee that item 272 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

273 The communication from the Director of Engineering and Public Services was presented, reporting back on the Federal earmark received by the City of Monroe within the SAFETEA-LU Federal Transportation Bill in the amount of \$100,000 for the construction of a bicycle / shared use pathway that is intended to route from the end of the State Park trail to the current 1812 Battlefield Visitor Center and recommending that the City award a contract for design services to the Mannik and Smith Group, in the amount of \$12,400.00, and that the Director of Engineering and Public Services by authorized to execute the agreement on behalf of the City.

Adam Yeager, 1833 South Custer Road, stated he is against the bicycle pathway at this time because of the cost of the project and the financial state of the City and asked if the path will be a joint project with Frenchtown Township. He added the he does not think anyone will use it.

Mayor Worrell stated that it will not be a City/Frenchtown Township project, it will be solely a City project and he is in favor of the project.

Jeff Green, Interim Director of Planning and Recreation stated that the bicycle path project will be developed from Sterling State Park to the Monroe County Community College Campus and the section the City is looking at is from I-75 to the Battlefield.

Richard Micka, 47 E. Elm Street stated that most of the trail is under the stewardship of the Michigan Department of Natural Resources Parks Division and gave a brief explanation of what the park has to offer and the benefits of the trail.

Jeanne Micka, 47 E. Elm Street referred to part of the trail as "Patriots Way" and explained that the funding for Patriots Way came from the Kellogg Foundation.

Pat McElligott, 813 Reisig Street stated that as this project enhances everything we are trying to do in this community he is in favor of the project and that we have to spend a little bit of money to see the bigger picture.

It was moved by Councilman Paisley and supported by Councilman Clark that item 273 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

#### Mayor Comments.

Mayor Worrell introduced Al Barron, Supervisor of Monroe Township who will contribute funding to the Bicycle Trail project and he also provided funding to the Seventh Street project. He also commented on the former Council member Bill Burkett who has been ill and Jerry Soncraint's heart issues and asked for prayers for them. He continued by updating those in attendance of the discussion at the Monday, October 27, Work Session held for the United Furniture Building and expansion of the Dorsch and Navarre Libraries.

#### Council Comments.

Councilwoman Conner gave an update on Bill Burkett, former Council member's health status, and said there were 155 foreclosures in the City currently, but 20 of those were taken off the roll and she asked for input on the dog run for the parks and reminded everyone to vote early and vote often.

Councilman Beneteau further expanded on the discussion from the Work Session held on October 27, 2008.

Councilman Clark commented on Library expansion, the services offered and the importance of both libraries being revamped and he commented on the job fair he attended on Saturday, October 25<sup>th</sup> and encouraged everyone to vote in the general election.

Councilman Paisley commented on the Library expansion and encouraged everyone to vote also.

Councilman McGhee expressed his appreciation to Council for their support of the Third Precinct and commented his concerns surrounding the Library issues and asked about the status of the communication sent to the Engineering Department in the form of a letter from the Orchard East about the removal of the "No Loitering" sign.

Pat Lewis, Director of Engineering and Public Services stated that he thought that issue was resolved but would look into it in the morning.

Councilman Molenda commented on the Library expansion and thanked Charlie Evans and his staff for the job they have done already on the election and for the work they will do tomorrow on Election Day.

Charles Evans, Clerk-Treasurer stated that we are expecting record turnout at the polls tomorrow and that the polls open at 7:00 a.m. and urged everyone to vote early, but not often.

George Brown, City Manager reminded everyone that leaf bags are still being distributed at the Police Station but that supplies are limited.

Citizen's Comments.

Pat McElligott, 813 Reisig Street urged people to review the issues and the positions on the ballot for the election and to get out and vote.

Greg Dushane, 20 N. Roessler commented on the renovation of homes and the blight that goes with it, the hazards of the Riverside Market traffic and stated his approval of the new business in the old Monroe Diner and would like to see something done with the old Alamo Building across Telegraph.

Jackie McGhee, 431 Clark Street commented on the meeting with MCOP and stated that the Navarre Library is being used on Monday night for study groups and tutor sessions for our youth and praised Councilman Molenda for the presentation of the Beautification of Hollywood Drive.

Adam Yeager, 1833 N. Custer Road commented on the seriousness of voting and the miracle on Front Street (the sinkhole was filled).

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 17, 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