

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, MAY 18, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, May 18, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Sharon Malotky, Deputy City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation by Mayor Mark Worrell, "City of Monroe's Elected Officials, Past to Present".

Mayor Worrell and Patricia Weaver, Administrative Assistant to the Mayor/Manager, presented past Elected Officials with a duplication of the "City of Monroe Officials, Past to Present" print from 1918 to the present. Afterward the past Elected Officials in attendance were invited to give comments.

Former Mayors in attendance were C.D. (Al) Cappuccilli, Milton J.H. Knabusch, John VanSlambrook, Richard Sieb and James Mackin. Former Council Members in attendance were Norm Evans, James Sabo, Suzanne Wetzel, Sue Gartz, David Roberts, Gerald Hesson, Thomas Krzyston, William Foshag, Jean Guyor, John Pipis, Lloyd Conner, and Mark Smith.

Former Council Members, now deceased — Mayor Mort Cohn, Mayor Samuel Mignano Jr., George Imo, Robert Robinson, Dorothy Edwards, Gerald Soncrant and William Burkett. Relatives of Mr. Burkett, former Mayor Samuel Mignano Jr. and former Council Member George Imo also attended the reception

Presentation by Sarah Waldecker, Monroe Housing Commission introducing the winner of the NAHRO poster contest winner, Miss Tabbitha Kelley-Russo, 4th grader from Hollywood Elementary School.

Proclamations.

95 Michigan Week, May 16-22, 2009.

Public Hearings.

102 This being the date set to hear public comments on approval of this year's Annual Action Plan for the City of Monroe's allocated CDBG funds, as well as the Five-Year Consolidated Plan, and there being no comments on file in writing in the Clerk-Treasurer's Office, and no persons present commenting the Mayor declared the hearing closed.

103 This being the date set to hear public comments on an application for an Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Midwest Valves & Automation, LLC for personal property improvements for the property located at 455 Detroit Avenue, and there being no comments on file in writing in the Clerk-Treasurer's Office, and no persons present commenting the Mayor declared the hearing closed.

104 This being the date set to hear public comments on an application for an Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Great Lakes Towers, LLC for real property and personal property improvements for the property located at 111 Borchert Park Drive, and there being no comments on file in writing in the Clerk-Treasurer's Office, and no persons present commenting the Mayor declared the hearing closed.

105 This being the date set to hear public comments on an application for Transfer of Industrial Facilities Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from Quality Food Brands, Inc., to transfer Industrial Facilities Exemption Certificate #98572 which currently offers an abatement on \$61,600 of the total value for the building located at 1151 W. Elm Avenue, and there being no comments on file in writing in the Clerk-Treasurer's Office, and no persons present commenting the Mayor declared the hearing closed.

108 This being the date set to hear public comments on approval of the Brownfield Plan, as amended for Brownfield Site No. 20, tax ID No. 58-55-49-01527-002, and there being no comments on file in writing in the Clerk-Treasurer's Office, and no persons present commenting the Mayor declared the hearing closed.

Council Action

96 It was moved by Councilman Paisley and seconded by Councilman Beneteau that the communication from the Director of Water & Wastewater Utilities, submitting Proposed Ordinance No. 09-006, an ordinance to amend Sections 1044.05, 1044.07, 1044.22, 1044.24, 1044.26, 1044.27, 1044.31 and 1044.36 of Chapter 1044, Water, of the Codified Ordinances of the City of Monroe be placed on its first reading and that the public hearing be set for Monday, June 1, 2009.

Ayes: 7 Nays: 0
Motion Carried.

Proposed Ordinance No. 09-006, was then presented for the first time and laid over for its second reading and public hearing.

97 It was moved by councilman Paisley and seconded by Councilman McGhee that the communication from the Director of Water & Wastewater Utilities, submitting Proposed Ordinance No. 09-007, an Ordinance to establish water rates pursuant to Section 1044.05, establishment of rates, of the Codified Ordinances of the City of Monroe be placed on its first reading and that the public hearing be set for Monday, June 1, 2009.

Ayes: 7 Nays: 0
Motion Carried.

Adam Yeager 1833 S. Custer Road asked if the water rates were increased in the past year.

Barry LaRoy, Director of Water & Wastewater Utilities stated that the increase in water rates this year is mainly due to lack of water being sold through out our distribution system. He further stated that there were increases in the rates in 1983, 1988, and then in 1996 was the last rate increase aside from the debt service increase in the mid 2000's. He continued that the City's water rates are the lowest in the region.

George Brown, City Manager stated that council is in the second year of major water distribution system upgrades that were needed and necessary with an older system. He further stated that during the operational assessment the utilities system was not held harmless, that the operations of water and sewer were studied for more efficiency and many of the recommendations have been instituted by the department.

Proposed Ordinance No. 09-007, was then presented for the first time and laid over for its second reading and public hearing.

98 It was moved by Councilman Paisley and seconded by Councilman Clark that the communication from the Clerk-Treasurer, submitting proposed Ordinance No. 09-008, an ordinance to adopt the newly codified "Code of the City of Monroe" be placed on its first reading and that the public hearing be set for Monday, June 1, 2009.

Ayes: 7 Nays: 0
Motion carried.

Proposed Ordinance No. 09-008 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 Special meeting held on Monday, May 4, 2009, the Regular Meeting held on Monday, May 4, 2009, and the Work Session held on Monday, May 4, 2009.
 - B. Approval of payments to vendors in the amount of \$1,187,619.34
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 99 Professional Consulting Asbestos Building Assessment Services.
- 1. Communication from the Director of Water & Wastewater Utilities, submitting proposal from TTL Associates, Inc, to provide asbestos building assessment services for the City of Monroe Water and Wastewater Treatment Plants, and recommending that the proposal to provide Asbestos NESHEP Inspection Services for the City of Monroe Water and Wastewater treatment Plant facilities in the amount of \$7,800.00 be awarded to TTL Associates, Inc in accordance with their proposal.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 100 Valves for the Wastewater System Improvements Project.
- 1. Communication from the Director of Water and Wastewater Utilities, reporting back on bids received for the purchase of valves for the Wastewater System Improvements Project, and recommending that City Council award a purchase order in accordance with the bid plans and specifications to JGM Valve from Commerce, MI., in the amount of \$32,818.30.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 101 Teamsters Local 214/Ratification.
- 1. Communication from the Director of Human Resources, submitting the tentative agreement between the City of Monroe and Teamsters Local Union No. 214, and recommending that Council formally approve the Teamsters Local Union No. 214 2008-2011 Collective Bargaining Agreement.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 102 Community Development Block Grant – Five Year Consolidated Plan.
- 1. Communication from the Interim Director of Planning & Recreation, submitting the Community Development Block Grant Annual Action Plan for Fiscal Year 2009 and the Five-Year Consolidated Plan, and recommending that Council approve the request as presented and staff be authorized to submit the plan to HUD for approval, following a public hearing, at its May 18, 2009 meeting.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 103 Midwest Vales & Automation, LLC – Application for Industrial Facilities Exemption Certificate.
- 1. Communication from the Interim Director of Planning & Recreation, submitting an Application for an Industrial Facilities Exemption Certificate from Midwest Valves and Automation for personal property improvements to their facility located at 455 Detroit Avenue and recommending that Council approve the request, in accordance with the recommendation of the EDRC in the form of the attached resolution and

- authorize staff to forward the application to the Stat Tax Commission for their review and action, following a public hearing, at its May 18, 2009 meeting.
2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 104 Great Lakes Towers, LLC – Application for Industrial Facilities Exemption Certificate.
1. Communication from the Interim Director of Planning & Recreation, submitting an Application for an Industrial Facilities Exemption Certificate from Great Lakes Towers for real property and personal property improvements at their facility located at 111 Borchet Park Drive and recommending that City Council approve the request, 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 its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 105 Quality Foods Brands, Inc. Application for Transfer of Industrial Facilities Exemption Certificate.
1. Communication from the Interim Director of Planning & Recreation, submitting an Application for Transfer of Industrial Facilities Exemption Certificate from Quality Food Brands, Inc. to transfer Industrial Facilities Exemption Certificate #98572 which currently offers abatement on \$61,600 of the total value for the building located at 1151 W. Elm Avenue and recommending that City Council approve the request, 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 its May 18, 2009 meeting.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 106 FY 2008 Assistance to Firefighters Grant, FEMA grant number EMW-2008-FO-03274.
1. Communication from the Chief of Fire, submitting a request to purchase 6 Sperian SCBA's from Douglas Safety Systems, LLC in the amount of \$30,270.00 to maintain consistency, uniformity, quality and safety, and recommending that the request be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 107 Request for a burn permit in accordance with Ordinance 09-005.
1. Communication from the Chief of Fire, reporting back on a request from the Sisters, Servants of the Immaculate Heart of Mary to perform the prescribed burn of a specified area on their property located at 610 W. Elm Avenue, and recommending the Monroe City Council grant this request for a burn permit in accordance with Ordinance 09-005.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 108 Ventower Industries LLC a/k/a/ Great Lakes Towers Brownfield Plan, Land Conveyance, and MDEQ.
1. Communication from the Director of Economic Development, submitting three items for the Ventower Industries, LLC a/k/a/ Great Lakes Towers project; the First Brownfield Plan for Site No. 20, approval of the Port to sell land to Ventower for the location of their project, and authorization for the Brownfield Redevelopment Authority to repay a Clean Michigan Initiative Loan from the MDEQ and recommending approval of the:

Resolution No. 1 – approval of Brownfield Plan for Site No. 20, following a public hearing at the May 18, 2009 meeting; and

Resolution No. 2 – approval to authorize the Port of Monroe to sell and convey land to Ventower Industries LLC or its assignee; and

Resolution No. 3 – authorization to the Brownfield Redevelopment authority to repay a CMI loan from the MDEQ, if needed, and subject to subsequent City Council approval if awarded.

2. Supporting documents.

3. Action: Accept, place on file and the resolutions be adopted.

109 Fire Department Flashover Training.

1. Communication from the Chief of Fire, reporting back on live flashover fire training on June 6, 2009, and recommending council approve the contract with Oakland Community College for flashover training in the amount of \$6,500.00.

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 Clark that items 100, 101, 102, 103, 104, 105, 106, 108 and 109 be approved as indicated and that items 99 and 107 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

99 The communication from the Director of Water & Wastewater Utilities, submitting proposal from TTL Associates, Inc, to provide asbestos building assessment services for the City of Monroe Water and Wastewater Treatment Plants, and recommending that the proposal to provide Asbestos NESHEP Inspection Services for the City of Monroe Water and Wastewater treatment Plant facilities in the amount of \$7,800.00 be awarded to TTL Associates, Inc in accordance with their proposal.

Adam Yeager, 1833 S. Custer Road stated that the water main in his precinct is made of asbestos pipe and cement and that everyone drinks from that water main. He further commented on the amount of money the assessment will cost to determine if there is asbestos in the WWTP.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that item 99 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

107 The Communication from the Chief of Fire, reporting back on a request from the Sisters, Servants of the Immaculate Heart of Mary to perform the prescribed burn of a specified area on their property located at 610 W. Elm Avenue, and recommending the Monroe City Council grant this request for a burn permit in accordance with Ordinance 09-005.

Adam Yeager, 1833 S. Custer Road asked about the cost to the public for fire protection during the prescribed burn.

Chief Mominee stated that there would be no cost to the taxpayers for the Fire Department to stand by on the day of the burn. He continued that the permit that was requested and he had reviewed was submitted by David Foreman and Associates from Ann Arbor, Michigan, and that they will be there with a crew of 4 or 5 credentialed wild land fire experts to do the burn.

It was moved by Councilman Beneteau and seconded by Councilman McGhee that item 107 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Mayor's Comments.

Mayor Worrell commented on the Orchard East cleanup, the open house at the Battlefield and complimented Councilman Molenda on the article in the paper pertaining to the film industry and the work he is doing on it.

Council Comments.

Councilwoman Conner commented on a meeting she attended in Warren, Michigan and the new program for Senior Citizens that they are implementing. She further stated that she received an email from Representative Kathy Angerer regarding a time extension of 90 days if a person's home is in foreclosure and said she can provide a phone number or web address for those in need.

Councilman Beneteau thanked all the former Mayor's and Council members for being here this evening and for the years of service they added to the community. He further commented on the former Hobby Shop at 317 S. Monroe Street, the progression of the redevelopments inside and out and said that he was told that the work should be completed within six months.

Councilman Clark thanked the former Mayor's and Council members for attendance and for the opportunity to share time with them. He further commented on a few of the consent agenda items that had not been pulled for discussion and the success of the Orchard East cleanup.

Councilman Paisley thanked all the former Statesmen for their years of their service, knowledge and time. He further commented on the Monroe County Community College Business and Industry luncheon.

Councilman McGhee thanked the former Mayor's and Council members for their public service, commented on the Orchard East cleanup and thanked those who came to help. He further commented on the Gus Macker Basketball Tournament to be held on August 1st & 2nd, 2009 at the Monroe Multi-Sports Complex and said that if anyone is interested in putting together a team for the tournament to contact Cherie at the MMSC.

Councilman Molenda thanked the former elected officials for attending and stated that also in attendance were representative from two of the three companies that were involved in IFT business that was passed on the consent agenda. He commented on the neighborhood meeting held by the residents in the Hollywood Blvd and Elm Avenue area and the probability of a neighborhood association in that area and he offered his help to those in other areas who may be interested in starting a neighborhood association.

George Brown, City Manager stated that all three companies that are anticipating and planning on industrial investments here had representatives in attendance tonight in case there were questions and comments. He also commented on the hard work of the private sector investors, staff and council on these projects and also in our redevelopment projects and reinvestments in existing facilities.

Citizen's Comments.

Darlene Diekman, 222 E. Second Street commented on the property tax bill she had just received.

Pat McElligott, 813 Reisig Street commended Council on plans they have implemented, and commented on County and Monroe Public Schools employees.

Jeanne Micka, 47 E. Elm Avenue stated that she and her husband were privileged to be among the founders of the Sawyer Homestead Organization, as well as the Friends of the Battlefield. She also commented the 1812 military reenactment at the Battlefield this past weekend.

Adam Yeager, 1833 S. Custer Road commented on the condition of the streets in the first precinct, open government and violence in Mexico.

It was moved by Councilman Paisley and seconded by Councilman Molenda that council go into executive session to discuss Collective Bargaining at 9:27 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Councilman Paisley and seconded by Councilman McGhee that Council reconvene at 10:37 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Councilman Beneteau and seconded by Councilman Paisley that the meeting be adjourned at 10:38 p.m. until the Regular Meeting on Monday, June 1, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Sharon C. Malotky
Deputy City Clerk

Mark G. Worrell
Mayor