

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, JUNE 1, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, June 1, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles D. Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

George Brown, City Manager introduced Mr. Dale Berry, President of Huron Valley Ambulance and Monroe Community Ambulance, and stated that he will present a brief description of the service package they provide for the county and information about their structure. He continued that with our upcoming budget, it appears that there will be some form of joint involvement with Monroe Community Ambulance, in that we would partner with them in our ambulance service but that if a contract change is not ratified, MCA would be the full 100% provider after July 1st, 2009.

Presentations.

Presentation by Dale Berry, President and CEO, Huron Valley Ambulance & Monroe County Ambulance and Jerry Zapolnik, Vice-President of Support Operation and Chief Operating Officer.

Public Hearings.

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

97 This being the date set to hear public comments on 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, 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.

98 This being the date set to hear public comments on Proposed Ordinance No. 09-008, an Ordinance to adopt the newly codified "Code of the City of Monroe, 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.

110 This being the date set to hear public comments on proposed 2010 Wastewater System Improvements project for the purpose of receiving comments from interested persons, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Barry LaRoy, Director of Water & Wastewater Utilities gave a presentation on the State Revolving fund, the project components. He focused on electrical reliability improvements, implementation of a supervisory control and data acquisition (SCADA), wet weather diversion and safety and security of the perimeter.

Jan Houser, URS Corporation, gave a presentation on costs of the project, the impact of rate increases and some environmental issues and schedules associated with the project.

Mayor Worrell praised Barry LaRoy, Director of Water & Wastewater Utilities for his aggressiveness in taking care of capital improvements and stated that Wastewater is not just a city entity, it encompasses Frenchtown Charter Township

and Monroe Charter Township as well and everything that has been discussed tonight is also being discussed among the Wastewater Control Board.

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

123 This being the date set to hear public comments on FY 2008-2009 Community Development Block Grant Budget Amendment, 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 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 final reading.

Ayes: 7 Nays: 0
Motion Carried.

Proposed Ordinance No. 09-006, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0
Motion Carried.

97 It was moved by councilman Paisley and seconded by Councilman Beneteau that 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 final reading.

Ayes: 7 Nays: 0
Motion Carried.

Proposed Ordinance No. 09-007, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0
Motion Carried.

98 It was moved by councilman Paisley and seconded by Councilman Beneteau that Proposed Ordinance No. 09-008, an Ordinance to adopt the newly codified "Code of the City of Monroe", be placed on its final reading.

Ayes: 7 Nays: 0
Motion Carried.

Proposed Ordinance No. 09-008, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0
Motion Carried.
Motion carried.

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, May 18, 2009.
- B. Approval of payments to vendors in the amount of \$709,871.59
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

- 110 Wastewater System Improvements – Phase II
1. Communication from the Director of Water & Wastewater Utilities, submitting a proposed resolution adopting a final project plan for Wastewater System Improvements and designating an authorized project representative and recommending that the resolution be adopted to meet the June 1, 2009 MDEQ SRF Loan Final Project Plan submittal deadline.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 111 Trunkline Maintenance Contract with the Michigan Department of Transportation.
1. Communication from the Director of Engineering & Public Services, reporting back on the maintenance budget for the fiscal year ending September 30, 2009 in the amount of \$64,000 to provide maintenance on State trunk lines within our jurisdiction, and recommending that Council adopt the attached resolution, approve the 2009-2014 State Trunk Line Maintenance Contract, and that the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 112 Approved Depositories and/or Investment Sources.
1. Communication from the Finance Director, reporting back on approved depositories or investment sources and recommending that Council approve the attached list of depositories and/or investment sources and the attached resolution.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 113 Equalizer Software Upgrade Contract.
1. Communication from the Finance Director, reporting back on the upgrade to the Equalizer software in the amount of \$82,215 included in the 2010 CIP Budget, and recommending that Council approve the attached proposal from BS&A Software for the purchase of the .Net version of their Equalizer software, in the amount of \$35,600, and further approve a total of \$37,400 to be encumbered to allow for the possibility for additional training or program customizations and further recommending that the City Manager be authorized to sign the proposal on the City's behalf.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 114 Folder/Inserter Machine Bid.
1. Communication from the Finance Director, reporting back on bids received to replace a folder/inserter machine, and recommending that Council approve a bid from Pitney Bowes, Inc., in the amount of \$10,780 for the purchase of a DI380 folder/inserter machine and also approve the annual maintenance agreement in the amount of \$957.10, with the maintenance agreement to begin after the first year of ownership.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 115 Purchase of New Large Document Printer/Copier/Scanner.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for a Hewlett-Packard Design Jet 4520 printer / copier / scanner, and recommending that Council award the purchase of a large document printer / copier / scanner to GovConnection of Merrimack, NH in the

amount of \$21,674.02, and that the Director of Engineering & Public Services or his designee be authorized to issue a purchase order on behalf of the City after July 1, 2009.

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

116 Reconstruction of East Eighth Street – Change Order.

1. Communication from the Director of Water & Wastewater Utilities, submitting a Change Order to add two projects that were originally funded for 2008 construction but were not completed and recommending that a Change Order in the amount of \$59,835.31 be issued to Dominic Gaglio Construction Inc. for the East Eighth Street Pavement Reconstruction project, and that a total of \$69,000 be encumbered to include a 15% contingency and further recommending that the Director of Engineering & Public Services be authorized to execute the change order on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

117 Replacement of Water Mains – Change Order.

1. Communication from the Director of Water & Wastewater Utilities, submitting a Change Order to Division I of the 2008 Water Main Replacement project work and that a Change Order in the amount of \$133,566.45 be issued to Schumaker Brothers Construction for the Custer Street and Campus Place water main projects, and that a total of \$154,000 be encumbered to include a 15% contingency and further recommending that the Director of Engineering & Public Services be authorized to execute the change order on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

118 YMCA Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe Family YMCA for permission to display a banner across Monroe Street from February 22 through March 31, 2010, announcing the Strong Kid's Campaign, and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

119 Monroe Multi Sports Complex Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe Multi Sports Complex for permission to display a banner across West First Street from August 30 through September 20, 2009, announcing the Lace Up for Youth event, and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

120 Monroe Multi Sports Complex Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe Multi Sports Complex for permission to display a banner across West First Street from October 5 through October 20, 2009, announcing the Spooky Skate, and recommending that the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

121 Winchester Street Bridge Rehabilitation.

1. Communication from the Director of Engineering & Public Services, submitting a proposal for Winchester Street Bridge Rehabilitation for professional services to perform a Mollusk Study and recommending that Council award a contract for a mollusk survey of the area surrounding the Winchester Street bridge to the Mannik & Smith Group in the amount of \$7,226, and that the Director of Engineering & Public Services be authorized to execute the agreement on behalf of the City, and further recommending that the Finance Director be authorized to appropriate this funding from the Major Street Fund Balance.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

122 Traffic Committee Meeting.

1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on May 27, 2009, and recommending that the minutes be accepted and that Traffic Control Orders 121-004 be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

123 Amendment to FY 2008 Consolidated Plan for Community Development Block Grant (CDBG).

1. Communication from the Interim Director of Planning & Recreation, submitting an amendment of the FY 2008-2009 CDBG budget to allow for a supplementary award from the U.S. Department of Housing and Urban Development, HUD, in the amount of \$140,834., and recommending that upon completion of the public hearing, the amended FY 2008 Annual Action Plan budget be accepted and the Planning Department be allowed to submit the plan to HUD and carry out the activities described therein..
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 items 110, 111, 112, 113, 116, 117, 118, 119, 120, and 122 be approved as indicated and that items 114, 115, 121, 123 and item B be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

B. The communication from the Finance Director was presented, submitting a request for approval of payments to vendors in the amount of \$709,871.59 and that Action: Bills be allowed and warrants drawn on the various accounts for their payment.

Councilwoman Conner asked if the cost of dental claims, for the month, in the amount of \$12,720.80 is normal and how much is paid out for the year.

Ed Sell, Finance Director stated that the amount tends to vary depending on when people go to the dentist because we are paying claims, not a monthly premium. He further stated that dental costs are approximately \$150,000 per year.

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

Ayes: 7 Nays: 0

Motion carried.

114 The communication from the Finance Director was presented, reporting back on bids received to replace a folder/insert machine, and recommending that Council approve a bid from Pitney Bowes, Inc., in the amount of

\$10,780 for the purchase of a DI380 folder/insert machine and also approve the annual maintenance agreement in the amount of \$957.10, with the maintenance agreement to begin after the first year of ownership.

Councilwoman Conner asked if the bid was awarded to a company who bid \$325 more than the lowest bid.

Ed Sell, Finance Director explained the net cost difference between the two bidders and that the primary factor for recommending Pitney Bowes versus Neopost is the performance of their machine. He continued that during demonstration of the machines, the Neopost machine had problems with the performance and the Pitney Bowes machine worked without a hitch.

Councilman Clark asked what our cost would be to service various equipment items on an annual basis.

Ed Sell, Finance Director stated that he could not give a number in total for the City right now but that this machine is very important to our operations because of the 2-3 day turn around for utility billing, between the time of printing and mailing, so it is very important that the machine operates correctly.

Pat McElligott, 813 Reisig Street asked if the City has had any interaction between the County and the Townships to share in the costs of equipment.

Ed Sell, Finance Director stated that with this particular machine, currently we are the only entity in the area with one, and that in the past we have had requests from the County Animal Control Facility to use our machine. He further explained that in the agreement with the County IT Department, they will take over the processing of the utility billing. He further stated that we are sharing in the purchase of the Equalizer software, cost of the server to run the software and the purchase of some Windows database and software with the County.

It was moved by Councilman Conner and seconded by Councilman Clark that item 144 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

115 The Communication from the Director of Engineering & Public Services was presented, reporting back on bids received for a Hewlett-Packard Design Jet 4520 printer / copier / scanner, and recommending that Council award the purchase of a large document printer / copier / scanner to GovConnection of Merrimack, NH in the amount of \$21,674.02, and that the Director of Engineering & Public Services or his designee be authorized to issue a purchase order on behalf of the City after July 1, 2009.

Pat McElligott, 813 Reisig Street asked about the bid process, timing and publishing.

George Brown, City Manager stated that even though this is somewhat standard equipment, it is specialty equipment in that it is used in engineering offices and the like. He explained that there are a limited number of vendors, and vendors that provide service so it's a pretty targeted bid list that we go for and not something that the average office supply business would provide.

It was moved by Councilman Paisley and seconded by Councilman Molenda that item 115 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

121 The Communication from the Director of Engineering & Public Services was presented, submitting a proposal for Winchester Street Bridge Rehabilitation for professional services to perform a Mollusk Study and recommending that Council award a contract for a mollusk survey of the area surrounding the Winchester Street bridge to the Mannik & Smith Group in the amount of \$7,226, and that the Director of Engineering & Public Services be authorized to execute

the agreement on behalf of the City, and further recommending that the Finance Director be authorized to appropriate this funding from the Major Street Fund Balance.

Pat McElligott, 813 Reisig Street questioned should relocation of the mollusks be necessary, what would be the over run of cost to the project.

Patrick Lewis, Director of Engineering & Public Services explained that we are not sure if we will find anything and that the cost would be subject to what is found. He further explained that the issue of time would be more of a concern to him from a dollar cost over run than anything else.

It was moved by Councilman Paisley and seconded by Councilman Molenda that item 121 be accepted, placed on file, and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

123 The Communication from the Director of Planning & Recreation was presented, submitting an amendment of the FY 2008-2009 CDBG budget to allow for a supplementary award from the U.S. Department of Housing and Urban Development, HUD, in the amount of \$140,834., and recommending that upon completion of the public hearing, the amended FY 2008 Annual Action Plan budget be accepted and the Planning Department be allowed to submit the plan to HUD and carry out the activities described therein.

Councilman McGhee gave a statement of appreciation to the staff for identifying and applying this money towards infrastructure needs such as Almyra Avenue sanitary sewer replacement, and asked Jeff Green, Interim Director of Planning & Recreation to elaborate on the plans.

Jeff Green, Interim Director of Planning & Recreation stated that the sanitary sewer replacement project is planned for the area of Almyra Avenue from East Third Street down to Wood Street. He cited other projects such as continued sidewalk improvements, park improvements, Dorsch Memorial Library improvements, Arthur Lesow Community Center improvements, the fix program which is rehabilitation of homes, in town lead base paint remediation, fair housing testing and explained that funding for the year will be about \$1,296,000 plus coming back into the community.

It was moved by Councilman McGhee and seconded by Councilman Clark that item 123 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 search for Nevaeh Buchanan and the work that the City had offered, a new Habitat for Humanity home on Oak Street. He continued by commenting on the economy, the loss of Ford, and water rate increase.

Council Comments.

Councilman Beneteau gave an update on 317 S. Monroe Street that window replacement has begun.

Councilman Clark thanked the Mayor, City Manager, Council, City employees and the community for their support during the loss of a family member and thanked the Police Department for their involvement and assistance to the Sheriff's Department, the FBI and the State Police in their search and that his heart goes out to the family.

Councilman McGhee said his prayers, as well as the prayers of his family and church go out to the Buchanan family for the safe return of Nevaeh.

Councilwoman Conner reported that foreclosures total 147 for the month of May, with only 12 being new and commented on a meeting at Monroe Township regarding the Blue Print for Aging Services in Monroe County which is a transportation service.

George Brown, City Manager complimented Spencer Manaci, Connie Ochs, and the other staff members, in addition to Barry LaRoy, Director of Water & Wastewater Utilities, who were also instrumental and very involved in planning and the construction of Wastewater improvements Phase I & II.

Citizen's Comments.

Andrea Jones, Executive Director of Mainstreet, DDA commented on the flower baskets and the seasonal employees who take care of them. She thanked DTE volunteers who helped install bike racks downtown and stated that the 4th Annual River Raisin Jazz Series is held every other Thursday from 6-10pm with the next date of June 11th, running through the Jazz Festival with carriage rides on those evenings as well. She further stated that the 3rd Annual River Raisin Fife & Drum Muster will be on June 19th & 20th, and commented on additions to the website features at monroemainstreet.com. She continued by explaining the parking validation program and that the program is facilitated by the Downtown Monroe Business Network.

Manual Hoskins, 633 Washington Street stated that he felt he was over charged for a City service, that he had to file a lawsuit against the City through small claims court which may lead to a jury trial and asked that there be discussion between him and the City to rectify the problem.

Tom Ready, City Attorney stated that Lt. Hoskins has made multiple requests for information under the Freedom Of Information Act and that one particular request required quite a bit of effort on the part of the Chief of Police and others to check for and retrieve the information. He further stated that the amount of time that was spent was at the rate of the lowest paid clerical employee of the City who was capable of retrieving the information and that amount was charged. He continued that some of the requests by Lt. Hoskins were given at no charge, some at a nominal charge, and that he has at least two matters pending against the City in other forms. He further stated that the small claims matter was referred to him and that he does not anticipate a jury trial but that once an attorney is involved it is automatically taken out of small claims and that's where it is now. He stated that he is willing to talk to Lt. Hoskins about the matter at any time and invited Lt. Hoskins to call him to set up a time that would be convenient.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that council go into executive session to discuss Pending Litigation at 8:48 p.m.

Ayes: 7 Nays: 0
Motion carried.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that Council reconvene at 9:17 p.m.

Ayes: 7 Nays: 0
Motion carried.

Adjournment.

It was moved by Councilman McGhee and seconded by Councilman Clark that the meeting be adjourned at 9:18 p.m. until the Regular Meeting on Monday, June 15, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0
Motion carried.

Charles D. Evans
City Clerk

Mark G. Worrell
Mayor