

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, JULY 6, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, July 6, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Excused: Council Member McGhee

Charles Evans, City Clerk gave the invocation.

Mayor Worrell led the pledge of allegiance to the flag.

Presentations.

Presentation by Councilman Clark to Chris Murphy, Monroe High School Outbound Exchange Student through the Rotary Club, going to Mexico.

Presentation by Police Chief John Michrina in recognition of Officer Chad Tolstedt and Officer Paul Marks for the rescue and saving of a man's life while responding to a fire call, and to Officer Tolstedt for his success in finding and arresting the perpetrator.

Presentation by Police Chief John Michrina regarding Proposed Ordinance No. 09-009, recovery of services fees for public safety services.

Public Hearings.

124 This being the date set to hear public comments on Proposed Ordinance No. 09-009, an ordinance to establish and implement the recovery of services fees for public safety services rendered to motor vehicle accidents, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing opened.

Councilman Clark expressed his concern about changing a basic police response service that has always been part of the budget.

Councilman Paisley stated that we need to either raise the taxes on the community as a whole or collect from those who are responsible for the accident.

Councilman Beneteau stated he has not had any negative comments and is in support of this ordinance.

Councilwoman Conner indicated that the insurance companies she had spoken with stated that the ordinance will have no bearing on insurance rates.

Councilman Molenda stated that he is in favor of the ordinance.

George Brown, City Manager noted three areas that have been enabled by state statutes; one being hazardous material spills and response, cost recovery to impaired drivers and the adoption of rental housing inspection requirement and fees. He further stated that it is controversial when Council considers taking on a whole new area of charges, especially since we are a city with full service with higher taxes compared with some of our other township neighbors, but it's not unprecedented and some parallels could be drawn.

Councilman Molenda asked if we have a percentage of insurance providers who do have language for this recovery.

John Michrina, Chief of Police stated that it depends on which insurance companies you talk to but most of them tell you that 30% of the companies will pay the fee. He further stated that a representative from the cost recovery corporation quoted that 56% of the claims are paid by the insurance companies.

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

Council Action

It was moved by Councilman Paisley and seconded by Councilman Beneteau that Proposed Ordinance No. 09-009, an ordinance to establish and implement the recovery of services fees for public safety services rendered to motor vehicle accidents be placed on its final reading.

Ayes: 5 Nays: 1 (Councilman Clark)

Motion Carried.

Proposed Ordinance No. 09-009 was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 5 Nays: 1 (Councilman Clark)

Motion Carried.

133 It was moved by Councilman Paisley and seconded by Councilman Clark that the communication from the Interim Director of Planning & Recreation, submitting Proposed Ordinance No. 09-010, an ordinance to amend §383-4, A, §383-5, B, §383-6, E, and §383-7, of Chapter 383, Historic Districts, of the Code of the City of Monroe be placed on its first reading and that the public hearing be set for Monday, July 20, 2009.

Ayes: 6 Nays: 0

Motion Carried.

Proposed Ordinance No. 09-010, was then presented for the first time and laid over for its second reading and public hearing.

134 Request to Operate Hot Dog Cart/Trailer in Restricted Areas

1. Communication from the City Manager's Office, submitting an application from Rochelle Dallrymple and Cheri Sicuso for permission to operate a Hot Dog Cart/Trailer in the Restricted areas of the City, and since it is solely the Mayor and Council prerogative to approve transient merchant operations within the restricted areas, City staff has not provided a recommendation regarding whether this request should be approved. If the Mayor and Council approve the request to operate within the restricted areas it is recommended that the approval be contingent on all items being met as outlined by the administration, that the City Manager be authorized to make the final approval subject to the applicant providing evidence of meeting those requirements. It is also recommended that permission to operate within City parks be conditional on review and approval by the Director of Engineering and Public Services and the Interim Superintendent of Recreation, on a date-by-date basis to avoid interference with other events.
2. Supporting documents.
3. Action: Option 1–Approve the request to operate within restricted areas contingent on administrative recommendations, and place on file.
Option 2 – Deny the request to operate within restricted area.

Charles D. Evans, Clerk Treasurer, read a letter from Elaine M. Widner, owner of Café Classics, Bapa's Coney Island and Inga's Bake Shoppe, asking Council to deny the request from Rochelle Dallrymple and Cheri Sicuso for permission to operate a Hot Dog Cart/Trailer in the restricted areas of the City of Monroe.

Councilman Beneteau asked Kenneth J Laruain, Acting City Attorney if it was appropriate for him to abstain from voting on the issue because he is the landlord for Ms. Elaine M. Widner.

Kenneth J Laruain, Acting City Attorney stated that there is no requirement to keep Councilman Beneteau from voting on the issue.

George Brown, City Manager stated that the City Clerk has sole authority to issue Hawker/Peddler and Transient Merchant Licenses to operate within the City except for what is defined as restricted area, so it isn't a matter of approving or denying the application, it is a matter of approving or denying operation within the restricted area. He further explained the difference between Hawker/Peddler and Transient Merchant.

Councilman Paisley stated that his concern is not about downtown competition but about the time line stated on the application, 11am – 8pm, which was different from the report given by the Chief being, 11am – 5pm, and his other concern is that the biggest concern is that approving of this request would give the applicant cart blanch on any event, at any location on any day. He continued that the Monroe County Convention and Tourism Bureau have already locked in the vendors for the Jazz Festival and other events as well as other events.

Councilman Molenda stated that it is a cute idea and also said that the ordinance language is discouraging, specifically the language regarding the restricted area.

Jeff Green, Interim Director of Planning & Recreation explained that the ordinance seems counter intuitive that hawkers/peddlers and transient merchants are not allowed in a business area but this provides an opportunity for Council to review and look at these types of applications that come in and have input about who will operate in the downtown area.

Cheri Sicuso, 105 E. Front Street Suite 201 stated that she owns a Housing Agency and rental assistance business in the downtown Monroe area and that she also pays property taxes. She explained that the hot dog stand would be convenient for people who have a half an hour for lunch, or for those people who do not have time to sit in a restaurant for lunch.

Rochelle Dallrymple, 105 E Front Street explained that the cart would not be in operation during a thunderstorm or during the winter and said that their plan is for a seasonal business. She also explained that they are aware that they would need to obtain permission and pay additional fees to work during special events.

Councilman Paisley said that since Loranger Square is the requested area for the hot dog cart and that property belongs to the County, can the City make any restrictions on that property.

George Brown, City Manager stated that Council's authorization, or lack of, tonight is whether they can set up on a lot in the restricted area and it doesn't give them permission to operate on city streets or sidewalks or public right-of-ways. He continued that during discussion with Tom Ready, City Attorney, about City owned and County owned property, it was discovered that those vacant areas are treated as any other lot.

Mayor Worrell commended Rochelle Dallrymple and Cheri Sicuso for their business plan, but that the issues is a tough one to consider especially considering past endeavors of the same.

Councilman Paisley expressed his concern of how hard it is for other businesses to compete with a business that has the advantage of not paying property taxes, personal property taxes or payroll taxes.

Mayor Worrell read the two options provided by the City Manager for Council to base their decision of the request.

It was moved by Councilman Paisley and seconded by Councilwoman Conner to deny the request to operate within the restricted area.

Ayes: 5 Nays: 0

Abstain: 1 (Councilman Beneteau)

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, June 15, 2009.

B. Approval of payments to vendors in the amount of \$618,361.12

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

135 2009 Sidewalk Program – Final Notice (10-day) to Affected Property Owners.

1. Communication from the Director of Engineering & Public Services, submitting a list of property owners who have not repaired the sidewalks adjacent to their property in conjunction with the 2009 Sidewalk Replacement Program, and recommending that the property owners on the attached list be notified that if their walks are not repaired within ten (10) days, the City will arrange to make the necessary repairs and bill the cost to them.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

136 2009 Sidewalk Replacement Program Award.

1. Communication from the Director of Engineering & Public Services, submitting a quote from Andrews Construction Company, Inc., for the 2009 Sidewalk replacement program, and recommending that Council award a Change Order to Andrews Construction Company, Inc., in the amount of \$79,963.25 and that a total amount of \$92,000 be encumbered, which includes a 15% contingency for the overall project, and further recommending that the Director of Engineering & Public Services 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.

137 Winchester Street Bridge Rehabilitation Funding Contract with MDOT.

1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the agreement between the City of Monroe and MDOT for the Winchester Street Bridge, and recommending that the attached resolution be approved, and that the local share of the costs be appropriated as detailed in the attached financial information, and further recommending that the Finance Director be authorized to appropriate up to \$295,000 in funds from the Major Street Fund Balance into this project as necessary based on the actual project bids to allow for some contingency in the construction costs.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

- 138 Winchester Street Bridge Rehabilitation – Award of Inspection and Management Services.
1. Communication from the Director of Engineering & Public Services, submitting a proposal for the Winchester Street Bridge Rehabilitation, and recommending that Council award a contract for construction inspection, testing, and project administration to the Mannik and Smith Group in the amount of \$70,700., and that the Director of Engineering & 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.
- 139 East Elm Avenue Bicycle Trail – MDOT Funding Contract.
1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the agreement between the City of Monroe and MDOT for the East Elm Avenue Bicycle Trail Funding Contract, and recommending that the attached resolution be approved, and that the local share of the costs be appropriated as detailed in the attached financial information, and further recommending that the Finance Director be authorized to appropriate up to \$41,840 in funds from the Major Street Fund Balance into this project as necessary based on the actual project bids to allow for some contingency in the construction costs.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 140 East Elm Avenue Bicycle Trail – Award of Inspection and Management Services.
1. Communication from the Director of Engineering & Public Services, submitting a proposal for the construction of a new non-motorized pathway along East Elm Avenue, and recommending that Council award a contract for construction inspection, testing and project administration for the construction of the East Elm Avenue Bicycle Path to the Mannik and Smith Group in the amount of \$10,900, and that the Director of Engineering & Public Services be authorized to execute the agreement on behalf of the City.
 2. Supporting documents.
 3. Action: Accept, place on file and that the recommendation be carried out.
- 141 Lavender Street Water Main Replacement – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2009 City-Funded Water Main Program, and recommending that a Change Order in the amount of \$268,634.26 be issued to C & D Hughes for the Lavender Street water main replacement project, and that a total of \$310,000 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.
- 142 Reconstruction of Campus Place Pavement – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a Change Order to the 2007/2008 Contract Paving Program, and recommending that a Change Order in the amount of \$51,691.19 be issued to Dominic Gaglio Construction, Inc. for the Campus Place Pavement Reconstruction project, and that a total of \$59,400 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.
- 143 South Maccomb Street Reconstruction/Resurfacing – Change Order Award.
1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Concrete Paving Program, and recommending that a Change Order in the amount of \$50,623.97 be issued to Dominic Gaglio Construction, Inc. for the South Maccomb Street Pavement Reconstruction project (east half only), and that a total of \$53,000 be encumbered to include a 5% 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.
- 144 Fire Station Improvements – Design Professional Services Award.
1. Communication from the Director of Engineering & Public Services, submitting a proposal for Fire Station improvements, and recommending that Council award a contract for the design and construction administration for the Fire Station Renovations projects to James S. Jacobs Architects, PLLC in the amount of \$19,178, as per the attached proposal, supplemented with relevant contract terms and conditions as deemed necessary by staff, and further recommending that the Director of Engineering & Public Services 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.
- 145 City Hall Plaza Rehabilitation – Design Professional Services Award.
1. Communication from the Director of Engineering & Public Services, submitting a proposal for improvements to the Monroe City Hall Plaza, and recommending that Council award a contract for the design and construction administration for the City Hall Plaza renovation project to John D. Kohler Architect, PC in the amount of \$18,700, as per the attached proposal, supplemented with relevant contract terms and conditions and deemed necessary by staff, and further recommending that the Director of Engineering and Public Services 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.
- 146 Bituminous Maintenance Program Bid Award.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2009 Crack and Slurry Sealing Bituminous Pavement Maintenance Program, and recommending that Council award the above contract to D.G. Slurry Seal of Toledo in the amount of \$82,801.92, and that a total of \$93,200 be encumbered to include a 15% project contingency, and further recommending that the Mayor and Clerk-Treasurer 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.

- 147 AT&T Above-Ground Utility Structure – Request for Permit Approval – Location #26.
1. Communication from the Director of Engineering & Public Services, submitting a request for approval of AT&T Above Ground Utility Structure Location #26, in the south terrace of Peters Street approximately 125 feet west of Clark Street, and recommending that the cabinet at location #26 be approved contingent on no objections from the reviewing departments, and that the Engineering Department be authorized to issue a right-of-way permit for the work, subject to minor relocation for any conflicting utilities.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 148 St. Joseph Church Festival.
1. Communication from the City Manager's Office, reporting back on a request from St. Joseph Church for permission to Close Kentucky Avenue between Second and Third Streets from 12 noon on Saturday, September 12 to 5:00 p.m. on Sunday, September 13th, for their annual festival, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to the condition that the City incur no overtime costs or be reimbursed for overtime costs if incurred, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 149 River Raisin Jazz Festival Banner Request.
1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention & Tourism Bureau for permission to display three overhead banners across East Front Street, West First Street and Monroe Street from July 27 – August 9, 2009 announcing the River Raisin Jazz Festival on August 8 & 9, 2009, and recommending approval of this request.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 150 River Raisin Jazz Festival Services Contract.
1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention & Tourism Bureau for permission to hold the annual River Raisin Jazz Festival on August 8 & 9, 2009, with assistance from city personnel (DPS, Fire & Police), assist with sponsorship of the event, close Elm Avenue from Borgess Avenue to North Monroe Street, VIP parking spots in St. Mary's parking lot, police security in Park from Friday – Sunday, clean-up of city park, install fencing around VIP viewing area, install flags and banners, signage to parking, provide bleachers, porta-potties and garbage cans, etc. and any other touch up or clean up as necessary to make the park area presentable, and recommending that Council approve the request contingent upon items being met as outlined by the administration, as well as the signing of this contractual services agreement between the City and the Monroe County Convention & Tourism Bureau for the production of the 2009 River Raisin Jazz Festival, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 151 Water Department Neptune Radio Reading Device and Meter Purchase.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to purchase five hundred (500) Neptune R900 Wall unit Radio Reading devices, two hundred fifty (250) Neptune R900 Pit Unit Radio Reading Devices, eight hundred (800) 5/8"x5/8" straight E-Coder I inside water meters, and one hundred fifty (150) 5/8"x3/4" T-10 Auto Detect pit water meters, and recommending that several purchase orders be issued based on the available space within our facilities be issued totaling \$243,765.50 for providing the Water Department Neptune radio reading devices and meters to RIO Supply Michigan Meter, Inc.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

152 Autoflush Flushing Units Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for 20 Automatic Flushing Units, and recommending that a purchase order in the amount of \$36,287.54 be awarded to the Water Net LLC for the purchase of 20 Automatic Flushing Units to be installed at different locations as part of the fiscal year 2009-2010 Dead End Water Main Autoflushing CIP project in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

153 2009 ADA Ramp Replacement Program – Change Order for Additional Ramps.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2009 ADA Ramp Replacement Program, and recommending that Council award a change order to the 2007/08/09 ADA Ramp Program to Andrews Construction Company Inc., in the amount of \$25,000, for approximately 20 additional ramps, and further recommending that the Director of Engineering & Public Services 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.

It was moved by Councilman Paisley and seconded by Councilman Clark that items 135, 136, 137, 138, 141, 142, 146, 148, 151, and 152 be approved as indicated and that item 139, 140, 143, 144, 145, 147, 149, 150, and 153 be removed and considered separately.

Ayes: 6 Nays: 0

Motion carried.

139 The communication from the Director of Engineering & Public Services was presented, submitting a proposed resolution delineating the terms of the agreement between the City of Monroe and MDOT for the East Elm Avenue Bicycle Trail Funding Contract, and recommending that the attached resolution be approved, and that the local share of the costs be appropriated as detailed in the attached financial information, and further recommending that the Finance Director be authorized to appropriate up to \$41,840 in funds from the Major Street Fund Balance into this project as necessary based on the actual project bids to allow for some contingency in the construction costs.

Adam Yeager, 1833 S. Custer stated that bicycles do not pay taxes, license taxes, or gas taxes; they pay nothing. Therefore he can not see spending up to \$41,840 from the major street fund on the East Elm Bicycle Trail when we need pot holes fixed and curbs, etc.

Mayor Worrell explained that there is a requirement that 1% of our money must go toward non-motorized transportation projects.

Patrick Lewis, Director of Engineering and Public Services stated that there is a requirement within public act 51 of 1951 which governs our distribution of our major and local street funds.

It was moved by Councilman Clark and seconded by Councilman Paisley that item 139 be accepted, placed on file and the resolution be adopted.

Ayes: 6 Nays: 0

Motion carried.

140 The communication from the Director of Engineering & Public Services was presented, submitting a proposal for the construction of a new non-motorized pathway along East Elm Avenue, and recommending that Council award a contract for construction inspection, testing and project administration for the construction of the East Elm Avenue Bicycle Path to the Mannik and Smith Group in the amount of \$10,900, and that the Director of Engineering & Public Services be authorized to execute the agreement on behalf of the City.

It was moved by Councilman Clark and seconded by Councilman Paisley that item 140 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

143 The communication from the Director of Engineering & Public Services was presented, submitting a request for a change order to the 2008 Concrete Paving Program, and recommending that a Change Order in the amount of \$50,623.97 be issued to Dominic Gaglio Construction, Inc. for the South Macomb Street Pavement Reconstruction project (east half only), and that a total of \$53,000 be encumbered to include a 5% contingency, and further recommending that the Director of Engineering & Public Services be authorized to execute the Change Order on behalf of the City.

Councilman Molenda asked if there is a feel for how quickly S. Macomb Street is deteriorating.

Patrick Lewis, Director of Engineering & Public Services said that the patch that is there now is not a permanent patch, it is temporary cold patch.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 143 be accepted, placed on file and the recommendation be carried out.

Ronald Niesz, 938 Waterloo Avenue stated that we are going to have a half-breed.

Mayor Worrell explained why we are only paving the east side of S. Macomb Street.

After brief discussion, a vote was taken

Ayes: 6 Nays: 0

Motion carried.

144 The communication from the Director of Engineering & Public Services was presented, submitting a proposal for Fire Station improvements, and recommending that Council award a contract for the design and construction administration for the Fire Station Renovations projects to James S. Jacobs Architects, PLLC in the amount of \$19,178, as per the attached proposal, supplemented with relevant contract terms and conditions as deemed necessary by staff, and further recommending that the Director of Engineering & Public Services be authorized to sign the contracts on behalf of the City of Monroe.

Adam Yeager, 1833 S. Custer Street asked if the Fire Station is not that bad why it can't stay as is and there would be no need for an architect.

George Brown, City Manager explained that in summary these are the bare necessities to keep these facilities safe, secure and habitual. He further explained that in a previous architectural study it was found that the Central Station needs to be replaced in total, however due to funding issues it was decided that it is not something the city could bite off right now.

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

Ayes: 6 Nays: 0

Motion carried.

145 The communication from the Director of Engineering & Public Services was presented, submitting a proposal for improvements to the Monroe City Hall Plaza, and recommending that Council award a contract for the design and construction administration for the City Hall Plaza renovation project to John D. Kohler Architect, PC in the amount of \$18,700, as per the attached proposal, supplemented with relevant contract terms and conditions and deemed necessary by staff, and further recommending that the Director of Engineering and Public Services be authorized to sign the contracts on behalf of the City of Monroe.

Adam Yeager, 1833 S. Custer expressed his displeasure with this project.

Mayor Worrell addressed the concerns with citing safety hazard issues with the City Hall Plaza and issues with City Hall hazard issues.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that item 145 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

147 The communication from the Director of Engineering & Public Services was presented, submitting a request for approval of AT&T Above Ground Utility Structure Location #26, in the south terrace of Peters Street approximately 125 feet west of Clark Street, and recommending that the cabinet at location #26 be approved contingent on no objections from the reviewing departments, and that the Engineering Department be authorized to issue a right-of-way permit for the work, subject to minor relocation for any conflicting utilities.

Councilman Molenda asked if the new structure will replace the old structure or will it be in addition to.

Patrick Lewis, Director of Engineering & Public Services, stated that the new structure will be in addition to the old structure.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 147 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

149 The communication from the City Manager's Office was presented, reporting back on a request from the Monroe County Convention & Tourism Bureau for permission to display three overhead banners across East Front Street, West First Street and Monroe Street from July 27 – August 9, 2009 announcing the River Raisin Jazz Festival on August 8 & 9, 2009, and recommending approval of this request.

Councilwoman Conner stated that there is no fee listed with the banner request and that she thinks there should be.

George Brown, City Manager stated that there is no cost to display a banner or to any other activities involved with the Jazz Festival, which was adopted by this Council.

It was moved by Councilwoman Conner and seconded by Councilman Beneteau that item 149 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

150 The communication from the City Manager's Office was presented, reporting back on a request from the Monroe County Convention & Tourism Bureau for permission to hold the annual River Raisin Jazz Festival on August 8 & 9, 2009, with assistance from city personnel (DPS, Fire & Police), assist with sponsorship of the event, close Elm Avenue from Borgess Avenue to North Monroe Street, VIP parking spots in St. Mary's parking lot, police security in Park from Friday – Sunday, clean-up of city park, install fencing around VIP viewing area, install flags and banners, signage to parking, provide bleachers, porta-potties and garbage cans, etc. and any other touch up or clean up as necessary to make the park area presentable, and recommending that Council approve the request contingent upon items being met as outlined by the administration, as well as the signing of this contractual services agreement between the City and the Monroe County Convention & Tourism Bureau for the production of the 2009 River Raisin Jazz Festival, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Councilwoman Conner asked for a breakdown of the fees paid by Monroe County Convention & Tourism Bureau vs. the fees paid by the City of Monroe.

George Brown, City Manager explained that we do not have an itemized list of the services we contract for with the \$2,500 cash payment because it is a generic and broad contract that we are making a payment for providing the services to conduct the Jazz Festival as a public cultural event. He continued, by citing other services provided by the City are waste management, porta potty facilities, staff overtime are out of the general fund and are more itemized.

It was moved by Councilwoman Conner and seconded by Councilman Beneteau that item 150 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

153 The communication from the Director of Engineering & Public Services was presented, submitting a request for a change order to the 2009 ADA Ramp Replacement Program, and recommending that Council award a change order to the 2007/08/09 ADA Ramp Program to Andrews Construction Company Inc., in the amount of \$25,000, for approximately 20 additional ramps, and further recommending that the Director of Engineering & Public Services be authorized to sign the change order on behalf of the City of Monroe.

Councilwoman Conner asked how many more ramps are needed before this program is finished.

Patrick Lewis, Director of Engineering & Public Services, stated that the number is under 100 and that the consent decree is up in 2012 so the program has to be finished by that time.

It was moved by Councilwoman Conner and seconded by Councilman Molenda that item 153 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

Mayor's Comments.

Mayor Worrell commented on the size of the Consent Agenda and elaborated on some of the items that were passed, complimented Council on their discussion, input and productivity.

Council Comments.

Councilman Clark commended Officer Tolstedt and Officer Marks for their dedication of service and acts of heroism, and commented on the recovery of services fees and commended Chris Murphy for his exchange to Mexico.

Councilman Paisley commented on the SEMCOG Meeting he and the Mayor attended and the Lotus Flower Tour.

Councilwoman Conner stated that monthly foreclosures in the City are at 145 and that the State of Michigan passed a resolution giving a homeowner who is in foreclosure 90 days to arrange for funding or to find another place to live.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that the meeting be adjourned at 10:10 p.m. until the Regular Meeting on Monday, July 20, 2009 at 7:30 p.m.

Ayes: 6 Nays: 0

Motion carried.

Charles D. Evans
City Clerk

Mark G. Worrell
Mayor