

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, AUGUST 3, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, August 3, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Rosalind Boswell, City Clerk gave the invocation.

The Mayor led the pledge of allegiance to the flag.

Presentations.

Presentation by Ike Smith on behalf of One Sheep Ministries to Paula's House.

Council Action

161 Tabled at the July 20, 2009 meeting

Communication from the Finance Director, submitting the revised fee reimbursement schedule for ambulance fees charged by the City of Monroe, and recommending that Council approve the recommended ambulance service fee schedule to be effective August 1, 2009. It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 161 be tabled until the next regular council meeting scheduled August 3, 2009.

It was moved by Councilman Molenda and seconded by Councilman McGhee that item #161 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion Carried.

After discussion, it was moved by Councilman Paisley and seconded by Councilman Beneteau that item #161, the revised fee reimbursement schedule for ambulance fees charged by the City of Monroe, be accepted, placed on file and the recommendation be carried out.

Ayes: 4 Nays: 3 (Council members McGhee, Conner and Clark)

Motion Carried.

Charles D. Evans, Clerk-Treasurer stated item #178 was amended.

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 Work Session held on, Monday, July 13, 2009, the Minutes of the Special Meeting held on Monday, July 20, 2009, and the Minutes of the Regular Meeting held on Monday, July 20, 2009.

B. Approval of payments to vendors in the amount of \$ 946,150.08
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

167 DWRF Water Main Rehabilitation Program Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for a large-scale water main replacement division rehabilitation program, including: Division M, Division N, Division O, and Division P, and recommending that Council conditionally award the above contract to Insituform Technologies USA, Inc., in the amount of \$1,791,706.50, and that a total of \$1,899,300 be encumbered to include a 6% project contingency (the maximum allow by the DWARF program), subject to final MDEQ approval, and further recommending that the attached resolution be adopted and forwarded to the MDEQ and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the construction contracts on behalf of the City of Monroe, and that the City Manager, Director of Water & Wastewater Utilities, and the Director of Engineering & Public Services or their designees be authorized to sign any relevant documentation for submission to the MDEQ for funding.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

168 DWRF Water Main Rehabilitation Program Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for a large-scale water main replacement division rehabilitation program, including: Division A, Division B, Division C, Division D, Division E, Division F, Division G, Division H, Division I, Division J, Division K, Division L, and recommending that Council conditionally award Groups B and C of the above contract to C & D Hughes, Inc. in the amount of \$1,216,726.80, and that a total of \$1,289,800 be encumbered to include a 6% project contingency (the maximum allowed by the program), subject to final MDEQ approval, and further recommending that Council conditionally award Group A of the above contract to Salenbien Trucking and Excavation, Inc. in the amount of \$713,810.50, that a total of \$756,700 be encumbered to include a 6% project contingency, subject to final MDEQ approval, and subject to their satisfaction to the City's Labor Harmony Agreement, and further recommending that the attached resolution be adopted and forwarded to the MDEQ and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the construction contracts on behalf of the City of Monroe, and that the City Manager, Director of Water & Wastewater Utilities, and the Director of Engineering & Public Services or their designees be authorized to sign any relevant documentation for submission to the MDEQ for funding.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

169 Leaf Bag Purchase Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids for the purchase of biodegradable paper compost bags for distribution to City residents for fall leaf collection, and recommending that the award for 72,000 bags be awarded to the DANO Corporation, and that the Director of Engineering & Public Services be authorized to execute a purchase order in the amount of \$22,608.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

170 Almyra Avenue Sanitary Sewer Replacement Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Almyra Avenue sanitary sewer replacement from East Third Street to Wood Avenue, and recommending that Council award the above contract to C & D Hughes, Inc. in the amount of \$93,153.90, conditioned upon final clearance of the project from HUD, and that a total of \$107,000 be encumbered to include a 15% project contingency, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.

2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 171 Demolition Bid – 810 East Noble Avenue.
1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 810 East Noble Avenue and recommending that the award be made to Erie Demolition & Salvage, Inc., at a total cost of \$7,200.00, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 172 River Raisin Labor Day 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 a banner across East Front Street from August 24 – September 6, 2009, announcing the River Raisin Labor Day BBQ Festival on September 5, 2009, and recommending approval of this request.
 2. Supporting documents.
 3. Action: Accept, place on file and that the recommendation be carried out.
- 173 Professional Services to inspect the Wastewater Treatment Plant Outfall Line Quote.
1. Communication from the Director of Water & Wastewater, reporting back on quotes received for professional services from qualified companies to inspect the Wastewater Treatment Plant (WWTP) 72 inch diameter outfall line, and recommending that a purchase order in the amount of \$13,004.00 for professional services to inspect the WWTP 72 inch diameter outfall line (approximately 7000 LFT long) be award to Hibbard Inshore, LLC according to their quote dated June 16, 2009.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 174 Scottwood Avenue Block Party.
1. Communication from the City Manager's Office, reporting back on a request from Maureen Quinn on behalf of the residents of Scottwood Avenue for permission to hold their annual block party on August 15, 2009 and to close the 500 block of Scottwood Avenue from 2:00 p.m. – 10:00 p.m., and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city, 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.
- 175 River Raisin Labor Day Festival.
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 3rd annual River Raisin Labor Day BBQ Festival on September 5, 2009, and to close E. Front Street between S. Monroe & S. Macomb Streets as well as W. Front Street between Cass & Monroe Streets on September 5th from 12 noon – 10 p.m., and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, insurance requirements being met, Fire Department guidelines to be followed: 1. MFD SOG 5017, 2. International Fire Code 2403 &

2404, Tents and Canopies, 3. International Fire Code D103.1 Fire Apparatus Access Road, minimum of 20', and 4. Allow for Fire Dept. inspection prior to event, 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.

176 Memorial 9/11 "Bike Night".

1. Communication from the City Manager's Office, reporting back on a request from Firefighter Mike DeSloover on behalf of the Firefighters Local 326 for permission to hold the 3rd annual 9/11 Memorial Bike Night on September 11, 2009, and to close Washington Street between E. First and E. Front Street and E. Front Street from S. Macomb to S. Monroe Street from 5:00 p.m. – 10:00 p.m., and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, 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.

177 Appointments Resolution.

1. Communication from the Mayor's Office, submitting a proposed resolution for appointments to various City Boards and Commissions, and recommend the proposed Resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

178 Proposed Charter Amendments – Resolutions for Clerk and Treasurer.

1. Communication from the City Managers Office, submitting four (4) resolutions that would place four (4) charter amendments on the November 3, 2009 ballot and if approved by the voters the charter amendment language proposed would do the following:
Resolution #1 - Amends section 10 of the Monroe City Charter, pertaining to officers elected, by removing language referring to the Clerk/Treasurer.
Resolution #2 - Amends Section 46 of the Monroe City Charter, pertaining to elective officers designated, by removing language referring to the Clerk/Treasurer.
Resolution #3 - Amends Section 47 of the Monroe City Charter, pertaining to officers of the City appointed, by adding language referring to the Clerk and Treasurer appointments and dismissal and by removing language pertaining to other appointed officers of the City that are no longer valid.
Resolution #4 – Amends Section 80 of the Monroe City Charter, pertaining to Authority of the City Manager, by removing and modifying language that will further consolidate most employment management responsibilities with the City Manager, under policies and guidelines reviewed and approved by the Mayor and City Council. In order to implement recommendations made in the City's Operational Assessment and to achieve additional efficiencies and economies in City operations, it is recommended that Council approve Resolutions 1, 2, 3, and 4, place the proposed charter amendments on the November 3, 2009 ballot, for consideration by City of Monroe Voters.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

179 Bridge Repair and Rehabilitation Charter Amendment Resolution.

1. Communication from the Director of Finance, submitting a proposed resolution to place the charter amendment question relating to the additional millage for bridges on the November 3, 2009 ballot, and if

approved by the voters, the charter language would amend section 118 of the charter of the City of Monroe to allow Council to levy up to .52 mill on the taxable value of property located in the City of Monroe for twenty (20) years beginning with the 2010 tax year and running through the 2029 tax years, which will raise in the first year of such levy an estimated revenue of four hundred sixty eight thousand dollars (\$468,000.00) to be used for the purpose of repairing and rehabilitating the Roessler Street, Macomb Street and Winchester Street bridges, and recommend the proposed Resolution be adopted.

2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

It was moved by Councilman Paisley and seconded by Councilman Clark that items 168, 170, 171, 172, 173, 174, 175, 176, 177 and 179 be approved as indicated and that items 167, 169 and 178 be removed and considered separately.

Ayes: 7 Nays: 0

Motion Carried.

167 The communication from the Director of Engineering & Public Services was presented, reporting back on bids received for a large-scale water main replacement division rehabilitation program, including: Division M, Division N, Division O, and Division P, and recommending that Council conditionally award the above contract to Insituform Technologies USA, Inc., in the amount of \$1,791,706.50, and that a total of \$1,899,300 be encumbered to include a 6% project contingency (the maximum allow by the DWARF program), subject to final MDEQ approval, and further recommending that the attached resolution be adopted and forwarded to the MDEQ and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the construction contracts on behalf of the City of Monroe, and that the City Manager, Director of Water & Wastewater Utilities, and the Director of Engineering & Public Services or their designees be authorized to sign any relevant documentation for submission to the MDEQ for funding.

Councilman Beneteau said that in the future when a project as specialized as this is brought before Council to act on, it needs to be looked at very closely.

Councilman Molenda responded he was disappointed in the outcome.

Mayor Worrell stated that he thinks this merits more discussion and asked Barry LaRoy, Director of Water and Wastewater Utilities to give a quick synopsis for the purpose of communication so that the taxpayers understand that we will come out ahead on this project.

Barry LaRoy, Director of Water and Wastewater Utilities, stated the water system desperately needs upgrading. He continued by quoting the savings from the bond amount and the ARRA funding and the low interest rate of 2.5%.

It was moved by Councilman Beneteau and seconded by Councilman Molenda that item 167 be accepted, place on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion Carried.

169 The communication from the Director of Engineering & Public Services was presented, reporting back on bids for the purchase of biodegradable paper compost bags for distribution to City residents for fall leaf collection, and recommending that the award for 72,000 bags be awarded to the DANO Corporation, and that the Director of Engineering & Public Services be authorized to execute a purchase order in the amount of \$22,608.00.

Pat McElligott, 813 Reisig, commented on the cost efficiency of the bags. He also stated that the Finance Department received one bid for \$22,608.00, which figures out to be about \$.32 per bag. He believes people would be better off purchasing these bags themselves and saving the City \$22,608.00 which could be used in other areas.

Ronald Niesz, 938 Waterloo, stated that he uses about 40 bags a year, and as a taxpayer, if the gentleman wants to buy his bags for him, that's a good deal and he'll take it.

Adam Yeager, 1833 S. Custer, stated he's used a wood chipper for years and runs his lawnmower across the leaves and in a day, you don't even know the leaves were there. He also stated he mulches his grass clippings when he mows his grass, which goes back to the soil and used as fertilizer, and he doesn't have to buy fertilizer.

After discussion, it was moved by Councilman Beneteau and seconded by Councilman Paisley that item 169 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

178 Communication from the City Managers Office was presented, submitting four (4) resolutions that would place four (4) charter amendments on the November 3, 2009 ballot and if approved by the voters the charter amendment language proposed would do the following:

Resolution #1 - Amends section 10 of the Monroe City Charter, pertaining to officers elected, by removing language referring to the Clerk/Treasurer.

Resolution #2 - Amends Section 46 of the Monroe City Charter, pertaining to elective officers designated, by removing language referring to the Clerk/Treasurer.

Resolution #3 - Amends Section 47 of the Monroe City Charter, pertaining to officers of the City appointed, by adding language referring to the Clerk and Treasurer appointments and dismissal and by removing language pertaining to other appointed officers of the City that are no longer valid.

Resolution #4 - Amends Section 80 of the Monroe City Charter, pertaining to Authority of the City Manager, by removing and modifying language that will further consolidate most employment management responsibilities with the City Manager, under policies and guidelines reviewed and approved by the Mayor and City Council.

In order to implement recommendations made in the City's Operational Assessment and to achieve additional efficiencies and economies in City operations, it is recommended that Council approve Resolutions 1, 2, 3, and 4, place the proposed charter amendments on the November 3, 2009 ballot, for consideration by City of Monroe Voters.

Councilman Paisley pulled this item for further clarification on the amended version and a brief outline on what the four (4) resolutions mean and what the purpose is.

Tom Ready, City Attorney, explained there are four (4) separate proposed charter amendments. He gave a brief explanation and surmised that the resolutions would change the position of the Clerk-Treasurer from an elected position to an appointed position and also put the operations of the Clerk-Treasurer and the City Assessor under the direction of the City Manager.

Councilman Clark asked what would happen if some of the amendments passed and others failed.

Tom Ready, City Attorney said that it would cause problems.

Mayor Worrell said it would be massive confusion and stated that at this time, without proper homework it would not be in Council's best interest to put this item on the ballot.

Adam Yeager, 1833 S. Custer, commented that he was totally against an appointed official.

David Smith, 530 Hollywood, commented on the bridges and said they are going to have to be fixed.

Dave Roberts, 706 Broadway, stated the Council had the right idea to hold off on the Clerk/Treasurer resolutions, being that Mr. Evans does not have the vote to make anything change.

Ronald Niesz, 938 Waterloo, stated why anyone would want to change the Clerk-Treasurers position to try to save money. Mr. Evans has done a good job, and the people of Monroe are definitely not going to change it.

Tim Laitur, 7931 Antes Drive, commented on articles that have appeared in the Monroe Evening News by the City Manager that this change could save up to \$50,000.00. He also stated that an appointed employee would not necessarily have more incentive to do his job better and made the comparison to the four City Manager's who were employed during his tenure with the City. He explained that out of the four, only one was exceptional, one was adequate and the other two, very poor.

Sheri Hudson, 2128 Doty Road, stated that she is against the Clerk/Treasurer being an appointed position. It is her opinion that if the position is appointed, the City would be opening the door to corruption. She further stated that she feels the Clerk/Treasurer should answer only to the citizens of the City of Monroe and should remain an elected position.

It was moved by Councilman Clark and seconded Councilman McGhee that item #178 be accepted, placed on file and that the resolution not be adopted.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Councilman Paisley reminded everyone this is Fair Week, and the Jazz Festival is this weekend. And also, Charlie Evans does an excellent job.

Councilman McGhee congratulated Councilman Molenda on his recent marriage. He also asked for prayer for the family of Marlon Martin who was severely beaten in an incident this past weekend.

Councilman Molenda stated he will participate in the Arthur Lesow Community Center dunk tank at the Monroe County Fair on Thursday.

Councilwoman Conner announced that on August 10 – 12 there is going to be a free workshop for mature drivers and that this month the city has 144 foreclosures.

Councilman Beneteau commented on the appointments for the Monroe Multi-Sports Complex Advisory Commission and his outlook for working with the commission to bring more programs and activities into the Complex.

Councilman Clark commented on the grant obtained by the Police Department, Paula's House and the bridge infrastructure problems.

Charles D. Evans, Clerk-Treasurer announced that he will be a candidate for Clerk-Treasurer on the November ballot.

Citizens Comments.

Pat McElligott, 813 Reisig Street announced that he believes in less government, not more government and commented on the relationship between Family Counseling and Shelter Services, FCSS, and the City of Monroe.

Chief Michrina stated that the memorandum of understanding to allow for the alliance is the same that would be used for the press and that he does not see any issue with confidential information being obtained.

Charles Justice, 1485 Lloyd Road, Dundee, Domestic Violence Special Services Manager for FCSS, quoted domestic violence incidence statistics for the City of Monroe and Monroe County and some of the services and resources offered by FCSS. He thanked Chief Michrina for his vision and dedication to public services.

Rosalind Boswell 378 Holly Glen thanked Council for the decision they made about the Clerk-Treasure's position and asked for prayers for Marlon Martin.

Dave Roberts, 706 Broadway stated that his wife fell this past weekend and the Fire Department responded and he is grateful for the care they provided and all they do.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that the meeting be adjourned at 9:40 p.m. until the Regular Meeting on Monday, August 17, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Rosalind Boswell
Secretary, Clerk's Office

Mark G. Worrell
Mayor