

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, OCTOBER 5, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 5, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles D. Evans, City Clerk gave the invocation.

The Mayor led the pledge of allegiance to the flag.

Charles D. Evans, City Clerk stated that the Proclamation will be renumbered as 245 and that item number 246, Employment Agreement, will be added to the consent agenda. He further indicated that item 229 will need to be pulled for discussion because of an amendment to the policy.

Proclamations.

245      Month of October as "United Way of Monroe County Month."

Andrea Jones, Executive Director, Main Street Monroe DDA, said the second issue of the downtown hand book is available at the Main Street Office or online, and that she is working with local organizations to develop a business retention program which will provide support and guidance to local business. She commented on the Holiday Kick-off and Christmas Tree Lighting to be held on Friday, November 20<sup>th</sup>, 2009, from 6:30 p.m.-9:00 p.m. and indicated that area non-profit organizations are invited to set up a promotional table and that if they are interested they should contact her office. She continued that the 2<sup>nd</sup> Annual Monroe County Bed Race for children will be on Sunday, October 18<sup>th</sup> in Loranger Square, starting at 1:30 p.m., and the 6<sup>th</sup> Annual Halloween Festival will be held on October 24<sup>th</sup>, from 6:30 p.m. – 11:00 p.m.

Mayor Worrell read a letter from Mayor Harold D. Stickney, Custer, South Dakota.

Presentations.

Presentation by Dan Stefanski regarding the Commission on the Environment activities in the Raisin River and future possibilities for our waterway.

Public Hearings.

224      This being the date set for the purpose of reviewing and hearing comments on the Paving Special Assessment District No. 331 – Revised Resolution 2 to correct several errors in the compilation of the assessment district boundaries, and the ownership details of some of the parcels of the special assessment district which includes Mason Run Boulevard and Baptiste Avenue north of Noble Avenue, East of Lorain Street from Mason Run Drain to Baptiste Avenue, and all of Elliot Street, Lapointe Avenue, and McDougall Street., and there being no comments on file in writing in the Clerk's Office, the Mayor declared the hearing open.

Willie Hall, Mason Run Subdivision, expressed that the biggest concern is the lack of communication with the City regarding the improvement issues prior the public hearing.

George Brown, City Manager explained that the City is planning to have an informal meeting with the residents of the Mason Run community who are affected by the improvements of the roadway, and at that time there may be information available about the lighting issue.

Willie Hall requested copies of the contracts pertaining to the improvement issues because the residents may need to seek legal action.

Tom Ready, Attorney said that the City can provide copies of the contracts they have available.

Councilman Molenda asked if there would be anything at this time that would preclude residents north of Noble Avenue, in Mason Run, from forming a neighborhood association, and would an association be an effective way to communicate and disseminate information.

George Brown, City Manager explained that an association helps residents to communicate within their community better, but that a point person appointed by the community or association would be an effective way for the City to communicate with the residents, as well as using mailing addresses.

Tom Ready, Attorney said that there would not be anything prohibiting the Mason Run property owners, located north of Noble Avenue, from forming an association.

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

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, September 21, 2009, the minutes of the Special Meeting held on Monday, September 28, 2009 and the minutes of the Work Session Held on Monday, September 28, 2009.

B. Approval of payments to vendors in the amount of \$553,651.03.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

226 Request of a New SDM License – 1285 N. Monroe Street.

1. Communication from the City Manager's Office, reporting back on a request from Walgreens Co. for a new SDM licensed business to be located at 1285 N. Monroe Street, Monroe, Michigan., and recommending that Council approve this request for a new SDM license.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

227 17<sup>th</sup> Annual Holiday Season Kick-Off and Christmas Tree Lighting.

1. Communication from the City Manager's Office, reporting back on a request from the Main Street Monroe/DDA to hold the 17<sup>th</sup> Annual Holiday Season Kick-Off and Christmas Tree Lighting on November 20, 2009, from 6:30 p.m. – 9:00 p.m., for electrical access for the pavilion and all electrical needs for the entertainment and tree lighting, 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.

228 COMEA Unit II/Ratification.

1. Communication from the Director of Human Resources, submitting the tentative agreement between the City of Monroe and COMEA Unit II, and recommending that Council formally approve the COMEA Unit II, 2008-2011 Collective Bargaining Agreement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

229 City Policies and Procedures.

1. Communication from the Director of Human Resources, submitting four (4) new policies and procedures for all regular full-time, non-union employees and appointed officials addressing: 1. Vacations, 2. Hiring, 3. Holidays and, 4. Dental Care Benefits, and recommending that Council approve Policy numbers 008, 009, 010, and 011 and direct City administration to proceed with implementation.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

230 ICMA-RC Deferred Compensation Loans.

1. Communication from the Director of Human Resources, reporting back on the ICMA-RC Deferred Compensation Plan Loan Guidelines Agreement, and recommending that Council approve the amended Loan Guidelines Agreement, and that the Mayor and Clerk/Treasurer be authorized to sign the Agreement on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

231 Traffic Committee Minutes and Traffic Control Orders.

1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on September 23, 2009, and recommending that Council accept and place on file the minutes from the September 23, 2009 Mayor's Traffic Committee meeting, and approve Traffic Control Orders 004-004, 050-004, 056-012, 104-007, 109-002, and 173-005.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

232 City Hall Plaza Renovation Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the renovation of the plaza area between City Hall and the Monroe County Courthouse, and recommending that Council award the contract in the amount of \$135,400 to Andrews Construction Co. Inc. and that a total of \$156,000 be encumbered to include a contingency of 15% for the project, 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.

233 Veterans Park Riverbank Stabilization Project – Change Order Award.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2007 Veterans Park Riverbank Stabilization project, and recommending that Council approve the final payment to Shumaker Brothers Construction for the Veterans Park Riverbank Stabilization Project in the amount of \$8,727.07, and further recommending that the Finance Director be authorized to transfer the funds as detailed.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

234 Final Paving of Mason Run II Streets – Paving Special Assessment District No. 331 – Resolution No. 3.

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 3 delineating the estimated costs and their distribution between parcels within the district, and includes Mason Run Boulevard and Baptiste Avenue north of Noble Avenue, East Lorain Street from Mason Run Drain to Baptiste Avenue, and all of Elliot Street, LaPointe Avenue, and McDougall Street, and recommending that Resolution No. 3 be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

235 Final Paving of Mason Run II Streets – Paving Special Assessment District No. 331 – Resolution No. 4

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing on the assessment roll, and recommending that the attached Resolution No. 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 19, 2009 at 7:30 p.m. in the City Council Chambers.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

236 Michigan Avenue Bridge Replacement – Change Order Award.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Michigan Avenue Bridge Replacement project, and recommending that Council approve an additional allocation to Liberty Mutual Insurance for the Michigan Avenue Bridge Replacement project in the amount of \$3,470.85, and further recommending that the Finance Director be authorized to transfer the funds as detailed.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

237 National Park Service Grant for the River Raisin Battlefield National Park.

1. Communication from the Interim Director of Planning & Recreation, reporting back on a \$350,000 grant from the National Park Services to fund activities related to the River Raisin Battlefield and recommending that Council take action to officially accept the funds and to authorize the Mayor, in conjunction with the City Manager's Office, to undertake projects related to restoration, planning and design of the River Raisin Battlefield, as well as undertake negotiations for the properties that may become available.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

238 Building Maintenance & Renovations – Central Fire Station Bid Award.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for various projects at the Central and West Side Fire Stations, and recommending that Council award a contract for Item 5 to Staelgraeve-Turner Electric, Inc. in the amount of \$12,200, 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.

239 Replacement of City Hall Security System.

1. Communication from the Building Official, reporting back on bids received for the installation of electronic locks for the security of City Hall, and recommending that Council award the contract to Security Corporation for the amount of \$9,875.00 and that a total of \$11,356.25 be encumbered to include a contingency of 15% for the project, 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.

240 Replacement of City Hall Fire Detection and Alarm System.

1. Communication from the Building Official, reporting back on bids received for the replacement of the City Hall Fire Detection and Alarm System, and recommending that Council award the contract in the amount of \$27,900 to Geal Electric and that a total of \$32,085.00 be encumbered to include a contingency of 15% for the project, 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.

241 Equalizer Software Upgrade – Hardware Purchase.

1. Communication from the Finance Director, reporting back on prices for the purchase of an upgrade to the Equalizer software and thirty (30) Dell desktop computers, and recommending that Council approve the purchase of thirty (30) desktop computers from Dell in the amount of \$27,916.20; and further recommending that Council approve paying its 60% portion of the server, server software, and database software cost related to the Equalizer.Net software upgrade in the amount of \$5,739.33.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

242 2008 Water Main Rehabilitation Program – Concrete Patches Contract – Change Order Award.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Water Main Rehabilitation Program – Concrete Patches Contract, and recommending that Council approve a change order for Huber Drive concrete patches in the amount of \$5,738.57 to Andrews Construction Co. Inc. to the 2007 ADA Ramp Program.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

243 City Hall Improvements Financing – Installment Purchase Agreement.

1. Communication from the Finance Director, reporting back on bids received for financing of the improvements to city hall, and recommending that Council adopt the attached resolution that would approve the City of Monroe to enter into an installment purchase agreement with Monroe Bank & Trust in an amount not to exceed \$280,000 at an interest rate of 4.85% and further recommending that Council give the City Manager and Finance Director authority to size the final financing amount based on the final contract amounts approved for the city hall plaza improvements, city hall carpeting project, city hall fire detection and alarm system, and the central fire station fire sprinkler system.
2. Supporting Document.
3. Action: Accept, place on file and the resolution be adopted.

244 Replacement of City Hall Carpet.

1. Communication from the Building Official, reporting back on bids received for the replacement of the City Hall carpet, and recommending that Council award the above contract in the amount of \$62,100.00 to Cohn's Commercial Floor Covering and that a total of \$71,415.00 be encumbered to include a contingency of 15% for the project, 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.

246 Employment Agreement.

1. Communication from the Director of Human Resources, submitting an employment agreement between the City of Monroe and Loretta Hopson, to employ Ms. Hopson on a part time basis (20.0 hours per week) for thirty (30) days to assist during the City's upcoming election, and recommending that the agreement be approved.
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 227, 228, 230, 231, 232, 233, 234, 235, 236, 238, 239, 240, 241, 242, 243, 244, and 246 be approved as indicated and that items 226, 229 and 237 be removed and considered separately.

Ayes: 7 Nays: 0

Motion Carried.

226 Communication from the City Manager's Office was presented, reporting back on a request from Walgreens Co. for a new SDM licensed business to be located at 1285 N. Monroe Street, Monroe, Michigan, and recommending that Council approve this request for a new SDM license.

David Smith, 530 Hollywood Blvd expressed concern about code violations and the appropriateness of the zoning and thinks that a liquor license is an inappropriate use of Walgreens property.

It was moved by Councilman Paisley and seconded by Councilman Molenda that item 226 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

229 Communication from the Director of Human Resources was presented, submitting four (4) new policies and procedures for all regular full-time, non-union employees and appointed officials addressing: 1. Vacations, 2. Hiring, 3. Holidays and, 4. Dental Care Benefits, and recommending that Council approve Policy numbers 008, 009, 010, and 011 and direct City administration to proceed with implementation.

George Brown, City Manager explained that these are new policies but that they match some conditions from previous policies. He further explained that there was a change to the vacation policy, **as amended in item no. 4**, because there are some employment agreements and letters of appointments that have varying terms from the standard vacation allowances, so that exception needed to be written into the policy.

Peggy Howard, Director of Human Resources stated that the Dental Care Benefits policy should also have the same provisions/amendments as the vacation policy for the same varying terms of the employment agreements and letters of appointments.

Mayor Worrell expressed concern about approving the amendments that have been handed to Council at the last second.

Tom Ready, City Attorney explained that a possible solution would be to approve the policies as presented, unless otherwise altered by a specific employment agreement.

Councilman Molenda asked if all full time non-union employees and appointed officials have individual contracts.

Peggy Howard, Director of Human Resources answered, not all of them.

It was moved by Councilman Paisley and seconded by Councilwoman Conner that the policies of item 229 be approved as presented, be accepted, placed on file and the recommendation be carried out unless otherwise altered by a specific employment agreement or letter of appointment.

Ayes: 7 Nays: 0

Motion Carried.

237 Communication from the Director of Planning & Recreation was presented, reporting back on a \$350,000 grant from the National Park Services to fund activities related to the River Raisin Battlefield and recommending that Council take action to officially accept the funds and to authorize the Mayor, in conjunction with the City Manager's Office, to undertake projects related to restoration, planning and design of the River Raisin Battlefield, as well as undertake negotiations for the properties that may become available.

Richard Micka, 47 E. Elm Street, commented on the article in the Monroe Evening News about Donavon Sprig and his family connection to General George Armstrong Custer. He also commented on the Battle of Midway and the Costal Zone Management Plan published by the City of Monroe 29 years ago that included the Battlefield and a Costal Parkway.

It was moved by Councilman Paisley and seconded by Councilman Clark that item 237 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

#### Mayor Comments.

Mayor Worrell congratulated Councilwoman Conner for being elected Secretary to the Women of Municipal Government as a part of the Michigan Municipal League. He also commented on the article in the newspaper

about Infrastructure and corrected the amount listed as \$950,000 in infrastructure improvements, to local dollars being about \$900,000 and an additional \$626,000 coming from the federal government as part of the stimulus program. He commented on the state's budget, that revenue sharing will be cut 11% to cities of Michigan, the early prisoner release program, and the closing of state prisons.

Council Comments.

Councilwoman Conner reported that foreclosures are down to 129 in the City of Monroe.

Councilman Beneteau encouraged residents to watch as Mayor Worrell and Patrick Lewis are interviewed on Jill LaVoy's program on the Public Access Channel regarding the Bridge Millage.

Councilman Paisley commented on the possibilities for our waterways and dams, the Battlefield, United Way Month and SEMCOG task force.

Councilman McGhee thanked the Monroe Evening News for providing the information about the infrastructure improvements and thanked Council for their direct leadership.

Citizens Comments.

Pat McElligott, 813 Reisig Street expressed concern about what appears to be a double set of standards, the political inner circle and commented on the recent editorial in the Monroe Evening News.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman Molenda that the meeting adjourn at 8:29 p.m. until the Regular Meeting on Monday, October 19, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Charles D. Evans  
City Clerk-Treasurer

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Mark G. Worrell  
Mayor