

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 19, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 19, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Rosalind Boswell, Secretary to the City Clerk gave the invocation.

The Mayor led the pledge of allegiance to the flag.

Presentation.

Presentation by the Director of Engineering & Public Services on the Bridge Millage.

Proclamations.

247 Homeless Awareness Week – November 15-21, 2009.

Mayor Worrell explained that the Proclamation will be presented on a Sunday afternoon, at Café Classics.

Public Hearings.

235 This being the date set for the purpose of reviewing and hearing comments on the Paving Special Assessment District No. 331 – Final Paving of Mason Run II Streets, and there being no comments on file in writing in the Clerk's Office, the Mayor declared the hearing open.

Bobby Zimmerman, 449 Baptiste Avenue, said he is shocked that this came about because when he and his wife signed the purchase contract on their home, it included documents regarding Crosswinds responsibility for the development of the neighborhood including the paving of the streets. He said that there is an association but there is no management company to service it. He expressed his concern about the condition of the neighborhood and that the Resolution is expected to be adopted this evening. He questioned the difference in the fee from the first quote.

Patrick Lewis, Director of Engineering & Public Services explained that he would rather refund the difference rather than to bring it back to Council and ask for more money. He said that the original \$71, 400 quote, being confirmed tonight, includes a 15% contingency and 10% for Engineering. He further explained that the City can not spend city money on this project because these are not public streets but that to make them public streets, we need to finish the project.

Willie Hall, 415 Mason Run Blvd. stated that there is not an active association for their neighborhood and asked for copies of the contract documents held by the City with regards to Crosswinds.

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

249 This being the date set for the purpose of reviewing and hearing comments on an application for an Obsolete Property Rehabilitation Tax Exemption Certificate pursuant to Public Act 146 of 2000, as amended, from

Mr. Kenneth Wickenheiser for his property located at 118 East Front Street, and there being no comments on file in writing in the Clerk's Office, the Mayor declared the hearing open.

Councilman Molenda pointed out an error in the amount listed on line 64 and line 65 of the resolution.

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

250 This being the date set for the purpose of reviewing and hearing comments on an application for an Obsolete Property Rehabilitation Tax Exemption Certificate pursuant to Public Act 146 of 2000, as amended, from M. Diner, Inc. located at 546 S. Telegraph Road, for which the application was approved on the council meeting of October 20, 2008, and there being no person's commenting and no comments on file in writing in the Clerk's Office, the Mayor declared the hearing closed.

Council Action.

248 It was moved by Councilman Paisley and seconded by Councilman McGhee that the communication from the Director of Engineering & Public Services, submitting Proposed Ordinance No. 09-012, an Ordinance designed to meet the MDEQ requirements for both storm water quality control and detention, be placed on its first reading and the public hearing be set for Monday, November 2, 2009.

Proposed Ordinance No, 09-012, was then presented for the first time and laid over for its second reading and public hearing.

Consent Agenda. (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and may be approved by one motion. Any item may be removed for separate discussion by a Councilperson or citizen.)

- A. Approval of the Minutes of the Special Meeting held on Monday, October 5, 2009, and the minutes of the Regular Meeting held on Monday, October 5, 2009.
- B. Approval of payments to vendors in the amount of \$1,079,626.94.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

Mayor Worrell announced that item 257 will be removed from the Consent Agenda.

249 Obsolete Property Rehabilitation Certificate Application – 118 East Front Street.

- 1. Communication from the Interim Director of Planning & Recreation, submitting an application for Obsolete Property Rehabilitation Tax Exemption from Kenneth Wickenheiser for 118 East Front Street, and recommending that Council approve the request in accordance with the recommendation of the EDRC in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action.
- 2. Supporting documents.
- 3. Action: Accept, place on file and the resolution be adopted.

250 Obsolete Property Rehabilitation Certificate Application – 546 S. Telegraph Road.

- 1. Communication from the Interim Director of Planning & Recreation, submitting an application for Obsolete Property Rehabilitation Tax Exemption from M. Diner, Inc., for improvements proposed at 546 South

Telegraph Road, and recommending that Council approve the amendment to the resolution and authorize staff to forward the application to the State Tax commission for their review and action.

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

251 Collection of Delinquent Summer Taxes and Other Delinquent Charges.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the addition of a 5% penalty to all delinquent taxes and assessments and then be collected on the winter tax bill, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

252 Addition of 10% Interest to Unpaid Special Assessments.

1. Communication from the Clerk Treasurer, submitting a proposed resolution authorizing the addition of 10% interest to all delinquent special assessments and then be reassessed and added onto the winter tax bill, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

253 Final Paving of Mason Run II Streets – Resolution No. 5.

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 5, confirming the special assessment roll for the final paving of Mason Run II Streets, and recommending that the attached Resolution 5 be adopted, and that Paving Special Assessment District Number 331 be confirmed, and further recommending that a Change Order to the 2009 Curb Replacement and Resurfacing Program in the amount of \$57,133.50 be issued to C & D Hughes, Inc., and that the Director of Engineering & Public Services be authorized to issue the Change Order on behalf of the City..
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

254 Wastewater Pump Station Elevator System Removals and Ladder System Installations Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received to remove the elevator system and install ladder systems in five (5) existing collect system pump stations and recommending that Council award a purchase order in the amount of \$13,803 to Abetter Elevator LLC in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

255 Wastewater Treatment Plant 500 KVA Transformer Replacement Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received to remove and replace an existing 500 KVA transformer at the Wastewater Treatment Plant, and recommending that Council award a purchase order in accordance with the bid specifications to Transformer Inspection Retrofill in the amount of \$19,830.00.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

256 2009 Drinking Water Revolving Fund (DWRf) Water Main Projects, Consultant Inspection Contracts.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on proposals received for the DWRf program inspection activities, and recommending that Council award a professional services contract to Dietrich, Bailey, and Associates; the Mannik and Smith Group; TTL Associates; and David Arthur Consultants, each for up to \$80,000 for the 2009-10 DWRf water main projects inspection, and further recommending that the Director of Engineering & Public Services be authorized to execute said contracts and issue purchase orders in this amount to each.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

257 City Policies and Procedures, this item was removed from the agenda by Mayor Worrell.

258 West Third Street Resurfacing Contract with MDOT.

1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the West Third Street Resurfacing Funding Contract Agreement between MDOT and the City of Monroe, and recommending that the attached resolution be approved, and that the local share of the costs be appropriated as detailed in the financial information detail below, and further recommending that the Finance Director be authorized to appropriate up to \$259,800 in funds from the Major Street Fund Balance into this project as necessary based on the actual project bids and the corresponding funding needs.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

259 Munson Park Access Road Paving Change Order.

1. Communication from the Director of Engineering & Public Services, submitting a change order to add the paving of the gravel portions of the main access road through Munson Park to the 2009 Curb Replacement and Resurfacing Program, and recommending that Council award a Change Order to the 2009 Curb Replacement and Resurfacing Program to C & D Hughes, Inc. for the Munson Park Access Road Paving in the amount of \$100,000, and further recommending that the City Engineer 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.

260 Custer Centennial Celebration.

1. Communication from the City Managers Office, submitting a request from Mr. Richard Micka on behalf of the Little Big Horn Associates for permission to hold festivities to commemorate the centennial anniversary of the Custer Monument, 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, that all necessary park deposits are paid and recreation facility use permits submitted, insurance requirements being met, subject to coordination and consolidation where appropriate with the Monroe County Historical Society coordinated events and activities on June 4, 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.

It was moved by Councilman Paisley and seconded by Councilman Clark that items 247, 248, 250, 251, 252, 253, 254, 255, 256, 258, and 260, be approved as indicated and that items 249 and 259 be removed and considered separately.

Ayes: 7 Nays: 0

Motion Carried.

249 Communication from the Interim Director of Planning & Recreation was presented, submitting an application for Obsolete Property Rehabilitation Tax Exemption from Kenneth Wickenheiser for 118 East Front Street, and recommending that Council approve the request in accordance with the recommendation of the EDRC in the form of the attached resolution and authorize staff to forward the application to the State Tax Commission for their review and action.

It was moved by Councilman Molenda and seconded by Councilman Clark that the words "seven hundred" be stricken from line 65 of the resolution.

Ayes: 7 Nays: 0

Motion Carried.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that amended item 249 be accepted, placed on file and the resolution be adopted as amended.

Ayes: 7 Nays: 0

Motion Carried.

259 Communication from the Director of Engineering & Public Services was presented, submitting a change order to add the paving of the gravel portions of the main access road through Munson Park to the 2009 Curb Replacement and Resurfacing Program, and recommending that Council award a Change Order to the 2009 Curb Replacement and Resurfacing Program to C & D Hughes, Inc. for the Munson Park Access Road Paving in the amount of \$100,000, and further recommending that the City Engineer be authorized to sign the change order on behalf of the City of Monroe

Charlie Able, President of the Command Officers Association said that he and other union presidents had met with the City Manager last week to discuss ways to save money, including discussion regarding the pension plan, and he does not see how the City can spend an additional \$100,000 to pave a gravel road.

Mayor Worrell explained some bids have come in under estimate therefore leaving extra money, but that this money was in capital improvements since January and is part of the capital improvements program.

Charlie Able, President of the Command Officers Association clarified that the City has had projects come in under bid and is willing to use the extra money to pave a gravel road at a park.

Mayor Worrell said that there have been a lot of complaints about the gravel road at Munson Park from the residents in Cranbrook Estates and complaints about cars bottoming out. He said this project was planned a long time ago and that money has not been pulled out of reserves to fund it.

Patrick Lewis, Director of Engineering & Public Services explained that the primary access road at Munson Park handles the same volume of traffic as some of the major local streets, and this is one that has been a big concern because of all of the activity at the soccer complex. He explained that dust is a constant concern, in that the upkeep and costs are ongoing.

Charlie Able, President of the Command Officers Association said that when projects are bid at the Police Department and they come in under bid, the remaining money stays within the department, so he questions how savings from other projects can be taken to pave a gravel road.

Mayor Worrell explained that this money was in the budget for this particular project, and in January the City Council met with the Planning Commission to go over a list of Capital Improvements with in the community. He said this project was part of the Capital Improvements Budget passed in April 2009.

Charlie Able, President of the Command Officers Association expressed concern about the City looking into changing the pension plan.

Mayor Worrell explained that Mr. Brown, City Manager has been asked to discuss this topic later in the meeting because of some communication issues on that topic.

Councilman Paisley explained that Council has been pushing, for the past several years, to bring up the capital improvement investment in the city and this is part of the process.

Adam Yeager, 1833 S. Custer Road stated that it would be more effective to use the money from this project in the residential areas instead because the streets and curbs are crumbling.

Dave Roberts, 706 Broadway said he has coached and played at the soccer fields for years and the dust and pot holes are one of the major complaints.

It was moved by Councilman Paisley and seconded by Councilman Molenda that item 259 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

Mayor Comments.

Mayor Worrell commented on legacy costs for the American Automobile Companies and compared it to the City's. He explained that presently the City has about 180 active employees, 242 retired employees; and Post Retirement Health Care Insurance Liability of 54 million dollars. He continued that it is the equivalent of about 1.8 million dollars or the equivalent of 2 mills in property taxes. He also thinks the City's contribution to the retirement plan is 1.5 million dollars and that amount may increase next year. He further explained that staff has been looking at ways to reduce costs and that they have been looking into the Michigan Employees Retirement System, MERS, plan. He asked the City Manager to comment on MERS.

George Brown, City Manager explained that in late winter or early spring of this year during one of the budget work sessions, he mentioned that the city would continue to look for cost cutting measures while maintaining quality of service. He said that one of the topics he brought to Council was one that a colleague from another City had explored regarding pension administration costs and had found some savings while maintaining benefit levels. He explained that during a couple of the budget work sessions, he mentioned that the city will do some initial research with the MERS, a state wide local government retirement system, to see if there would be some savings in administrative costs. He further explained that it is not just a matter of administration costs, but that there are a lot of factors to look at and it will take quite a bit of time to research. He said this initial research will help us understand whether there is any value in bringing it back to Council to discuss and then take to our employees to discuss. He explained that any change in the administration system will not change the benefits because that is negotiated through collective bargaining and can not be changed by Council unilaterally.

Council Comments.

Councilwoman Conner acknowledged the students that were in attendance at the meeting. She mentioned that Council had instituted awards for citizens who do good things and said that she would like to give an award to Ron Wickenheiser and Joe Drozdowicz who work for the Monroe Housing Commission. She also thanked Dave Swartout for the work he has done at 327 S. Monroe Street.

Councilman Clark commented on some articles in the fall 2009 newsletter published by Habitat for Humanity and gave the phone number for Christina, 734-243-2048, and stated that she works with volunteers to rehab homes and if anyone is interested to please call her.

Councilman Paisley commented on the political season, the SEMCOG Task Force and some of their objectives and results of their cost cutting changes.

Citizens Comments.

Charlie Able, President of the Command Officers Association thanked the City Manager for meeting with he and Brian Gee, President of the Patrolman's Association regarding pension issues which helps to help control the rumors. He expressed concern about the comparables that the Mayor uses when talking about employees and the pension system, i.e. Bedford and Frenchtown. He asked how many employees and how many retirees does Bedford have.

Mayor Worrell said that Bedford has 25 employees and that in two years we have decreased our workforce by 25% and so has Bedford. He further stated that it isn't so much a matter of how many employees you have; it is a matter of how old they are. The fact that employees are young means that they have not retired. The City does not just have the expense of today's employees. He further stated that capital improvements and our city being an old city, we have the legacy costs of those who work here and have retired from here. He stated that an older core city is more expensive and that other townships do not have the same expenses that we have.

Charlie Able, President of the Command Officers Association said that it gives the impression that we are paying a lot more than the townships. He said that our city is in a very good position because of the choices and decisions that have been made in the past and in the present. He questioned the use of Bedford or Frenchtown as comparables and suggested that we be compared to Adrian instead.

Mayor Worrell replied that then you get into the taxable, SEV comparisons and that the population is about the same at 21,000 – 22,000 thousand range. He explained that we have had the advantage of the coal burner but in 1981 or so it was 60% of the tax base and today it is 30%. He said that there are all kinds of things that vary and change as you loose an industry like the Ford Plant so it makes it difficult. He continued that he is just trying to point out that old cities have liabilities and if you're not careful they can get out of hand. He explained that it is much easier in a township that has lesser costs. He further stated that it is his perspective that townships are subsidized by us because we pay 4.8 mills in taxes to the County and when those County taxes are paid out they are benefits of the County going to those in the townships. He said the Police Department is a good example; we have a budget of about 6 million for the Monroe Police Department and the Sheriffs Department is paid for by the County, which is larger in population. He continued that each township pays 80% for additional deputies but there is a 20% subsidy that is coming from the County. He said that in truth, he would like to get that 20% back because that would give the City back 1.2 million dollars and he thinks that would be much fairer and would help greatly with our law enforcement costs and that would be true for Luna Pier, for Carleton, and in Erie, so there is disparities in how things are done.

Dave Roberts, 706 Broadway commended Mayor and Council for their service and said they had done a great job in balancing the budget in preparation for the new Mayor and Council.

Jennie Micka, 47 E. Elm Street thanked Jeff Green, Interim Director of Planning & Recreation for the hard work he did with the Archeological Society on the recent dig at the Battlefield.

Adam Yeager, 1833 S. Custer Road stated that in his opinion, union members should not be distributing election propaganda.

Adjournment.

It was moved by Councilman Paisley and seconded by Councilman Clark that the meeting adjourn at 8:55 p.m. until the Regular Meeting on Monday, November 2, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Rosalind Boswell
Secretary to the City Clerk-Treasurer

Mark G. Worrell
Mayor