

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 2, 2009

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, November 2, 2009 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles D. Evans, City Clerk gave the invocation.

The Mayor led the pledge of allegiance to the flag.

Presentation.

Presentation by Linda Shipman, General Manager of the Monroe Multi-Sports Complex.

Proclamations.

261 "Prematurity Awareness Month" – November 2009.

Public Hearings.

248 This being the date set for the purpose of reviewing and hearing comments on the Proposed Ordinance No. 09-012, an Ordinance designed to meet the MDEQ requirements for both storm water quality control and detention and there being 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 final reading.

Ayes: 7 Nays: 0

Motion Carried.

Proposed Ordinance No, 09-012, was then presented for the second time after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

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 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 \$593,774.33.

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

262 Water Service Connection Materials Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids for the purchase of Water Service Connection Materials, including: Division I, II, III, IV, V, VI, and recommending that Council award Division I to Etna, in the amount of \$14,418.25, Division II, IV, and V to Kuhlman in the amount of \$20,538.50, and Division III and VI to Perrysburg in the amount of \$46,482.90, and for the purchase orders to be issued in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

263 Ozone Generator Replacement Glass Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received to supply PD 56 Ozone Generator Replacement Glass for the ozone generators at the Water Treatment Plant, and recommending that Council award a purchase order to supply PD 56 Ozone Generator Replacement Glass for the ozone generators at the Water Treatment Plant in accordance with the bid specifications to Fin-Tek Corporation out of Wayne, N.J. in the amount of \$63,000.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

264 East Third Street Water Main Relining – Change Order.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2008 Water Main Rehabilitation Program, and recommending that Council award a Change Order to the 2008 Water Main Rehabilitation Program project for the above work to Insituform Technologies in the amount of \$45,000, and that a total of \$50,000 be encumbered to allow for any contingencies that may arise, 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.

265 Mason Run II Street Dedications.

1. Communication from the Director of Engineering & Public Services, presenting a Resolution to accept the streets of the Mason Run II Condominium, and recommending that Council adopt the attached resolution accepting the streets into the City of Monroe's Local Street System.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

266 Central Fire Station Sprinkler System Bid.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the installation of a sprinkler system for the apparatus room, and recommending that Council award a contract for the Central Fire Station Sprinkler System Installation to Dynamic Fire Protection, Inc in the amount of \$27,605 and that a total of \$30,000 be encumbered to include a total of 9% contingency 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 recommendation be carried out.

267 Monroe County Council CIO Social and Welfare Association Resolution.

1. Communication from the City Manager's Office, submitting a proposed resolution that would officially recognize the Monroe County Council CIO Social and Welfare Association as a non-profit organization in the Monroe community in order to apply for a gaming license from the State of Michigan Lottery Division, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted

268 M-125 Drainage Structure Reconstruction – Change Order.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2007/08/09 ADA Ramp 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 \$11,875 for the reconstruction of five (5) drainage structures on M-125, 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 262, and 263, be approved as indicated and that items 264, 265, 266, 267, and 268 be removed and considered separately.

Ayes: 7 Nays: 0

Motion Carried.

264 Communication from the Interim Director of Engineering & Public Services was presented, submitting a request for a change order to the 2008 Water Main Rehabilitation Program, and recommending that Council award a Change Order to the 2008 Water Main Rehabilitation Program project for the above work to Insituform Technologies in the amount of \$45,000, and that a total of \$50,000 be encumbered to allow for any contingencies that may arise, and further recommending that the Director of Engineering & Public Services be authorized to sign the change order on behalf of the City of Monroe.

Pat McElligott, 813 Reisig Street stated that he pulled this item primarily for transparency because he believes it is very, very, very important for tax payers to know where their monies are going and asked for elaboration from the department head.

Barry LaRoy, Director of Water & Wastewater Utilities commented on the E. Third Street water main relining and explained that during the leak protection survey a leak was discovered along with some washed out area on E. Third Street near Railroad Street about two feet away from the railroad tracks. He explained that the leak protection survey is a proactive approach to finding leaks that do not surface.

It was moved by Councilman Paisley and seconded by Councilman Molenda that amended item 264 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

265 Communication from the Director of Engineering & Public Services was presented, presenting a Resolution to accept the streets of the Mason Run II Condominium, and recommending that Council adopt the attached resolution accepting the streets into the City of Monroe's Local Street System.

Adam Yeager, 1833 S. Custer Road asked if the taxpayers in Monroe would ultimately end up paying for the cost to finish the streets in Mason Run II because Crosswinds went bankrupt.

George Brown, City Manager explained that a special assessment district has been created for the property owners with frontage on the streets of Mason Run II, but if a property owner defaulted it would create a tax lien, and at that time the City would have early rights to obtain and sell the property to recoup the loss.

It was moved by Councilman Paisley and seconded by Councilman Molenda that item 265 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

266 Communication from the Director of Engineering & Public Services was presented, reporting back on bids received for the installation of a sprinkler system for the apparatus room, and recommending that Council award a contract for the Central Fire Station Sprinkler System Installation to Dynamic Fire Protection, Inc in the amount of \$27,605 and that a total of \$30,000 be encumbered to include a total of 9% contingency 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.

Adam Yeager, 1833 S. Custer Road asked what an apparatus room is and expressed disbelief that \$27,605 to install the sprinkler system is about a third of the worth of a home.

Joe Mominee, Fire Chief explained that the apparatus bay at the fire station is where the fire apparatus is parked and is below the living quarters. He further explained that currently there is no fire protection between the apparatus bay and the living quarters, so the sprinkler system will be fire protection/suppression until the firefighters get out of the building.

Councilman Paisley explained that there are requirements for households and for business to maintain specific standards of protection and that same standard of protection should be maintained for our firefighters.

James Younglove, 546 Godfroy Avenue said that he is glad that the fire station will be brought up to the standard that it should have been 25 years ago.

Adam Yeager, 1833 S. Custer Road asked why this was not done earlier.

George Brown, City Manager explained that the fire station was built with a fire rated ceiling system and over the years with leaky roof problems and other problems that system has broken down so this is a replacement in lieu of that protection.

Pat McElligott, 813 Reisig Street said he thought that this station was going to be replaced and asked if all three of the fire stations are operational at this time.

George Brown, City Manager said that an architectural study was done about 4 or 5 years ago on the replacement of the facility and the estimate was in the 5-6 million dollar range, but the city does not have the funding or enough real estate to build a new facility. He further explained that this is a life safety issue so it is

the City's responsibility to have this system in place while there are people working in the facility. He stated that two facilities are being used by the Monroe Fire Department, the Central Station and the North Custer Station and Monroe Community Ambulance Service is using the East Side Station.

It was moved by Councilman Paisley and seconded by Councilman Clark that item 266 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

267 Communication from the City Manager's Office was presented, submitting a proposed resolution that would officially recognize the Monroe County Council CIO Social and Welfare Association as a non-profit organization in the Monroe community in order to apply for a gaming license from the State of Michigan Lottery Division, and recommending that the resolution be adopted.

Adam Yeager, 1833 S. Custer Road expressed concern about the many gambling request's that come before Council.

Councilman Beneteau pointed out that Council is not granting a gambling license, that this resolution just recognizes the organization as a non-profit organization which enables the organization to petition the state to get the gaming license.

Councilman Paisley explained that the recent flurry of activities pertaining to these requests is because there is a new requirement at the state level.

It was moved by Councilman Paisley and seconded by Councilman Beneteau that item 267 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion Carried.

268 Communication from the Director of Engineering & Public Services was presented, submitting a request for a change order to the 2007/08/09 ADA Ramp 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 \$11,875 for the reconstruction of five (5) drainage structures on M-125, and further recommending that the Director of Engineering & Public Services be authorized to sign the change order on behalf of the City of Monroe.

Pat McElligott, 813 Reisig Street said that he defers this item to the department head to explain the change order because it appears that we've spent some money and now we are asking whether we can spend the money.

Patrick Lewis, Director of Engineering & Public Services explained that MDOT approached him in late September to discuss some work options they wanted the city to do and at that time the department had some available funding in their budget. He explained that the city has a Trunkline Maintenance Contract with MDOT which includes things like plowing snow and pot hole patching along M-125 and M-50. He further explained that MDOT said they would be resurfacing M-125 in approximately 2013 and that one of the things they may not have the funds to do is to reconstruct some of the drainage structures, catch basins, and man holes along the roadway, so we offered to carry that work out for them over the next few years. He explained that they had a fairly short time to move on it because there was only about two weeks left in September. He said that he was under the mistaken impression that since this work is funded through our Trunkline Contract, we are subject only to MDOT procurement policy requiring only 3 quotes for work items under \$25,000. He continued, in fact

the City Council must award this work based on our own city purchasing policy and since the low bidder already has a contract with the city, this work is being recommended as a change order in lieu of a separate contract.

Mayor Worrell complimented Patrick Lewis, Director of Engineering & Public Services and the Engineering Department for working long and hard on the city's infrastructure projects.

It was moved by Councilman Clark and seconded by Councilman Paisley that item 268 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion Carried.

Mayor Comments.

Mayor Worrell said he visited Cantrick School today to attend a school assembly for the Student Council Election and encouraged the public to come out and vote on Tuesday, November 3rd, 2009.

Council Comments.

Councilwoman Conner announced that foreclosures are down to 123 and there were 21 homes sold and 15 additions in the city. She also welcomed the students from Monroe County Community College.

Councilman Beneteau encouraged everyone to get out and vote.

Councilman Clark commented on the Sensory Garden Open House, capitol improvements, and encouraged everyone to get out and vote.

Councilman Paisley commented on the past two years of being on City Council and thanked everyone for their participation and hard work.

Councilman McGhee said he lost a close friend this past week, Otis Henderson and thanked everyone for their condolences and well wishes and reminded everyone to vote tomorrow.

Councilman Molenda commented on Halloween, the Sensory Garden Open House, the filming of a major motion picture that will begin this week and public safety revenue sharing.

Charles D. Evans, Clerk-Treasurer announced that polls open at 7:00 a.m. Tuesday morning and are open until 8:00 p.m., and if you are unsure of where your precinct is, to call City Hall.

Citizens Comments.

Jeff Spaulding, 14918 Courtney explained that he recently purchased another property in the city and has done renovations to the existing structure, torn down the garage, and with each job he has pulled a permit from the Building Department. He further explained that in place of the demolished garage, he installed a frame and filled it with gravel for parking. He said that he received a letter from the city that indicated he had to replace it with cement by order of an ordinance. He said the gravel parking area is adjacent to a gravel alley and thought more consideration could be given to people who try to fix up their properties.

Adjournment.

It was moved by Councilwoman Conner and seconded by Councilman Paisley that the meeting adjourn at 8:34 p.m. until the Regular Meeting on Monday, November 16, 2009 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Mark G. Worrell
Mayor