

CITY OF MONROE
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 16, 2010

Regular meeting of the City Council of the City of Monroe, Michigan held on Tuesday, February 16, 2010 at 7:30 p.m. in the City Hall Council Chambers.

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

Charles D. Evans, City Clerk-Treasurer gave the invocation.

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Presentation by Mayor Robert E. Clark and Mayor Pro-Tem Jeremy Molenda – Mr. Philip Hernandez, Monroe High School senior, Winner of the 2010 North American International Auto Show Poster Contest.

Presentation by Monroe County Prosecuting Attorney, William P. Nichols and Brett Ansel regarding the Crime Stopper Program.

Proclamation.

18 Rotary Recognition Day, February 23, 2010.

Public Hearings.

24 This being the date set for the purpose of reviewing and hearing comments on the proposed 2010-2016 Capital Improvements Program Budget and there being no comments on file in writing in the Clerk-Treasurer's Office the Mayor declared the hearing open.

Mayor Clark explained that the proposed CIP Budget has been reviewed through a joint session with City Council and the Citizens Planning Commission, and it was again reviewed by the CPC and now is back before Council for a public hearing and for action later on the agenda.

George Brown, City Manager explained that the CIP Budget is like our operating budgets and other budgets that are adopted by organizations. He continued that as a plan it is thought out, it's worked on, there is a lot of contribution and when adopted it expresses some intentions both specifically and generally, however, plans and budgets are not written in stone and in particular with the CIP Budget that is under consideration for adoption tonight there are at least three items that have a contingent nature. He cited the three items and why they are contingent.

Adam Yeager, 1833 S. Custer Road speculated that the CIP Budget includes Woodville and said he would like to see more notification and more detail of the projects, prior to these hearings, in the paper so that people are better informed.

David Smith, 530 Hollywood Blvd commented on the repairs on the Custer Monument and the bridge.

There being four persons present commenting, and no comments on file in writing in the Clerk-Treasurer'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, February 1, 2010.

B. Approval of payments to vendors in the amount of \$651,171.34.

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

19 Monroe County Community College Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Community College for permission to display a banner across Monroe Street or East Front Street from March 26 – April 23, 2010, announcing the Big Read, and recommending the request be approved as modified.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

20 Appointments.

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

21 Annual Memorial Day Parade.

1. Communication from the City Manager's Office, reporting back on a request from the VFW Memorial Day Parade Committee for permission to hold the annual parade on May 31, 2010 at 2:00 p.m., and recommending that Council approve this request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, a parade permit, 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.

22 Winchester Street Bridge Rehabilitation Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Winchester Street Bridge Rehabilitation, and recommending that Council award the above contract to E.C. Korneffel in the amount of \$1,361,236.48, and that a total of \$1,570,000 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.

23 Elm/Dixie/Winchester Intersection Reconstruction Design Contract Award.

1. Communication from the Director of Engineering & Public Services, submitting a proposal for the design of the intersection of East Elm Avenue, North Dixie Highway, and Winchester Street, and recommending that Council award a contract for design services for the Elm/Dixie/Winchester Intersection Reconstruction project to The Mannik and Smith Group in the amount of up to

\$34,600, and further recommending that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe.

2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

24 Proposed Capital Improvements Program Budget – FY 2010-2016.

1. Communication from the Interim Director of Planning & Recreation, submitting the Proposed FY 2010/2016 Capital Improvements Program Budget, and recommending that the Proposed FY 2010/2016 Capital Improvements Program Budget be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

25 Proposed Monument Policy for the City of Monroe.

1. Communication from the Interim Director of Planning & Recreation, submitting a policy to assist in reviewing requests to construct and locate monuments, memorials, plaques, or similar commemorative structures in city parks or on other city properties, and recommending that Council adopt the attached Monument Policy.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

26 Banking Service Proposal Recommendation.

1. Communication from the Finance Director, submitting banking service proposals, and recommend that Council approve entering into an agreement with Fifth Third Bank to provide banking services to the City of Monroe with a fixed annual price of \$15,600.00 and subject to other terms and provisions submitted in its proposal for banking services, and further recommending that the approval be contingent on a review and approval of the banking services agreement by the City Attorney and that the Finance Director is authorized to execute the agreement on the city's behalf.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

27 Emergency Repairs to Water Treatment Plant Filter Containment System.

1. Communication from the Director of Water & Wastewater Utilities, submitting a proposal for emergency repairs to the Water Treatment Plant Filter Containment System and recommending that the City Council confirm the administrative decision to perform the emergency purchase for contracting for the necessary repairs on the Water Treatment Plant Filter Containment System, and further recommending that the City Council award the emergency repairs to A. Z. Shmina, Inc. in the amount of \$12,769.39, and that a total of \$15,000.00 be encumbered to include a 17% contingency due the full extent of concrete joint repairs not being known at this time.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

28 Custer Equestrian Monument Conservation Project Bids.

1. Communication from the Interim Director of Planning & Recreation, reporting back on bids received for the Custer Equestrian Monument Conservation Project, and recommending that City Council award the contract for the conservation of the Custer Equestrian Monument to Conservation of Sculpture and Objects Studio, Inc. (CSOS) for an amount not to exceed \$13,300.00, and further

recommending that the Mayor and/or City Manager be authorized to sign all necessary documents and/or contracts related to this project; and that the Preservation Office is designated as project manager.

2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that agenda item 19, 20, 21, 22, 24 and 27 be approved as indicated and that items 23, 25, 26, and 28 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

23 The communication from the Director of Engineering & Public Services was presented, submitting a proposal for the design of the intersection of East Elm Avenue, North Dixie Highway, and Winchester Street, and recommending that Council award a contract for design services for the Elm/Dixie/Winchester Intersection Reconstruction project to The Mannik and Smith Group in the amount of up to \$34,600, and further recommending that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe.

Councilwoman Conner asked how the bid information is distributed to the public because this item was rewarded with just one bid proposal.

Patrick Lewis, Director of Engineering & Public Services explained that typically we would solicit these design services projects but because of the time restraints with this project we did not solicit other firms, however we did look at the local firms strengths and weaknesses relative to this type of design and the Mannik & Smith Group has preformed similar type projects for us in the past. He continued that we consider this a sole source procurement which we do not ordinarily do but given the time urgency and the strengths of this firm relative to roadway design, we solicited a proposal from them and felt that it was within the range and that they are the strongest local candidate that could complete the work very quickly.

It was moved by Councilwoman Conner and seconded by Councilman Hensley that item 23 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

25 The communication from the Interim Director of Planning & Recreation was presented, submitting a policy to assist in reviewing requests to construct and locate monuments, memorials, plaques, or similar commemorative structures in city parks or on other city properties, and recommending that Council adopt the attached Monument Policy.

Councilwoman Conner explained that item E, under "Process for submitting Monument Proposals/Requests", she thinks it should have a specified amount of time for reviewing a proposal and making a recommendation and she would like to suggest 30 days as the time specified.

Jeff Green, Interim Director of Planning & Recreation explained that they give consideration this application as with most other applications that come into the Planning Commission, the HDC and the Zoning Board. He further explained, typically they would like to have a turnaround of one – two months, depending on caseload and workload within the office but this is not something that we would want to prolong because we understand with proposals like these we are dealing with time frames in which applicants are working with. He further stated that 30 days would be acceptable for response time. He continued by suggesting that the last sentence in Section E reflect that the Planning Office will deliver it findings, recommendations and comments to Council or it's designee within 30 days.

David Smith, 530 Hollywood Blvd. commented on monument inventory within the City.

Councilman Molenda asked at what point a monument project would no longer be of consideration, or no longer moving forward.

Jeff Green, Director of Planning & Recreation explained that the applicant would tell us if they think the project will no longer be moving forward.

Tom Ready, Attorney stated that in reviewing sub paragraphs E & F, it seems that the language is broad enough, given the myriad of types and sizes of monuments, that if the Planning Department felt that a specific time deadline was appropriate, it would say so in the recommendation. He also stated that when it is presented to Council, if there is no recommendation for a timeline, Council could attach that as one of the conditions of approval.

Richard Micka, 47 E. Elm Avenue stated that the WWII Monument had a surplus in funds and the Community Foundation also has a fund to help take care of these monuments.

It was moved by Councilwoman Conner and seconded by Councilman Molenda that item 25 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1(Councilwoman Conner)

Motion carried.

26 The communication from the Finance Director was presented, submitting banking service proposals, and recommend that Council approve entering into an agreement with Fifth Third Bank to provide banking services to the City of Monroe with a fixed annual price of \$15,600.00 and subject to other terms and provisions submitted in its proposal for banking services, and further recommending that the approval be contingent on a review and approval of the banking services agreement by the City Attorney and that the Finance Director is authorized to execute the agreement on the city's behalf.

Doug Chaffin, President of Monroe Bank & Trust cited all of the MB&T locations within the city limits, and thanked Mayor and Council for the opportunity to bid on the banking depository service business for the City. He introduced Vick Davis and Mark Johnson, Business Services Group, and said they were involved in preparing the 53 page document that was presented for the City's review. He pointed out a couple of benefits that were not presented in the document, collection of tax payments and utility payments for local area residents, that MB&T is the largest taxpayer and private employer in the central business district. He also pointed out that MB&T employees are involved in many charitable and public events, committees, etc. on a daily basis within the city. He also stated that he knows that there is a cost difference but thinks it is minimal considering the additional services and benefits that they provide.

David Koenig, Public Funds Group, Fifth Third Bank 550 N. Summit, Toledo, Ohio thanked Council for the opportunity to present their proposal and said that Fifth Third Bank has done business with the City for many years and they value that relationship. He stated that they continually try to bring forth new ideas and practices to help with the City's Operations and hope to continue in business with the City.

Councilman Beneteau asked Mr. Chaffin, President of Monroe Bank & Trust what cost is associated with accepting payment for taxes and utilities at MB&T.

Doug Chaffin, President of Monroe Bank & Trust said the total of 1800 payments taken at the bank is broken down between taxes and utility payments and that the standard fee is about \$.50 per item. He further stated that it is a labor intensive process and that being the reason most institutions do not offer that service today.

Councilman Beneteau asked Mr. Sell, Finance Director what the difference in the interest rate would be with the difference in the proposal fees.

Ed Sell, Finance Director explained that he did not go back and calculate for every month what would have been generated over the years because interest rates are historically low right now and to say that based on today's rates there will always be a benefit would be highly inaccurate. He continued that the service that MB&T provides is services they chose to provide and not something that the City had requested them to provide. He further stated that the services they provide are not something that Fifth Third Bank would have included in their services because it was not part of the requests in the proposal, so that is not something that should be used as a comparison at this point. He explained that after receiving the proposals, he compared and found that there was no benefit with the volume pricing method of MB&T compared to the fixed price method of Fifth Third Bank.

Councilman Paisley commented on the differences in the volume pricing and fixed price methods and thanked the banks for going through the bid process.

Councilwoman Conner commented on the new branding "Authentic Monroe" and said MB&T fits into that branding and the community involvement of their employees, and said that we need to think about the people in our community.

Councilman Hensley expressed concern that the savings we are looking at may eventually bite off the hand that feeds us.

Councilman Molenda stated that Fifth Third Bank also has a presence in our community but that MB&T has more of a community presence. He asked if Council could alter the terms of the RFP by approving a two year contract.

George Brown, City Manager explained that it is his understanding that our RFP indicated that we wanted a 120 day right to withdraw so if conditions change Council would have the prerogative to review the agreement and withdraw with legal counsel.

Adam Yeager, 1833 S. Custer Road asked what the length of the contract is.

Mayor Clark said the proposal calls for a five year agreement.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 26 be accepted, placed on file and the recommendation be carried out.

Ayes: 4 Nays: 3 (Council Members Bica, Conner and Hensley)

Motion failed.

Ed Sell, Finance Director stated that we are on a month to month basis with Fifth Third Bank and that will continue until we take some different action.

28 The communication from the Interim Director of Planning & Recreation was presented, reporting back on bids received for the Custer Equestrian Monument Conservation Project, and recommending that City Council award the contract for the conservation of the Custer Equestrian Monument to Conservation of Sculpture and Objects Studio, Inc. (CSOS) for an amount not to exceed \$13,300.00, and further recommending that the Mayor and/or City Manager be authorized to sign all necessary documents and/or contracts related to this project; and that the Preservation Office is designated as project manager.

Councilman Paisley asked who the four firms were that had bid on this project, who decided what the committee was made up of and it seems that the funding is coming from the Monroe County Historical Society and not from our tax base.

George Brown, City Manager said that we have had a couple of benefactors pledge, indicate or provide funding for this project along with the Monroe County Historical Society.

Jeff Green, Interim Director of Planning & Recreation stated that the four bidders were, Jonathon Taggert, The Conservation of Sculpture and Objects Studio, Venus Bronze Works, and Campbell Durocher Group. He further stated that the committee that reviewed the proposals was himself, William Braunlich, Tracy Aris, and we consulted on this with Dr. Dennis Montagna with the National Park Service.

Councilwoman Conner asked what the difference is between maintenance and treatment.

Jeff Green, Interim Director of Planning & Recreation explained that general maintenance would involve waxing and minor cleaning, and treatment involves stripping the old wax, repairing distortions or variations, cleaning and reapplying the wax.

David Smith, 530 Hollywood Blvd. commented on future work that will need to be done on the Lotus Fountain and other monuments.

It was moved by Councilman Paisley and seconded by Councilman Hensley that item 28 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Mayor Comments.

Mayor Clark commented on budget obligations, capital improvements, revenue and financial gap, employment news, County personnel reductions and City budgetary issues and challenges. He also commented on the February 9 snow emergency and thanked Patrick Lewis, Director of Engineering & Public Service and staff for their preparation, efforts and response. He mentioned the Census Road Tour on Sunday, February 21, 2010 from 10:00 a.m.- 3:00 p.m. at the Arthur Lesow Community Center and The National Weather Service Sky Warn 2010 will be on Wednesday, February 24, 2010 at Monroe County Community College, La-Z-Boy Center from 7:00 p.m. – 9:00 p.m.

Council Comments.

Councilman Paisley commented on increasing revenue, the online agenda with items, meetings and work sessions, and the responsibility of City Council Members.

Councilwoman Conner thanked DPS, Patrick Lewis, Director of Engineering and Public Services, Bill Walters and the DDA for the financial help in hauling away all of the snow. She also commented on the Economic Summit meeting she attended.

Councilman Hensley reminded everyone of the Historic District Commission Meeting to present the residential and commercial rehabilitation tax credit workshop on Thursday, February 18, 2010 from 6:30 p.m. – 8:00 p.m. at MB&T on the fourth floor conference room. He also thanked DPS for the outstanding job in clearing the snow in the 1st Precinct and congratulated Officer Paul Marks for being selected as the Monroe Exchange Club's Officer of the Year for his efforts in rescuing a man from a burning apartment.

Managers Comments.

George Brown, City Manager thanked the DPS Crew and the Police Department for their efforts and assistance during the last snow event. He explained that Council Agendas and Items are online on Friday before the Council

Meeting and for those who are not online with the internet; the Agenda with items can be obtained at the Clerk's Office or at the associated department after review of the agenda.

Citizen's Comments.

Andrea Jones, Executive Director DDA informed Council that the DDA will be reviewing their final draft of their goals and objectives for 2010-2011, the Façade Grant application are available on the website or at the office and are due by March 26, 2010. She further commented the Promotions Committee's Video Marketing Campaign, cigarette receptacles, downtown parking permits, and commended City Staff and Downtown Business Owners and residents for clearing of the snow during the last snow event.

Richard Micka, 47 E. Elm Avenue informed Council that the Ford Marsh was added to the National Wildlife Refuge System and commented on the missing Spanish American War Monument and thanked Council for taking action on the Custer Equestrian Monument and mentioned other future and past events.

John Timko, 1034 Bentley Drive said he would like to see a faster response with the snow removal.

Adam Yeager, 1833 S. Custer also commented on snow removal.

Jeannie Micka, 47 E. Elm Avenue mentioned the Art Show at the Monroe County Masonic Temple during the first week of June, and the Annual Founders Day on Saturday, May 8, 2010 at the Sawyer Homestead.

Adjournment.

It was moved by Councilman Molenda and seconded by Councilman Bica that the meeting adjourn at 9:35 p.m. until the regular meeting on Monday, March 1, 2010 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor