

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, APRIL 5, 2010

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 5, 2010 at 7:30 p.m. in the City Hall Council Chambers.

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

Sharon C. Malotky, Deputy City Clerk gave the invocation.

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Presentation by Pat McGowen with Miller, Canfield – Recovery Zone Bond.

Proclamations.

50 Child Abuse and Prevention Month – April 2010.

51 Library Week – April 11 – 17, 2010.

Public Hearings.

37 This being the date set for the purpose of reviewing and hearing comments on Proposed Ordinance No 10-001, an Ordinance to amend §492-1, Disturbances; disorderly conduct, of the Code of the City of Monroe, of the Codified Ordinances of the City of Monroe, there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Councilman Beneteau asked if there will be a problem with the right to free speech with this ordinance if someone stands on the sidewalk and expresses themselves with free speech.

Tom Ready, City Attorney said that we have a presumption of constitutionality of any ordinance that may be passed. He explained that the amendment to this ordinance deals with communications of any kind with prisoners of the Monroe County Jail System whether they're in the jail or on their way to court or wherever. He further stated that he does not anticipate any problems because prisoner's rights are limited and the limit could and should logically be extended to communication with others who should not be communicating with them except for scheduled visitations and things of that nature.

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

38 This being the date set for the purpose of reviewing and hearing comments on Proposed Ordinance No. 10-002, an Ordinance to amend §160-1, Definitions and §160-7, Expiration and renewal of license, of Chapter 160, Adult Entertainment Businesses, of the code of the City of Monroe, there being no persons present commenting and no comments on file in writing in the Clerk-Treasurer, the Mayor declared the hearing closed.

Council Action.

37 It was moved by Councilman Molenda and seconded by Councilman Hensley that Proposed Ordinance No. 10-001, an ordinance to amend §492-1, Disturbances; disorderly conduct, of the Code of the City of Monroe, of the Codified Ordinances of the City of Monroe, be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 10-001, was then presented for the second time after which the Mayor asked, "Shall this Ordinance Pass?"

Ayes: 7 Nays: 0

Motion carried.

38 It was moved by Councilman Molenda and seconded by Councilman Beneteau Proposed Ordinance No. 10-002, an ordinance to amend §160-1, Definitions and §160-7, Expiration and renewal of license, of Chapter 160, Adult Entertainment Businesses, of the Code of the City of Monroe be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 10-002, was then presented for the second time after which the Mayor asked, "Shall this Ordinance Pass?"

Ayes: 7 Nays: 0

Motion carried.

52 It was moved by Councilman Molenda and seconded by Councilman Paisley that the communication from the Finance Director, submitting Proposed Ordinance No. 10-003, an ordinance to adopt the Fiscal Year 2010-2011 Budget for the City of Monroe, be placed on its first reading and the public hearing be set for Monday, April 19, 2010.

Ayes: 6 Nays: 1 (Councilwoman Conner)

Motion carried

Proposed Ordinance No. 10-003 was then presented for the first time and laid over for its second reading and public hearing.

Councilwoman Conner expressed concern that with all of the discussions and time spent on this budget, there are very few of the items that Council agreed upon in this final draft.

Mayor Clark asked if there are any particular items that she would like to address.

Councilwoman Conner said that she will wait until the item is addressed by the citizens.

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, March 15, 2010.
- B. Approval of payments to vendors in the amount of \$580,478.31
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

53 Capital Improvement Bond Authorizing Resolution.

1. Communication from the Finance Director, submitting a bond authorizing resolution that will cover the first of three bridge rehabilitations to be completed and some engineering cost for the second (\$2.2 million), the third phase of water distribution system improvements (\$5.735 million), and brick repair and window replacement on the east side of city hall (\$300,000), and recommending that Council approve the attached Resolution Authorizing 2010 Capital Improvement Bonds.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

54 Purchase of Mosquito Larvicide Tablets and Detention Pond Pellets.

1. Communication from the Director of Engineering & Public Services, reporting back on the mosquito control larvicide application in storm sewer catch basins throughout the City and recommending that Council approve the purchase of thirteen (13) cases of larvicide briquettes and five (5) cases of pellets for detention ponds at a total cost of \$11,600.60 from the sole source, Clarke Mosquito Control Products, Inc.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

55 Lawn Maintenance for City-Owned Properties – Change Order for “Group B”.

1. Communication from the Director of Engineering & Public Services, submitting a Change Order to the 2009 lawn maintenance for city-owned properties, Group B and recommending that a change order for \$10,344.08 be awarded to Noel Lawn Services to reflect mowing of 32.21 additional acres, and the 2010 CPI adjustment, and further recommending that the Director of Engineering & Public Services or his designee be authorized to execute the Change Order on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

56 Architectural Services for Window Replacement and Masonry Restoration for City Hall Proposals.

1. Communication from the from the Building Official, submitting a proposal for Architectural Services for window replacement and masonry restoration at City Hall, and recommending that Council award James S. Jacobs Architects a total cost of \$7,500.00, 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.

57 FIX Program Contract.

1. Communication from the Interim Director of Planning & Recreation, reporting back on the lead-safe FIX program project contract, and recommending that Council approve the project and authorize immediate payment to Carter Building Services in the amount of \$5,225.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

58 Blight Removal – Proposed Resolution.

1. Communication from the Clerk-Treasurers Office, submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the demolition expenses where the owners have failed to pay for same, and recommending that the resolution be adopted.

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

59 Rental Property Inspection Fee – Proposed Resolution.

1. Communication from the Clerk-Treasurer's Office, submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the expenses of unpaid rental property inspection fees where the owners have failed to pay for same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

60 Weeds and Grass Cutting – Proposed Resolution.

1. Communication from the Clerk-Treasurer's submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the cutting of weeds and grasses where the owners have failed to do so, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

61 Demolition Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer's Office, submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the demolition expenses where the owners have failed to pay for same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

62 Snow Removal – Proposed Resolution.

1. Communication from the Clerk-Treasurer's Office, submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the expenses of snow removal where the owners have failed to pay for the same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

63 Sidewalk Repair – Proposed Resolution.

1. Communication from the Clerk-Treasurer's Office, submitting a proposed resolution setting April 19, 2010 as the date of the public hearing on the assessment roll for the expenses of sidewalk repair where the owners have failed to pay for the same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

64 Appointment Resolution.

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

- 65 Request for burn Permit in accordance with Ordinance 09-005.
1. Communication from the Chief of Fire, reporting back on a request from the Monroe County Parks Department to perform the prescribed burn of a specified area within Mill Race Park, and recommend that Council grant this request for a burn permit in accordance with Ordinance 09-005.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 66 Request for burn Permit in accordance with Ordinance 09-005.
1. Communication from the Chief of Fire, reporting back on a request from the Monroe County Parks Department to perform the prescribed burn of a specified area on the northern end of Munson Park, and recommend that Council grant this request for a burn permit in accordance with Ordinance 09-005.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 67 Request for use of NPS Grant Funds.
1. Communication from the Interim Director of Planning & Recreation, submitting a request from the Port of Monroe to use grant funds from the River Raisin National Battlefield Park Grant No. GA6459-1C-0021 for use in the acquisition, planning, design, and restoration of lands associated with the River Raisin Battlefield, and recommending that Council approve the Port of Monroe's request for funding and authorize the Mayor and/or City Manager to sign all necessary documents related to authorizing use of grant funds and payments to be made.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out
- 68 Transfer of Battlefield related property to Port of Monroe.
1. Communication from the Interim Director of Planning & Recreation, submitting a proposed resolution requesting various entities to convey battlefield-related properties to the Port of Monroe, and recommending that Council approve a resolution respectfully requesting that the County of Monroe and the Monroe County Historical Society transfer ownership of parcels associated with the River Raisin National Battlefield Park to the Port of Monroe for the sole purpose of donating these same parcels to the United States of America to be incorporated into the River Raisin National Battlefield Park.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 69 Annual Weed Cutting Date.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting May 10, 2010, as the annual date that all weeds and grasses and other items subject to Ordinance No. 08-008 must be cut, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that all items of the Consent Agenda be approved as indicated.

Ayes: 7 Nays: 0

Motion carried.

Mayor's Comments.

Mayor Clark commented on the budget and some of the proposed issues. He thanked everyone who participated in the budget presentations and those who were in attendance at the sessions. He also commented on the Ventower project groundbreaking, the grand opening of a small business called Midwest Valves and Automation and the Child Advocacy Network.

City Manager Comments.

George Brown, City Manger commented on amenities and vitality of the community, and budget issues.

Council Comments.

Councilwoman Conner reported on the Washington National League of Cities Congressional Conference that she attended, and that there are 156 foreclosures in the City of Monroe.

Councilman Beneteau urged community members to provide feedback to Council regarding the budget cuts and the services that they would be willing to sacrifice and said that graffiti seems to be appearing everywhere and asked those who witness it to call the police.

Councilman Paisley stated that just because the City Manager has presented the budget this evening does not mean it is a dead issue because there are still many things in the works.

Citizen's Comments.

Dave Roberts, 706 Broadway commented on the Community Service Program with the inmates.

Brian Vella commented on the Iraq Memorial that he has been working to have put in Veterans Park.

Pat McElligott, 813 Reisig commented on the Proclamation for the Child Advocacy Network.

It was moved by Councilman Molenda and seconded by Councilman Beneteau to go into closed session at 8:30 p.m.
Ages: 7 Nays: 0
Motion carried.

Council reconvened at 8:56 p.m.

Adjournment.

It was moved by Councilwoman Conner and seconded by Councilman Paisley that meeting adjourn at 8:57 p.m. until the next Regular Meeting on Monday, April 19, 2010 at 7:30 p.m.
Ayes: 7 Nays: 0
Motion carried.

Sharon C. Malotky
Deputy City Clerk

Robert E. Clark
Mayor