

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, APRIL 19, 2010

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 19, 2010 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Charlie Boland, President of the Eden's Garden Club, presented the City of Monroe with a check in the amount of \$500 toward the Memorial Place flower display.

Mayor Clark thanked Bonnie Finzel-Doster, Charlie Boland and the Eden's Garden Club for their contribution to the Kentucky Memorial Place flower display.

Proclamations.

71 Earth Day – April 24, 2010.

Mayor Clark said the proclamation will not be presented this evening but will be presented on Saturday, April 24, 2010, Earth Day

Public Hearings.

52 This being the date set for the purpose of reviewing and hearing comments on Proposed Ordinance No. 10-003, an ordinance to adopt the Fiscal Year 2010-2011 Budget for the City of Monroe. There are no comments on file in writing in the Clerk-Treasurer's Office.

Stan Lewinski, Central Labor Council thanked Mayor and Council for letting him speak and said that before sending employees off into economic destitute, as a result of making the wrong decision, if the percentage of the budget shortfall could be established and every employee of the City of Monroe, at-will, administrative, and bargaining units, from the top down would take a proportional pay cut, the budget deficit could be neutralized and layoffs could be averted. He continued that we have two entities that don't trust each other but he believes that there is no other choice, either put these people on the street or do the right thing and recommend that everyone take a cut.

Mayor Clark stated that he believes that there is trust and a foundation and that the preliminary discussions with the managers, departments and the unions have been very favorable. He stated that everybody understands what the objective is and he appreciates the input from those in attendance throughout all of the budget discussions and that the bottom line is to minimize or eliminate the possibility of an employee losing their position. He commented on the article in today's newspaper and stated that although the information is factual, it is incomplete in that it does not include the involvement and the discussion that has occurred in the past 2-3 weeks between the administration and the unions which would show that management, administration and the unions are focusing and working together.

Ronald Niesz, 938 Waterloo Avenue expressed concern that the Westside Fire Station will also be closed along with the Eastside Fire Station and that there will be no fire protection for half of the residents, who are also taxpayers. He

further stated that this is not a good plan and that because we live between Detroit and Toledo our crime rate is not getting any better. He continued that the city has \$300,000 to pay lawyers for contract negotiations when we've got a personnel department, and said you might as well eliminate it if they can't do the job, because contracts aren't that difficult. He said he can't believe that Council is going to let this happen to this city.

Donald Trusdale, President of Local 326, Monroe Firefighters Association stated that having attended all of the budget work sessions and presentations, he must admit it was an eye opener and that although he does not agree with all of the decisions that comprise this budget, he understands the intentions. He listed a few areas of which they have concern and feel are unnecessary, the first being the appointment of the Economic Development Director, which is a new position to the City with new expenses added to the budget; earmarking of funds for a wage and benefits study for the Human Resources Department are unnecessary since we are reducing wages and benefits and unlikely to increase them in the future, the 2% wage increase for all employees while at the same time laying off 20 people needs to be questioned. He said the Firefighters have met with the City Administration and have offered money saving options that they believe may address some of the financial shortfalls in the budget. He addressed staffing level concerns and safety issues for the public. He thanked Mayor and Council for allowing him to comment.

Paula Smith, President of COMEA Unit I stated that COMEA has also met with the City Administration and presented some ideas that would enable all of the COMEA members set to be on the chopping block to be saved, and we hope all of those ideas are taken with serious consideration. She thanked Mayor and Council for allowing her to comment.

Councilman Paisley thanked the people at the meeting and said he is proud of them and the community. He explained that Council is taking all suggestions seriously, that there have been a number of items talked about at work sessions along with talk about right-sizing but that they must adopt the budget. He further explained that the budget cannot be adopted on what might happen because right now the city is contractually obligated for certain items that need to be worked out with the unions so until they are worked out the budget cannot be adopted with those things in mind. He further stated that they are also looking at every possible idea to be able to go to the employees, asking for the smallest possible contribution and sacrifice from them because as soon as the numbers are worked out, that will probably be the direction the city will have to go. He also stated that the citizens are still receiving excellent service with the minimum staffing we can work with to provide the service.

Councilwoman Conner explained that through discussions, it was decided that any cuts that are taken will be taken across the board, it will not be just the bargaining units, and we are all committed to that.

Councilman Molenda recognized, acknowledged and expressed appreciation to those who were in attendance at all of the budget work sessions and said that if you've been to more than one, you begin to understand and appreciate what were up against. He further stated that unfortunately, unless people want to start paying higher taxes, this is what responsible spending looks like and that the 2010-2011 budget demonstrates an ongoing commitment to matching revenues to expenses. He explained that this is the third year that he would be supporting a budget that as proposed includes reductions in staff and services, and conversations about efficiencies with possible concessions are ongoing, with all of this being necessary to keep bailing water out of the boat. He continued that he does not want to keep doing this year after year, that it will be nice to get back to the point of adding services to levels that we've seen in the past, to be able to hire a new police officer or a new firefighter and the only way to do it is to work on the revenue side of the equation. He explained that the only way to do that is with the Economic/Community Development Director because we need the focused, coordinated professional effort to chart our way towards prosperity because without new business, new job opportunities in this community, property values will continue to fall, revenues will fall and we will be back here year after year, cutting, cutting, cutting, and we cannot cut our way to prosperity.

Councilman Hensley thanked those who attended the budget sessions, the residents who have taken the time to call or send emails to give input, and said that the budget process that has occurred over the last few weeks should not

be something we do once a year; it should be a continuous process, year round, in that we should always be looking at ways to increase our revenue and cut costs so that we are not in the position of making massive cuts.

Councilman Beneteau explained that even though this is a budget that can be amended if it is passed tonight, one of his concerns is the Westside Fire Station. He said that he knows how long it takes to get a vehicle from downtown Monroe to his residence in the sixth precinct at 4 or 5 o'clock in the afternoon and noted it will be tough to get a fire truck or ambulance across town at that time of the day. He continued that there is a number of across the board cuts but he doesn't know if it has been discussed with the union groups so he will not repeat what the number would be to keep everyone employed, and hopefully we can get to that number to keep everyone employed. He further explained that while we do need economic and community development in the city, to hire a person at roughly \$110,000.00 a year job at this time is not good. He stated that we have cut blight enforcement in the city, so we are not going to protect what we have; we are going to search for more development? He continued that regardless of what Economic Developer we get in this city, if they drive somebody into town and those people see blight all over the place, they are not going to want to move here, bring their families or their companies here. He further stated that it's tough to say you want economic development in the city to bring in jobs while at the same time cutting the jobs that we have, however he has no problem passing this budget knowing it can be amended. He also stated that hopefully that number that can be discussed with the unions, if it has not been presented will be done soon.

Councilman Bica said that he thinks all of Council is pretty much on the same page as far as the budget goes, that tonight is more of "we have to start somewhere" approach to adopting the budget. He stated that he does not agree with all of the budget points but there are things we have to work on and he thinks everyone is doing their part as citizens and employees work on these things. He thanked everyone for the emails and calls he received with suggestions and he thinks if we are all on the same page, we can work together so that no one gets laid off because tonight is just the first step.

George Brown, City Manager said that the budget that has been presented to Mayor and Council for consideration and adoption potentially tonight is the budget we have to present; it's not the budget we want to present. We passed some of our right-sizing goals and some of our efficiencies goals, in many cases, 1-2 years ago. He explained that this budget reflects changes to items in our cost structure that is under Mayor, Council and management control, considering employment agreements, pension assumptions, and other parts of our cost structure that we do not have unilateral control to change every year. He continued that this is a 16.7 million dollar general fund budget and that is really what is debated so much, we actually have an overall budget that is in the high 40 millions that includes utilities and several other things, but it's the general fund that supports police, fire, recreation and several of the services that the public expect for the taxes they pay. He continued that this is a 16.7 million dollar budget plan and under the current structure it could result in some significant, notable changes unless we can do some things over the weeks ahead to modify some of the cost structure that we need partners to work with us on. He explained that about 5 years ago, just in contrast, the city provided services using a 20.5 million dollar budget, so if we're looking at 16.7 million now, that is how much we are looking at in resource loss since that time. He stated that, Mayors, City Council members, and employees have really hustled to try to stay out ahead of the loss in revenue. He stated that we are continuing to have ongoing dialog with our employee unions and the Pension Board to attempt to modify some of the costs structure that they also have some control of. He said it is our hope that between now and July 1st. when the fiscal year 2010-2011 budget will be implemented, we will have found that our employees and others will partner with us to find other alternatives, and that so far, that dialog as noted already, has been very positive and constructive and it is that kind of cooperation that will be needed to keep many of the services that city taxpayers and residents have come to expect, and to keep our employment base for our city employees who have invested years of careful service and the taxpayers have invested in their training and career development. He said he is also optimistic but it will take some tough choices.

Mayor Clark said he appreciates the involvement of the employees and the unions up to this date and he said that, as noted tonight, the burden falls collectively on all employees across the board, i.e. employees, management and the administration and just as Councilwoman Conner said, that is an expectation of Council. He said he also

appreciates the emails and phone calls from the residents and of those in attendance at the meeting; he assured them that their concerns are shared by Council also. He explained that they've tried to give prompt responses with what information they could give without compromising any of the discussions that are ongoing between the administration and the unions because that is best handled in that venue. He further stated that compromise and concessions are consistent throughout the region so that they meet the extent of the shortfall but that doesn't mean that the concessions are simply the employees, it falls to the administration as well. He said that he is optimistic, however that does not mean it is going to come to a conclusion. He stated that this is a proposed budget that needs to come to a conclusion by the end of the month, that there is much that can happen between now and before it is implemented on July 1st. He stated that he looks forward to further discussions, further resolution and further partnership to make sure that we maintain the level of service and the employees that we have.

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

Council Action.

52 It was moved by Councilman Molenda and seconded by Councilman Beneteau that Proposed Ordinance No.10-003, an ordinance to adopt the Fiscal Year 2010-2011 Budget for the City of Monroe, be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 10-003, was then presented for the second time after which the Mayor asked, "Shall this Ordinance Pass?

Ayes: 7 Nays: 0

Motion carried.

72 It was moved by Councilman Molenda and seconded by Councilman Beneteau that the communication from the Director of Water & Wastewater Utilities, submitting Proposed Ordinance No. 10-004, an ordinance to amend Sections 570-26, 570-84, and 570-85 of Chapter 570, Sewers, Part 2, of the Code of Monroe, MI., be placed on its first reading and that public hearing be set for Monday, May 3, 2010

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 10-004, 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.)

Charles D. Evans, Clerk-Treasurer stated that item number 86, Request to connect 9120 Exeter Road to the City of Monroe Water System, is being added to the Consent Agenda.

A. Approval of the Minutes of the Budget Work Sessions held on Monday, March 22, 2010, Saturday, March 27, 2010, Monday, March 29, 2010, Tuesday, March 30, 2010, Monday, April 12, 2010, the Minutes of the Work Session held on Monday, April 5, 2010, the Minutes of the Regular Meeting held on Monday, April 5, 2010, and the Minutes of the Special Meeting held on Monday, April 12, 2010.

B. Approval of payments to vendors in the amount of \$1,606,654.57.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

- 73 Wastewater Department Collection System Annual Root Treatment Program.
1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for its annual collection system root treatment program, and recommending that a purchase order in the amount of \$12,321.37 for tree root chemical treatment of Section 1 be issued to Duke's Root Control, Inc in accordance with the bid specifications..
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 74 Water Department Water Service Connection Materials Bids.
1. Communication from the Department of Water & Wastewater Utilities, reporting back on bids received for the purchase of Water Service Connection Materials and the lowest bidders meeting all bid specifications for each respective division are as follows: "Division I" – Service Saddle Connections – Kuhlman, "Division II" – Corporation Stops-Ball Valve – Kuhlman, "Division III" – Compression Curb Stop-Ball Valve – Kuhlman, "Division IV" – Compression Couplings 3/4"x1" – Kuhlman, "Division V" – Compression Couplings 1" – Kuhlman, "Division VI" – Compression Pack Joint Couplings 3/4" Iron to 1" Copper – SLC, "Division VII" – Compression Pack Joint Couplings 5/8"xxs Lead to 1" Copper – SLC, "Division VIII" – Curb Stop Boxes – ETNA, "Division IX" – 1" Copper – Kuhlman, and recommending that the bidders be awarded the respective divisions and for purchase orders be issued in the amounts shown for providing Water Service Connection Materials in accordance with the bid specifications.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 75 Assessment Roll – Weeds and Grasses.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of cutting weeds and grasses on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 76 Assessment Roll – Sidewalk Repair.
1. Communication from the Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of sidewalk repair on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 77 Assessment Roll – Rental Property.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of rental property inspection fees on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.

78 Assessment Roll – Demolition Fees.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of demolition fees on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll..
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

79 Assessment Roll – Blight Removal.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of blight removal on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

80 Assessment Roll – Snow Removal.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of snow removal on the 2010 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

81 Demolition Bid – 523 Winchester Street.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 523 Winchester Street, and recommending that the award be made to D & S Construction Services LLC at a total cost of \$7,950.00, 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.

82 Monroe County Library System Service Agreement.

1. Communication from the City Manager's Office, submitting a service agreement that renews the agreement, as modified by the City Attorney, between the City of Monroe and the Monroe County Library System for an additional 4 years, and recommending that Council approve the service agreement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

83 South Custer Booster Station Service Area Upgrades Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the South Custer booster station service area upgrades, and recommending that Council award the above contract less bid item 22 to C & D Hughes, Inc., in the amount of

\$304,960, and that a total of \$335,000 be encumbered to include a 10% project contingency, and further recommending that council award a contract for the construction engineering services to Jones and Henry Engineers, Ltd., in the amount no to exceed \$38,000, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the construction contracts and that the Director of Engineering & Public Services or his designee be authorized to execute the construction engineering services agreement on behalf of the City of Monroe.

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

84 Custer Airport Runway Rehabilitation – Project Construction and Funding Contracts.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Custer Airport runway rehabilitation project construction, and recommending that the attached resolution be approved, and the City share of the costs be appropriated as detailed in the financial information detail below, and further recommending that the City of Monroe enter into a construction contract with Cadillac Asphalt, LLC in the amount of \$1,274,467.21 and that the Mayor, Clerk-Treasurer, and/or Director of Engineering & Public Services be authorized to execute it on behalf of the City of Monroe, and further recommending that Council award a contract to Reynolds, Smith, and Hills, Inc for construction engineering services in the amount of \$111,000, and that the director of Engineering & Public Services be authorized to execute it on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

85 Demolition Bid – 1031 East Elm Avenue.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 1031 East Elm Avenue, and recommending that the award be made to McBee Trucking & Excavating at a total cost of \$10,490.00, 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.

86 Request to connect 9120 Exeter Road to the City of Monroe Water System.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to connect the resident at 9120 Exeter Road to City of Monroe Water System and recommending that the resident at 9120 Exeter Road located in Frenchtown Charter Township be allowed to connect to the existing City of Monroe Water System along Exeter Road.
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 Hensley that item 86 be added to the agenda to the consent agenda and that items, 73, 74, 76, 77, 78, 79, 80, 81, 83, 85 and 86 be approved as indicated and that items 75, 82 and 84 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

75 Communication from the Clerk-Treasurer was presented, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of cutting weeds and grasses on the 2010 Summer

Tax Roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2010 Tax Roll.

Lisa Hertzsch, 509 Parkwood Avenue, explained that when she purchased her home in October of 2009 it was in foreclosure prior to her purchase and that during the title search, outstanding invoices from the city were found but she was not notified of those bills and had no knowledge of the bills until her name appeared in the newspaper. Since that time she has spoken with the title company who advised her that it was the listing agent's responsibility, she tried to reach that person, who will not return her call. She further stated that since the fee for mowing was a year prior to her purchase of the house, she does not think she should have to be responsible for it.

George Brown, City Manager explained that many of the assessments and liens being considered by Council tonight are a result of maintenance activity taken by the city on properties where the conditions were in violation of the ordinances. While we are seeing more and more foreclosed homes, we understand the difficulty to communicate with mortgage companies not in the community and we are under a policy now where we send someone out to mow where weeds and grasses are over 8". He apologized about the notice in the paper, but stated that these hearings only occur infrequently on the tax cycle so by the time the cycle came around, Ms. Hertzsch name was on the taxes. He further explained that liens go with the property and are neutral to change in ownership so we are probably dealing with several tonight with the same situation, where the title/ownership has been transferred after the work was done. He further stated that our process is pretty objective and we don't have the authority to negotiate forgiveness of those because they are more neutral to who owns it.

Lisa Hertzsch, 509 Parkwood Avenue asked why she would have the option to come in front of Council to plead her case to have it removed. She explained that she called the number on the letter that was given to her and the person advised her not to pay the invoice, but to go before Council to plead her case, and now she is told that it cannot be waived.

George Brown, City Manager stated that if there is a mistake, that the work was not performed on the property that's cited, or if an error was made, that would be a time when an appeal would be in order.

Thomas Ready, City Attorney explained that the protection for the city in recovering these costs lies in the ability to place a lien on the property for the expenses that are paid and not reimbursed before the lien attaches to the property. As mentioned, foreclosed homes are a particular problem because they are vacant and ignored by the lending institution; for example, the grass isn't cut so the city cuts it and there is no reimbursement by anyone. He further explained that the other problem with foreclosed homes is that when they're sold, and this is contrary to the usual rule, generally the lending institution that has foreclosed on the property will sell the property but not give a Warranty Deed, they'll give instead a Covenant Deed which transfers to the buyer, whatever interests the bank holds in the property. When there is not a foreclosure, the seller will give a Warranty Deed which is guaranteed free and clear of any liens.

Lisa Hertzsch, 509 Parkwood Avenue explained that she had a title search done back in September 2009 and this did show up at that time, so the selling agent was notified of the lien but they did not pay it for whatever reason. She said that she has tried contacting Remax, the selling agent, but the agent has not returned her call. She further expressed that it is the principle of the matter because the bill is from May 2009.

Mayor Clark explained that as we have a list of unpaid services rendered by the city that adds up to \$24,000 of services because people failed to do the work themselves and as a result of these mailings, about \$4,000 was paid leaving a balance of about \$20,000 still owed to the City of Monroe that we intend to collect. He suggested that Ms. Hertzsch hold the title company and/or the listing agent accountable as the city is holding homeowners accountable, and if she is not successful, he suggested that her representative contact the City Manager or the City Attorney because the city is not going to go after the title company or the listing agent to collect the fees.

Eric Bredsneider, 402 E. Front Street addressed a problem he had with the same issue 5 years ago. He continued that at 320 Hubble the city trespassed into a fenced yard, without permission to cut his grass that he knows was not 8" high, because his boots are 8" high and it was not over his boots. He further stated that by entering on to the property and not leaving a notice, the city is being unconstitutional and unconscionable to not allow him to take care of the work

Mayor Clark said that the ordinance and how it is written and how it is carried out is the way in which we're allowed to do. He further stated that the ordinance was passed and posted long ago. He further stated that if Mr. Bredsneider has a problem with the ordinance, that would be something he can address outside this forum.

Thomas Ready, City Attorney said that Ordinance No. 692.09 of the Codified Ordinances, Weeds and Grasses, and the Charter, requires that lawn grass be cut and if it's not cut when it reaches a certain height, 8" presently, the City does have a constitutional right to go in and cut it. He continued that as far as process is concerned, it is a public ordinance open for review by anyone at the City Clerk's Office, and secondly a notice is published each year in the Monroe Evening News with the effective dates for weed and grass mowing and open to everyone to read and be aware of.

Mayor Clark informed Mr. Bredsneider that if he has issue with the ordinance, there is other recourse besides this forum in which he can address that and there are legal ways in which to do it, but it is not going to be done in this forum. He thanked Mr. Bredsneider for his comments and input but said if he has dispute or concerns with the ordinance that would be a legal issue outside this forum.

Bill Allen, 216 E. Seventh Street said that he is also one of the people whose grass was cut by the city and prior to last July he said he had one of the nicest lawns in the neighborhood. He explained that when a new water line was installed through the neighborhood by C.D. Hughes, they tore up his front lawn and when they reseeded it or put sand on it, the weeds grew 4 inches per day. He explained that he has since pulled those weeds which have not come back. He further explained that the point he wanted to make is that the city apparently does not contact the property owner first or give a warning before they come in and mow the lawn and the second point is that the city picks and chooses whose lawn they want to cut because he had neighbors with weeds as long as his but they did not get theirs cut and the third point is the city basically destroyed his lawn which cost a lot of money to fix, that the \$86 charge to mow it was nothing compared to the sod and grass seed that is needed to replace what was there before. He said he appreciates the problems that the city has, and he wouldn't want them.

Patrick Lewis, Director of Engineering & Public Services said that he is aware that there were some issues on East Seventh Street on the restoration side of the project. He said that he communicated to his supervisors that were making calls on the weed mows, to stay away from areas like the terrace mows between the sidewalk and the curb in areas where we did have water projects but he is not entirely sure that would have been the only reason that this lot would have been cut. He said that he hasn't heard too many of those assertions come up but he knows that there have been issues with restoration. He said that they have to go back to East Seventh Street again this year to redo some runs of sidewalk area that is slightly out of compliance and said that the entire work area of East Seventh Street is set to be touched up again. He explained that as for the mowing, he cannot vouch for when that was done or directed to be mowed but that we do track our call and grass contractors and they are all tracked through Action Line so we do have a date on when that would have been mowed.

Councilman Molenda stated that lawn mowing is at least in part complaint based verses patrol and he asked if Mr. Lewis could comment on that issue.

Patrick Lewis, Director of Engineering & Public Services explained that it's tough to put a percentage out there but we do drive patrols and stop at the obvious ones but that we take complaints also by Action Line and phone calls.

Janice Siebarth, 628 West Eighth Street said that she was not notified before the city mowed her lawn and that she does not have the \$100 to pay the fee that she was charged. She stated that Jacks Lawn Service was the responding contractor that mowed her lawn and that they were throwing their things around. She said that she hopes that there is a little more respect given to the citizens while the mowers are on their properties. She apologized for the inconvenience to the city and said that she is embarrassed to have had to have her property mowed by the city.

Mayor Clark urged her to get with Patrick Lewis, Director of Engineering & Public Services regarding her concerns about how her property was treated so the complaint can be followed up on. He stated that we do contract with different lawn cutting services and that he will not tolerate damage to resident's property if the service is not rendered correctly of which they were contracted for.

It was moved by Councilman Hensley and seconded by Councilman Beneteau that item 75 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

82 Communication from the City Manager's Office was presented, submitting a service agreement that renews the agreement, as modified by the City Attorney, between the City of Monroe and the Monroe County Library System for an additional 4 years, and recommending that Council approve the service agreement.

Councilman Molenda stated that during a work session at the United Furniture Building questions and concerns were discussed. He questioned a four year contract and wonders if it may be more appropriate to take a step back and examine our relationship with the library system further and possibly address some of the questions and concerns maybe through a meeting with the County Library System. He further stated that until that time he does not feel comfortable in giving his approval of the contract.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 82 be postponed for further discussion and a meeting with the Monroe County Library System.

Councilwoman Conner suggested that when this item comes before Council again that there is some type of presentation.

Mayor Clark said that he had a brief discussion today with the library system, and upon looking at the contract, he found that item 14 says that the contract can be terminated by either party upon 60 day written notice.

George Brown, City Manager provided more orientation than what the fact sheet provided.

Councilman Molenda said that he did take into account the clause that would allow the contract to be terminated but thought that could be more contentious and that by having discussion with the library system before entering into the contract, it would be more constructive and positive.

After brief discussion, a vote was taken.

Ayes: 6 Nays: 1 (Councilman Paisley)

Motion carried.

84 Communication from the Director of Engineering & Public Services, reporting back on bids received for the Custer Airport runway rehabilitation project construction, and recommending that the attached resolution be approved, and the City share of the costs be appropriated as detailed in the financial information detail below, and further recommending that the City of Monroe enter into a construction contract with Cadillac Asphalt, LLC in the amount of \$1,274,467.21 and that the Mayor, Clerk-Treasurer, and/or Director of Engineering & Public Services be

authorized to execute it on behalf of the City of Monroe, and further recommending that Council award a contract to Reynolds, Smith, and Hills, Inc for construction engineering services in the amount of \$111,000, and that the director of Engineering & Public Services be authorized to execute it on behalf of the City of Monroe.

Adam Yeager, 1833 S. Custer Road asked if the airport is paying their way, are they cost effective or is the city subsidizing it.

Patrick Lewis, Director of Engineering & Public Services said the broader answer is generally yes, the airport is a standalone fund within the city and it basically breaks even.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 84 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

City Manager Comments.

George Brown, City Manger announced that both the Water Department and the Commission on Environmental Water Quality will have a booth with information on the water conservation program and other information at the Earth Day Celebration this Saturday, April 24th from 10:00 a.m. – 2:00 p.m.

Council Comments.

Councilman Molenda expressed his gratitude for how civil, constructive and reasonable the budget process was this year.

Councilwoman Conner said that she doesn't want this budget negotiation to be a missed opportunity for cooperation with the unions and commented on the Earth Day Celebration on Saturday. She thanked the teamsters for hanging the Earth Day Banners and said that she will be sponsoring a town hall meeting on May 5, 2010 at the River Park Plaza and everyone is invited.

Councilman Beneteau commented on the agenda items that total up to over \$85,000 for outstanding fees to the City of Monroe, and that is not taking into account the property taxes and real property taxes that are outstanding and stated that if these fees were collected they would go a long way to help with the budget problems.

Councilman Hensley reminded everyone that this week is National Volunteer Week, from April 17-25 which was created by President Nixon in 1974 to inspire, recognize and encourage people to seek ways to engage in volunteer activities so if you have a chance this week, donate your time.

Mayor's Comments.

Mayor Clark informed everyone that the March of Dimes Walk will be held at Sterling State Park this Sunday, April 25 and commented on the Michigan Municipal League training held this week in Lansing.

Citizen's Comments.

Shana Cooper for Henry Clark, 412 Union Street commented on item 79, Blight Removal and complained about the city bringing in a dumpster and removing personal property of value along with some items that were identified as blight.

Mayor Clark advised Ms. Cooper to speak with Patrick Lewis, Director of Engineering & Public Services.

Robin Meyer, 464 Riverview Avenue stated concern about a blight invoice she had received recently and said that prior to purchasing her property there was another assessment for \$601 but that the lender paid that bill. She explained that she was provided with an affidavit of no liens against her property at the time she purchased the home and the current blight invoice is \$1,100.

Mayor Clark clarified that Ms. Meyer has confirmation that the lender paid the assessment for \$601 and asked to see all of her documentation at a time when the City Manager can be available, so that a recommendation can be made.

Judy Kitrowski, Century 21 All-Star Real Estate said she was Ms. Meyer's Real Estate Agent at the time of the purchase and explained the circumstances surrounding her research of the property before the purchase of the property.

Richard Micka, 47 E. Elm Avenue commented about the Great Lakes Restoration Initiative and how it could benefit the City of Monroe if they apply for the Coastal Management Grant Funds to become a Gateway Community.

Bonnie Finzel-Doster, 718 E. Elm Avenue commented on the library contract, and the salary for the Economic Developer position.

George Brown, City Manager explained that the \$110,000 figure for an Economic Developer position is a package of salary & benefits and it was proposed to be as much as \$110,000, but the salary range was proposed to be between \$60,00-\$70,00 which is dependent upon qualification and experience.

Sheri Hudson, COMEA Unit I, Negotiator & Secretary said that she is encouraged to hear that Council would be willing to save positions if the unions would take concessions. She explained that after meeting with the administration she was under the impression that concessions would not save positions, and hopefully the unions can come up with some savings that will prevent layoffs.

Adjournment.

It was moved by Councilwoman Conner and seconded by Councilman Molenda that meeting adjourn at 9:30 p.m. until the next Regular Meeting on Monday, May 3, 2010 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor