

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, JUNE 21, 2010

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, June 21, 2010 at 7:30 p.m. in the City Hall Council Chambers.

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

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

VFW Post 1138 served as the Honorary Color Guard and led the Pledge of Allegiance.

Presentation.

Presentation by Marshall Westover from VFW Post 1138 of the new banner intended to be displayed during the canceled Memorial Day Parade.

Andrea Jones, Executive Director, Mainstreet Monroe DDA updated Council on the United Way, Lauer-Finzel, Stepping Stone Properties project, the DDA approved site improvement program, the approved Façade Grant's for 2010, and the box lunch music series in Loranger Square.

Presentation by Councilwoman Mary Conner and committee members regarding a proposed dog park.

Father Marc Gawronski, St. Mary's Church gave a presentation on the possibility and location of a dog park in Monroe and the reasons he thinks it will be an important addition to our area.

Proclamations.

118 River Raisin Heritage Trail Dedication Day – June 25, 2010.

Mayor Clark said that the River Raisin Heritage Trail will officially be open to the public on June 25, 2010 and that he will present the Proclamation at the Dedication. He also noted that the River Raisin Heritage Trail has improved Monroe's ability to be a walk-able community.

Council Action.

119 It was moved by Councilman Molenda and seconded by Councilman Beneteau that the Communication from the Acting Chief of Police, submitting Proposed Ordinance No. 10-005, an Ordinance to prohibit smoking within 50 feet of entrances, windows or ventilation systems of any City owned or operated building, be placed on its first reading and that the public hearing be set for Tuesday, July 6, 2010.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No, 10-005, was then presented for the first time and laid over for its second reading and the public hearing be set for Tuesday, July 6, 2010.

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 noted that item 129 has been amended.

- A. Approval of the Minutes of the Regular Meeting held on Monday, June 7, 2010 and the Minutes of the Council Work Session held on Tuesday, June 15, 2010.
  - B. Approval of payments to vendors in the amount of \$897,931.87.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 120 2010 Curb Replacement and Resurfacing Program Bids.
- 1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2010 Curb Replacement and Resurfacing Program, and recommending that Council award the above contract to C & D Hughes, Inc., in the amount of \$446,645.47, and that a total of \$515,000 be encumbered to include a 15% project contingency, 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.
- 121 North Dixie Highway Resurfacing Funding Contract with MDOT.
- 1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the North Dixie Highway Resurfacing Funding Contract with MDOT and the City of Monroe, and recommending that the attached resolution be approved, and that the local share of the costs be appropriated as detailed in the financial information, and further recommending that the Finance Director be authorized to transfer \$8,000 from the Major Street Fund Balance if necessary to provide for a 15% project contingency.
  - 2. Supporting documents.
  - 3. Action: Accept, place on file and the resolution be adopted.
- 122 Water Treatment Plant Fiscal Year 2010-2011 Chemical Requirements Bids.
- 1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for Liquid Aluminum Sulfate, Zinc Orthophosphate, Hydrofluosilic Acid 23%, Sodium Hypochlorite and Liquid Oxygen for use at the Monroe Water Treatment Plant, and recommending that the amended Liquid Oxygen contract be executed and the Mayor and Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe and that purchase orders be awarded to the following vendors for the durations and estimated chemical requirements at the Water Treatment Plant based on the bid unit prices: Liquid Aluminum Sulfate to General Chemical Corp. for a total cost of \$180,500, Zinc Orthophosphate (1:1) to Shannon Chemical Corp. for a total cost of \$36,242.05, Fluoride to Alexander Chemical Corp. for a total cost of \$37,772, Sodium Hypochlorite to JCI Jones Chemical, Inc. for a total cost of \$42,629.44, and Liquid Oxygen to Air Liquide Industrial for a total cost of \$25,063.10.
  - 2. Supporting documents.
  - 3. Action: Accept, place on file and the recommendation be carried out.
- 123 Emergency Purchase – Centrifuge #2 Rehabilitation – Wastewater Department.
- 1. Communication from the Director of Water & Wastewater Utilities, submitting a quotation to rehabilitate Centrifuge #2 solicited from B & P Process Equipment and Systems, and recommending that Council confirm the administrative decision to perform an emergency direct purchase of complete rehabilitation of Centrifuge #2 and that the purchase be allowed to proceed as scheduled.

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

124 Wastewater Treatment Plant Fiscal Year 2010-2011 Chemicals / Sludge Hauling & Disposal Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for the Wastewater Treatment Plant fiscal Year 2010-2011 Chemicals / Sludge Hauling & Disposal Requirements, and recommending that the Special Waste Service Agreement be executed and for the Mayor and City Clerk-Treasurer be authorized to sign the agreement on behalf of the City of Monroe and that the purchase orders be awarded to the following vendors for the estimated chemicals / sludge hauling and disposal requirements at the Wastewater Treatment Plant based on the bid unit prices: Liquid Ferric Chloride to PVS Technologies, Inc. for a total cost of \$16,120, Cationic Polymer to Polydine, Inc. for a total cost of \$66,150, Lime Fine Material to Carmeuse Lime, Inc. for a total cost of \$8,844, WW Sludge Hauling to BCA Express for a total cost of \$134,000, and WW Sludge Disposal to Republic Services for a total cost of \$209,600.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

125 Rock Salt Bids.

1. Communication from the Director of Engineering and Public Services, reporting back on bids received for the purchase of 1,800 tons of bulk rock salt, and recommending that the City Council award the contract to The Detroit Salt Co., LLC., in the amount of \$86,508 for the 2010-11 season, and further recommending that the Director of Engineering and Public Services be authorized to issue a purchase order for the above amount.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

126 Police Patrol Vehicle Purchase.

1. Communication from the Director of Engineering and Public Services submitting a request to purchase four (4) 2011 Ford Crown Victoria Police Interceptor vehicles for a total amount of \$84,620.00, from Signature Ford of Owosso, Michigan, and further recommending that the Director of Engineering and Public Services be authorized to issue a purchase order for the above amount.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

127 Department of Public Service Backhoe Purchase.

1. Communication from the Director of Engineering & Public Services reporting back on bids received for a backhoe loader, and recommending that Council award a contract to purchase a John Deere 310J Model backhoe for an amount of \$71,300.00, from Buck & Knobby Equipment Co., Inc., and further recommending that the Director of Engineering and Public Services be authorized to issue a purchase order for the above amount.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

128 Appointments.

1. Communication from the City Manager's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be carried out.

129 3<sup>rd</sup> Annual Bed Race to Aid Children in Monroe County.

1. Communication from the City Manager's Office, reporting back on a request from the Bed Race Committee for permission to hold the 3<sup>rd</sup> Annual Charity Bed Race to aid needy children in Monroe County on October 17, 2010, and recommending that the City Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city in accordance with City Council adopted policy, 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.

130 Downtown Monroe Business Network – 7<sup>th</sup> Annual Fine Art Fair.

1. Communication from the City Manager's Office reporting back on a request from the Downtown Monroe Business Network (DMBN) Fine Arts Fair Committee to hold the 7<sup>th</sup> Annual Fine Art Fair in conjunction with the 2010 River Raisin Jazz Festival with assistance from the City on August 14 & 15, 2010, and requesting closure of the affected streets, and that all fees be waived, and further recommending that the request be approved contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city in accordance with City Council adopted policy, 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.

131 St. Joseph Church Festival.

1. Communication from the City Manager's Office, reporting back on a request from St. Joseph Church for permission to close Kentucky Avenue between Second and Third Streets from 12 noon on Saturday, September 11 to 5:00 p.m. on Sunday, September 12<sup>th</sup>, for their annual festival, and recommending the City Council approve the request contingent upon items being met as outlined by the administration, subject to the condition that the City incur no overtime costs or be reimbursed for overtime costs if incurred in accordance with City Council adopted policy, 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.

132 Kelly Greer – War on Terror Monument.

1. Communication from the City Manager's Office, reporting back on a request to allow the Nicholas Greer Foundation to remove a willow tree at Veteran's Park near the War on Terror Monument and to replace it with another willow tree that would be dedicated to another soldier whom we have lost, and recommending that the request be denied.

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

133 Ambulance Transport Agreement.

1. Communication from the Chief of Fire, submitting an agreement with Monroe County Ambulance, Inc (MCA) to provide all ambulance transport operations within the City, effective July 1, 2010, and further recommending the City Council approve this agreement for ambulance transport services with Monroe Community Ambulance, Inc (MCA).
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

134 Downtown Parking Permit Program.

1. Communication from the Executive Director, Main Street Monroe/DDA reporting back on the Downtown Parking Permit Program that began in January and will expire June 30, 2010 and recommending that the City Council approve the attached documents for the Downtown Parking Permit Program and that various City and MSM/DDA staff be authorized to continue implementation of this program with minor revisions as appropriate.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

135 River Raisin Heritage Trail Dedication Celebration.

1. Communication from the City Manager's Office, reporting back on a request from Mr. William H. Braunlich on behalf of The River Raisin Heritage Trail Dedication Celebration Committee for assistance from the City with the festivities being held on June 25, 2010, and recommending that City Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city, 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.

136. COMEA Unit II –

1. Communication from the Director of Human Resources, submitting a letter of understanding and tentative agreement between the City of Monroe and COMEA Unit II that will cancel 2% base wage adjustment scheduled for July 1, 2010 and shall be reestablished effective January 1, 2011, and recommending, based on the favorable ratification vote by the Union, that Council approve the attached Letter of Understanding.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

137 Patrol Officers.

1. Communication from the Director of Human Resources, submitting the Letters of Understanding between the City of Monroe and the Police Officers Association of Michigan (representing the patrol officers), and recommending that City Council approve the attached Letters of Understanding.

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

138 2010 Downtown Sidewalk Replacement Program Bids.

1. Communication from the Director of Engineering and Public Services, reporting back on bids received for the 2010 Downtown Sidewalk Replacement Program, and recommending that the City Council award the contract to Dominic Gaglio Construction in the amount of \$62,310.25, and that a total of \$72,000 be encumbered to include a 15% project contingency, 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.

It was moved by Councilman Molenda and seconded by Councilman Paisley that items, 121, 122, 123, 124, 125, 126, 127, 130, 131, 133, 134, 136 and 138 be approved as indicated, and that items 120, 128, 129, 132, 135 and 137 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

120 The communication from the Director of Engineering & Public Services was presented, reporting back on bids received for the 2010 Curb Replacement and Resurfacing Program, and recommending that Council award the above contract to C & D Hughes, Inc., in the amount of \$446,645.47, and that a total of \$515,000 be encumbered to include a 15% project contingency, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe.

Councilman Molenda commented on some issues that are being voiced by the public during these projects and said the issues need to be addressed and satisfied and if they are not he will not vote in favor of this request.

Patrick Lewis, Director of Engineering & Public Services cited some of the outstanding issues, addressed the issues that have been resolved and noted some provisions that have been retained in the contract.

Councilman Hensley commented on the unresolved issues with previous projects.

Mayor Clark commented on the expectation that the contractor needs to carry through with finish work for each property.

It was moved by Councilman Beneteau and seconded by Councilwoman Conner that item 120 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Councilman Molenda)

Motion carried.

128 The communication from the City Manager's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.

Councilman Beneteau said that he will abstain from voting on this item because a relative is being reappointed to the DDA.

Councilwoman Conner congratulated those who are being appointed to the various boards and commissions and thanked them for their service.

It was moved by Councilwoman Conner and seconded by Councilman Hensley that item 128 be accepted, placed on file and the resolution be adopted.

Ayes: 6 Nays: 0 Abstain: 1 (Councilman Beneteau)

Motion carried.

129 The communication from the City Manager's Office was presented, reporting back on a request from the Bed Race Committee for permission to hold the 3<sup>rd</sup> Annual Charity Bed Race to aid needy children in Monroe County on October 17, 2010, and recommending that the City Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city in accordance with City Council adopted policy, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Councilman Molenda noted the revision to the fact sheet was to note that the special event fee waiver policy does not include provisions to wave the special event fee.

It was moved by Councilman Molenda and seconded by Councilman Bica that item 129 as amended be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

132 The communication from the City Manager's Office was presented, reporting back on a request to allow the Nicholas Greer Foundation to remove a willow tree at Veteran's Park near the War on Terror Monument and to replace it with another willow tree that would be dedicated to another soldier whom we have lost, and recommending that the request be denied.

Kelley Greer, Founder of the Nicholas Greer Foundation stated the reason for her request to remove the willow tree at Veteran's Park and said that they have no intention of the willow tree with another of the same but a different kind of tree.

George Brown, City Manager summarized City policy on removal of trees, staff recommendation and the significance of the willow tree in Monroe's history.

Councilwoman Conner commented on the age and health of the tree and said she is against removal of the willow tree.

Mayor Clark commented on the shade provided by the tree and said he does not support the removal of the tree.

It was moved by Councilman Molenda and seconded by Councilman Bica that item 132 be accepted, placed on file and the recommendation, the request be denied, be carried out.

Ayes: 7 Nays: 0

Motion carried.

135 The communication from the City Manager's Office was presented, reporting back on a request from Mr. William H. Braunlich on behalf of The River Raisin Heritage Trail Dedication Celebration Committee for assistance from the City with the festivities being held on June 25, 2010, and recommending that City Council approve the request contingent upon items being met as outlined by the administration, subject to no additional overtime or other costs to the city, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons

Councilman Molenda questioned the language of the City Manager's recommendation.

George Brown, City Manager explained the recommendation.

Tom Ready, City Attorney suggested that the language "subject to the limitations and recommendations of the City Manager" be added to the recommendation.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 135, be accepted, subject to limitations and recommendations of the City Manager, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

137 The communication from the Director of Human Resources was presented, submitting the Letters of Understanding between the City of Monroe and the Police Officers Association of Michigan (representing the patrol officers), and recommending that City Council approve the attached Letters of Understanding.

Pat McElligott, 813 Reisig Street commented about the concession of vacation time by the Police Officers Association, Mayor's Day Holiday and the new City of Monroe sign in front of City Hall.

Mayor Clark explained the configuration of the new plaza and signage.

George Brown, City Manager explained the reason for the design of the new plaza area and commented on the Police Patrol Associations contract concessions.

After discussion it was moved by Councilman Paisley and seconded by Councilman Bica that item 137 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

#### Mayor Comments.

Mayor Clark commented on the River Raisin Heritage Trail Dedication Celebration, The River Raisin Jazz Series, and the weekly concerts in the park, The River Raisin Jazz Festival and the walk-able areas in the City. He thanked the Police Officers Association and COMEA Unit II for the willingness to offer back to the City of Monroe.

#### Council Comments.

Councilman Hensley thanked the Police Officers Association and COMEA Unit II and COMEA Unit I for their help during these trying times and mentioned the robotics competition at Monroe High School this weekend.

Councilman Paisley thanked the Fife and Drum Committee for the event, the unions for giving back and the Committee and Board Appointees.

Councilman Molenda said he is looking forward to celebrating 4<sup>th</sup> Precinct Councilman's Day.

Councilwoman Conner commented on the 3<sup>rd</sup> Annual Bed Race to Aid Children in Monroe County, and a meeting that she attended at Orchard East and thanked the unions for their contributions.

Citizen's Comments.

Karen Feldman commented in favor of keeping the willow tree and suggested that the Boy Scouts may be interested in doing a clean-up of the area as a project.

Adjournment.

It was moved by Councilman Molenda and seconded by Councilman Paisley that meeting adjourn at 8:41 p.m. until the next Regular Meeting on Monday, July 6, 2010 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Charles D. Evans  
City Clerk-Treasurer

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Robert E. Clark  
Mayor