

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

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

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

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

Mayor Clark led the Pledge of Allegiance to the flag.

Presentation.

Presentation by Mark Buis, Gabriel, Roeder, Smith & Company – City of Monroe, Actuarial Valuation of Other Post-Employment Benefits (OPEB) in Compliance with GASB Statements No. 43 and No. 45.

Andrea Jones, Executive Director of Monroe Mainstreet DDA, gave updates on the United Way, Stepping Stone Lauer-Finzel Properties, and the new design for the River Walk. She also updated the public about the Monroe Hand Book and gave some information about some future events scheduled during the summer.

Mayor Clark noted that the Council Minutes from the July 6, 2010 City Council Meeting was revised with corrections found by Council Person Conner.

Consent Agenda. (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and may be approved by one motion. Any item may be removed for separate discussion by a Councilperson or citizen.)

- A. Approval of the Minutes of the Special Meeting held on Tuesday, June 29, 2010, the Minutes of the Work Session held on Tuesday, June 29, 2010, the Minutes of the Regular Meeting held on Tuesday, July 6, 2010 (with revisions) and the Minutes of the Work Session held on Tuesday, July 6, 2010.
- B. Approval of payments to vendors in the amount of \$961,031.21.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

148 Scottwood Avenue Block Party.

- 1. Communication from the City Manager's Office, reporting back on a request from Maureen Quinn on behalf of the residents of Scottwood Avenue for permission to hold their annual block party on July 31, 2010 and to close the 500 block of Scottwood Avenue from 1:00 p.m. – 11:00 p.m., and recommending that 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.

149 Monroe County Farm Bureau Banner Request.

- 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Farm Bureau for permission to display a banner across Monroe Street from March 7-28, 2011, and recommending that Council approve the request.

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

150 Appointments – Proposed Resolution.

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

151 Water Department Neptune Radio Reading Device and Meter Purchase.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to purchase four hundred (400) Neptune R900 Wall Unit Radio Reading devices, three hundred fifty (350) Neptune R900 Pit Unit Radio Reading Devices, eight hundred (800) 5/8"x3/4" Neptune E-Coder I Inside Water Meters, two hundred fifty (250) 5/8"x5/8" Straight Neptune E-Coder I Inside Water Meters, two hundred seventy (270) 5/8"x3/4" Neptune E-Coder I Pit Water Meters, twenty-five (25) 1-1/2" Neptune E-Coder I Inside Water Meters, ten (10) 1-1/2" Neptune E-Coder I Pit Water Meters, six (6) 2" Neptune E-Coder I Inside Water Meters, and two (2) 2" Neptune E-Coder I Pit Water Meters, and recommending that several purchase orders be issued to RIO Supply Michigan Meter, Inc from Madison Heights, MI based on the available space within our facilities totaling \$327,000.00 to provide the Water Department Neptune radio reading devices and meters.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

152 Improvements to Navarre Library.

1. Communication from the Interim Director of Planning & Recreation, submitting an estimate and bidding documents for the proposed work, including the projects; architectural and engineering fees for improvements to the Navarre Library, and recommending that the City of Monroe contract with James S. Jacobs Architects to prepare bid documents and provide project oversight for the proposed repairs at Navarre Library for a fee of \$13,400, and that the funding for this project come solely from the city's Community Development Block Grant, the budget of which has been previously approved by City Council 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.

153 Proposed Roadway Easement – 504 Huber Drive. (Modern Packaging)

1. Communication from the Director of Engineering & Public Services, submitting a draft easement and legal documents for purchase of an easement property at 504 Huber Drive (Modern Packaging), and recommending that Council authorize the purchase of a 30-foot wide easement across the southerly edge of 504 Huber Drive in the amount of \$8,700 from the County of Monroe, and that the Mayor and Clerk-Treasurer be authorized to execute the final documents on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

- 154 Pointe Aux Peaux Raw Water Pump Station Electrical Service Upgrade – Phase V Bid Award.
1. Communication from the Director of Engineering & Public Services, reporting back on five (5) bids received for the electrical service upgrade and engineering services in Phase V of the improvements to the Pointe Aux Peaux Raw Water Pump Station, and recommending that Council award the above contract to Romanoff Electric Co. Inc. in the amount of \$44,151 and that a total of \$51,000 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, and further recommending that a contract be awarded to Arcadis US, Inc. for construction engineering services in the amount of \$4,700 and that the Director of Engineering & Public Services or his designee be authorized to execute it on behalf of the City.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 155 Installation of New Public Water Mains – Gee Drive and Glendale Court – Special Assessment Resolution Number 1.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 1 in the special assessment process declaring the installation of a new public water main to service the properties located on Gee Drive and Glendale Court and recommending that the attached Resolution 1 be adopted, which directs the Engineering Department to prepare plans, specification, and cost estimates for this project.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 156 License from ITC for Tree Maintenance in Median of Maple Boulevard.
1. Communication from the Director of Engineering & Public Services, submitting an agreement with International Transmission Company (ITC) for tree removal in the median of Maple Boulevard from Elm Avenue to Scottwood Avenue, and recommending that Council approved the attached License Agreement with ITC, and that the City Manager or his designee be authorized to execute the document on behalf of the City.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 157 Great Lakes Restoration Initiative – Consultant Award.
1. Communication from the Director of Engineering & Public Services, submitting a consultant proposal for design and construction engineering to remediate all six (6) of the City's low head dams in the River Raisin, along with the Waterloo Dam, to provide for fish passage and other recreational opportunities into areas where these dams presently represent a substantial impairment, and recommending that Council award a contract to JFNew in the amount of \$342,600 as detailed above, conditioned on final EPA grant approval that the Director of Engineering & Public Services or his designee 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.
- 158 2010 Sidewalk Replacement Program Bid Award.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2010 Sidewalk Replacement Program, and recommending that Council award the above contract to the second low bidder, G. V. Cement Contracting Co., in the amount of \$98,183.58, and that a total of \$120,000

be encumbered to include a 20% 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.

159 Sidewalk Program – 10 Day Notice.

1. Communication from the Director of Engineering & Public Services, submitting a list of property owners who have not repaired the sidewalks adjacent to their property in conjunction with the 2010 Sidewalk Replacement Program, and recommending that Council resolve to direct the Engineering Department to repair the walks of those property owners on the attached list that have not done so with the next ten (10) calendar days, and to authorize the Engineering Department to bill the cost to them following repairs.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

160 Dog Run Park at Munson Park.

1. Communication from the City Manager's Office, reporting back on the request from the Dog Run Committee for permission to design and build a dog-run facility within Munson Park, and recommending the request be approved contingent upon items being met as outlined by the administration, that the committee work with the engineering department, subject to no additional costs to the City of Monroe taxpayers, subject to coordination and consolidation where appropriate with city staff, and that the City Manager be granted authority to alter/amend the request if warranted, and further recommending that the Mayor be authorized to sign the letter of support on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

161 Confirmation of Regular Appointment of Chief of Police.

1. Communication from the City Manager, submitting the full-appointment of Tom Moore as Chief of Police, and recommending, the regular appointment of Chief Tom Moore to be the Chief of Police of the Monroe Police Department, and respectfully requesting and recommending that Council confirm that appointment, effective immediately.
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 items, 148, 149, 151, 152, 154, 155, 159 and 160 be approved as indicated, and that items 150, 153, 156, 157, 158 and 161 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

150 The communication from the Mayor's Office was presented, submitting a proposed Resolution for appointments to various boards, commissions and committees, and recommending that the proposed Resolution be adopted.

Councilman Bica said he wanted to recognize Mr. Thomas Krzyston and Mr. Dale Brose who have volunteered their time on the Monroe Port Commission and pointed out that the length of the appointment for the Monroe Port Commission is a three (3) year term, not a four (4) year term as printed on the Resolution.

It was moved by Councilman Bica and seconded by Councilman Hensley that item 150, as amended, be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

Mayor Clark requested that item 161 be pulled next for discussion.

161 The communication from the City Manager was presented, submitting the full-appointment of Tom Moore as Chief of Police, and recommending the regular appointment of Chief Tom Moore to be the Chief of Police of the Monroe Police Department, and respectfully requesting and recommending that Council confirm that appointment, effective immediately.

Mayor Clark recognized and confirmed the appointment of Tom Moore as Chief of Police and asked him to introduce his family.

Tom Moore, Acting Chief of Police thanked Mayor and Council, the City Manager and other Department Heads for their support over the past several months and said he looked forward to continuing the positive working relationship with them. He also thanked the men and women of the Police Department for the cooperation and support and for their continued dedication and professionalism and their service to the community. He also introduced and thanked his wife, two sons and the rest of his family for their continued support throughout the years and especially the last five (5) months.

George Brown, City Manager commented on his positive and professional working relationship with Tom Moore, Acting Chief of Police throughout the past four (4) years and especially the past five (5) months and said he look forward to working with him for many years.

It was moved by Councilman Hensley and seconded by Councilman Bica that 161 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

153 The communication from the Director of Engineering & Public Services was presented, submitting a draft easement and legal documents for purchase of an easement property at 504 Huber Drive (Modern Packaging), and recommending that Council authorize the purchase of a 30-foot wide easement across the southerly edge of 504 Huber Drive in the amount of \$8,700 from the County of Monroe, and that the Mayor and Clerk-Treasurer be authorized to execute the final documents on behalf of the City.

Pat McElligott, 813 Reisig Street said that he would like more explanation about the purchase of this property and the purchase price. He also asked if the city is considering unloading any other city owned properties that have no functional value and are a drain on the resources.

Mayor Clark said that the city continues to look into the properties that may be of value to others adjacent to them and appreciated the reminder.

George Brown, City Manager explained the reason the city is pursuing the purchase of the easement property.

It was moved by Councilman Molenda and seconded by Councilwoman Conner that item 153 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

156 The communication from the Director of Engineering & Public Services was presented, submitting an agreement with International Transmission Company (ITC) for tree removal in the median of Maple Boulevard from Elm Avenue to Scottwood Avenue, and recommending that Council approved the attached License Agreement with ITC, and that the City Manager or his designee be authorized to execute the document on behalf of the City.

Pat McElligott, 813 Reisig Street said he pulled this item for more clarification.

Mayor Clark said that this property is owned by ITC and they have rights to make sure the lines are well protected and that there has been some article in the Monroe Evening News regarding this project so there has been communication to the public.

George Brown, City Manager that there will be replacement of the trees but they will be lower growing trees.

Pat McElligott, 813 Reisig Street asked if the city has a preventative maintenance program for trees.

Mayor Clark said that the Forestry Department does tend to city owned trees and will respond to residents who report a city owned tree or trees with significant hazards to the public.

It was moved by Councilman Molenda and seconded by Councilman Beneteau that item 156 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

157 The communication from the Director of Engineering & Public Services was presented, submitting a consultant proposal for design and construction engineering to remediate all six (6) of the City's low head dams in the River Raisin, along with the Waterloo Dam, to provide for fish passage and other recreational opportunities into areas where these dams presently represent a substantial impairment, and recommending that Council award a contract to JFNew in the amount of \$342,600 as detailed above, conditioned on final EPA grant approval that the Director of Engineering & Public Services or his designee be authorized to sign the contracts on behalf of the City of Monroe.

Councilman Hensley asked for a brief overview of what the consultant will provide.

Patrick Lewis, Director of Engineering & Public Services explained that since this project has the potential to change the hydrologic characteristic of the river, the consultant is providing further study than we've undertaken recently, they will guide us through the state and federal permit process, as well as providing all of the design drawings. He continued that they will also conduct various public hearings for the stake holders and property owners along the river. He concluded that JFNew will essentially take the project and do it for us, if you will.

Richard Micka, 47 E. Elm Avenue explained the experience level of JFNew regarding the nature of this project. He also stated that there will be a public hearing on this matter in the City of Monroe Council Chambers on Thursday, August 19, 2010.

Adam Yeager, 1833 S. Custer Road said that he thinks that the money could be better spent on the roads, sewer and things of the like. He said that people come before fish.

Pat McElligott, 813 Reisig Street stated that his personal observance of the river is just that, his personal observance, but said that in the infamous words of the late Councilman Burkett, Monroe's waterway is a jewel that should be capitalized on.

It was moved by Councilman Hensley and seconded by Councilwoman Conner that item 157 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0
Motion carried.

158 The communication from the Director of Engineering & Public Services was presented, reporting back on bids received for the 2010 Sidewalk Replacement Program, and recommending that Council award the above contract to the second low bidder, G. V. Cement Contracting Co., in the amount of \$98,183.58, and that a total of \$120,000 be encumbered to include a 20% 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 Beneteau said that due to the labor harmony standards that currently exist in the city, the low bidder was not awarded this project and the result of that is it will cost the taxpayers an additional \$10,000 to complete this job. He continued that there were no local bidders for this project and said that may be because of labor harmony standards that exist in the city. He further stated that the current water main lining replacement has cost the city approximately \$200,000 last year due to the labor harmony standards. He said that the city received promises from certain groups that the city would receive bids from local contractors however, none have come forward. He stated that he does not intend on supporting this contract.

Mayor Clark commented on the labor harmony standards and said that it does appear that local contractors are not bidding on our projects. He would like to have the labor harmony agreement brought to a work session for a chance to review its benefits.

It was moved by Councilman Molenda and seconded by Councilwoman Conner that item 158 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Councilman Beneteau)
Motion carried.

Mayor Comments.

Mayor Clark again recognized Chief of Police, Tom Moore and also commented on item 160, the dog run park at Munson Park and item 152 the improvement of Navarre Library.

Council Comments.

Councilman Paisley commented on the River Raisin being a real jewel, the architecture in the city, the history that the City of Monroe holds and the newly opened river walk.

Councilwoman Conner commented on the block party planned for Scottwood and the beautiful flowers in the downtown area. She also commented on the planned Lotus Tour and that the gates are up at the end of St. Mary's Street to prevent drive through of traffic. She also said she has received complaints about the color of the telecast of the Council Meetings.

City Manager's Comments.

George Brown, City Manager mentioned that the Jazz in the Square Series will be held on Friday's, July 23rd & 30th, and Friday's, August 6th & 13th. He also said that Friday, August 13th is the preview to the Annual Jazz Festival.

Citizen's Comments.

Jeannie Micka, 47 E. Elm Avenue announced that the Lotus Festival and Tour is on July 31st, 2010. She explained that the tour is free with a lunch and tote bag provided, but you must pre-register by emailing rgm@core.com or by calling (734)242-0909 by July 21st, 2010.

Paul Vensel, 1524 Arbor Avenue said he is in attendance because of Kyle Harris and said that he is concerned about his layoff.

Mayor Clark said that during the process of the budget sessions, many of the labor organizations had some decisions to make and that as a result of those decisions there were consequences and benefits. He explained that this particular organization made decisions that resulted in a layoff within their union. He stated that an employee had a decision to make, and that the employee had union representation, and the forms and the knowledge of what decision had to be made. He stated that communication was there, between the city, the union and the employee but that the decision was made by the employee that resulted in the layoff of the employee.

Adam Yeager, 1833 S. Custer Road commented on the cost of paving projects.

Richard Micka, 47 E. Elm Avenue commented on the low-head dams and how old and out dated they are.

Pat McElligott, 813 Reisig, commented on the labor harmony agreement.

It was moved by Councilman Molenda and seconded by Councilman Hensley that the Council to go into Closed Session to discuss City Manager Performance Evaluation 9:08 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Councilman Paisley and seconded by Councilman Hensley that Council reconvene at 10:59 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment

It was moved by Councilman Molenda and seconded by Councilman Hensley that meeting adjourn at 10:59 p.m. until the next Regular Meeting on Monday, August 2, 2010 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Sharon C. Malotky
Deputy City Clerk

Robert E. Clark
Mayor