

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 18, 2010

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 18, 2010 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Member 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.

Presentation by Ken Gilsdorf, CSX Transportation Community Affairs Division, regarding an increase in speed over the West Elm Street railroad crossing.

Proclamation.

231 National Business Women's Week – October 18 – 22, 2010.

The Mayor presented the National Business Women's Proclamation to Shirley McDonald, Board of the Business and Professional Women of Monroe.

Shirley McDonald, Board of the Business and Professional Women of Monroe introduced the Vice Presidential Team, Wendy Spicer, Nancy Williams and Marsha Oberleiter.

Public Hearing.

219 This being the date set to hear public comments on Proposed Ordinance No. 10-006, an Ordinance to amend Chapter 114, Purchasing and Contracts, of the code of the City of Monroe, there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing opened.

Council Member Conner expressed concern with the wording in §114-5 (B), Authority of City Manager regarding purchases and sales, that would increase the dollar amount, for which the City Manager may sell personal property, by one thousand percent and she would like the rationale behind the increase.

Ed Sell, Finance Director commented on the history of the purchasing ordinance and the reasons for amending the ordinance. He explained that the goal of the process is to make the ordinance more efficient and more affective. He referenced each of the amendments and explained the reason for the changes. He responded to Council Member Conner's concern and explained that the increase for the sale of personal property from \$500 to \$5,000 went hand in hand with the ability to participate in online auctions and be able to sell something for over \$500 without having to bring it before Council.

Council Member Conner said she had contacted two other municipalities about the same size as ours and said that one of them had a cutoff of \$1,000 for sale of personal property and the other was set at \$2,500. She said she would like to suggest using the median of those two figures which would be \$1,500.

Mayor Clark asked for an example of what would fall into that category of personal property sale.

Ed Sell, Finance Director said that we've been holding off on the sale of a fire truck which will go for over \$500 which would have to be brought before Council. He continued that there are a couple of trailers at the fire department waiting to be sold and there are some surplus cars that could be included in the auction that the Department of Public Services is getting ready for.

Council Member Molenda said that there is a good portion of the ordinance that he will support, and asked that if we move to an online bid system would there be some resource through the Clerk's Office so someone could physically come in and get a hard copy.

Ed Sell, Finance Director said that it was still their intent to advertise in the newspaper when we sell them and if the sale is by auction, the newspaper add would specify that and then a person would have to go to the MITN website to try to buy the item.

Council Member Molenda asked if there would be a way to get prior approval from Council in the event of an auction or a list submitted to Council for prior approval.

Ed Sell, Finance Director said that if Council is thinking about keeping the amount at \$500 then that would have to be the process and is the intent right now.

Council Member Molenda said that the item that he does not care for is raising the threshold of the amount of contracts that the City Manager could approve.

Council Member Beneteau commented on the sale of any personal property that could go as high as \$5,000, that it should go before Council for approval before being sold and the \$5,000 or 5% of the original contract that including contingencies and over even that amount should be reviewed by Council as well. He also commented on the increase of sealed bids from \$5,000 - \$10,000 and said he is not comfortable with that issue either. He said that these amendments should have been provided to Council even before the public hearing for review of the proposed changes.

Pat McElligott, 813 Reisig Street said he does not like the idea of hamstringing city government, especially the City Manager because he was hired to do a job and should not be prevented from doing it. He said that the increase for the sale of personal property from \$500 to \$5,000 is a tremendous increase and he is not comfortable with it.

Mayor Clark noted that he doesn't think that there is a question he has heard that would create a problem in moving forward with today's new technology.

Thomas Ready, Attorney said that in considering this, Council has a number of options, one would be to pass the ordinance, another to not pass the ordinance and a third option would be to make a motion to direct the City Attorney to make certain changes in it and bring it back to Council at a future meeting.

George Brown, City Manager said that the administration will come back with some options at a work session to develop an ordinance that Council will support.

There being seven (7) persons commenting and not comments on file in writing in the Clerk-Treasurer's office, the Mayor Declared the public hearing closed.

Council Action.

219 It was moved by Council Member Molenda and seconded by Council Member Bica that Ordinance No. 10-006 be tabled in favor of a work session.

Ayes: 7 Nays: 0

Motion carried.

232 It was moved by Council Member Beneteau and seconded by Council Member Hensley that the communication from the Interim Director of Planning & Recreation, submitting Proposed Ordinance No. 10-007, an Ordinance to amend the City of Monroe's Planning/Zoning Code and Official Zoning Map, of the Code of the City of Monroe, be placed on its first reading and that a public hearing be set for Monday, November 1, 2010.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 10-007, was then presented for its first time and laid over for its second reading and the public hearing be set for Monday, November 1, 2010.

Andrea Jones, Monroe Downtown Development Authority gave some updates regarding the organization and said that the organization will revert back its original name, Monroe Downtown Development Authority to reduce confusion in the community. She said that the new website is address will be www.downtownmonroemi.com but currently it is still www.monroemainstreet.com. She cited other updates and event dates.

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, October 4, 2010, as amended.

B. Approval of payments to vendors in the amount of \$954,986.63.

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

233 Pointe Aux Peaux Raw Water Pump Station Electrical Service Upgrade – Phase V Change Order Award for Automatic Transfer Switch Changeout.

1. Communication from the Director of Engineering & Public Services, submitting a change order to the Pointe Aux Peaux Raw Water Pump Station Electrical Service Upgrade Phase V – Automatic Transfer Switch, and recommending that Council award a change order to the above contract to Romanoff Electric Co., Inc. in the amount of \$14,259, in addition to the original project contingencies, and further recommending that the Director of Engineering & Public Services be authorized to sign the change order on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

234 East First Street Resurfacing Funding Contract with MDOT.

1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the East First Street Resurfacing Funding Contract agreement between 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 below.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

235 Tandem Axle Dump Truck Repairs – Contract Award.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Tandem Axle Dump Truck Repairs and recommending that Council award the work to DI & B, LLC in the amount of \$13,724, that a total of \$15,000 be encumbered to allow for any contingencies that may arise or additional work that may be found to be necessary, and that the Director of Engineering & Public Services be authorized to issue a purchase order on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

236 Wastewater Moyno Pump Materials Bid.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received to rehabilitate the Wastewater Treatment Plant (WWTP) Moyno Pump #1, and recommending that a purchase order in the amount of \$9,948 be awarded to Liberty Process Equipment, Inc., out of Arlington, Illinois for the purchase of materials to rehabilitate the WWTP Moyno Pump #1 as part of the fiscal year 2010-2011 CIP project in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

237 Water Service Connection Materials Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for Water Connection Materials, and the lowest bidders meeting all bid specifications for each respective division are as follows: Division I – 8' Service Saddle Connections-Cost \$6,642.56, Division II – 12' Service Saddle Connections-Cost \$1,064.25, Division III – Corporation Stops - Ball Valve - Cost \$9,867, Division IV – Compression Curb Stop - Ball Valve - Cost \$13,572.23, Division V – Compression Couplings-3/4x1" – Cost -\$2,582.85, Division VII – Compression Pack Joint Couplings 5/8xxs Lead to 1" Copper - Cost \$148.90, Division VIII – Curb Stop Boxes and Rods - Cost \$14,525.07, Division IX – 1"Copper (60' Rolls) - Cost \$42,585, Division X – 1" Copper (100' Rolls) - Cost \$14,025, 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.

238 Command and Police Officer Ratification.

1. Communication from the Director of Human Resources, submitting the tentative agreement between the City of Monroe and the Command and Police Officer Association, and recommending, based on the favorable ratification vote by both Associations, that Council formally approve the attached Letters of Understandings.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

239 18th Annual Holiday Season Kick-Off and Christmas tree Lighting.

1. Communication from the City Manager's Office, reporting back on a request from the Main Street Monroe/DDA to hold the 18th Annual Holiday Season Kick-Off and Christmas tree Lighting on November 19, 2010, from 6:30 p.m. – 9:00 p.m., for electrical access for the pavilion and all electrical

needs for the entertainment and tree lighting, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, and that the City Manager be granted authority to alter/amend the event due to health and/of safety reasons.

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

240 Monroe County Convention & Tourism Bureau – Banner Request

1. Communication from the City Manager’s Office, reporting back on a request from the Monroe County Convention & Tourism Bureau to display three overhead banners across East Front Street, West First Street and Monroe Street from August 22 – September 4, 2011, announcing the Annual River Raisin Labor Day Barbeque Festival on September 3 – 4, 2011.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

241 2009 Drinking Water Revolving Fund (DWRP) Water Main Replacement Program Change Order to Group “A” Contract.

1. Communication from the Director of Engineering & Public Services, submitting a request for a change order to the 2009 Drinking Water Revolving Fund (DWRP) Water Main Replacement Program, and recommending that Council authorize the Director of Engineering & Public Services to execute a change order (attached) for replacement of water mains on N. Monroe Street from the River Raisin to Willow and Elm Avenue from Godfroy to Macomb in the amount of \$355,621.70, and a total of \$377,000 be encumbered to include a 6% contingency.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

242 Great Lakes Restoration Initiative – EPA Grant Agreement Acceptance.

1. Communication from the Director of Engineering & Public Services, submitting an agreement with the United States Environmental Protection Agency (EPA) for a no match grant under their Great Lakes Restoration Initiative (GLRI), and recommending that Council accept the EPA Grant Agreement in the amount of \$1,368,480.00 and that the City Manager be authorized to sign the agreement 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 Council Member Molenda and seconded by Council Member Beneteau that items 233, 235, 236, 237, 238, 239, 240, 241 and 242 be approved as indicated, and that items B and 234 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

B. Approval of payments to vendors in the amount of \$954,986.63.

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

Council Member Paisley asked about the frequency of the payment made to Thomas P. Russow for legal services with the Civil Service Commission in the amount of \$13,325.

Ed Sell, Finance Director said he is familiar with the payment and he believes it is for longer than a quarter but Mr. Russow doesn't submit his bills on any specific periodic basis but he would guess that it is for six (6) months or close to an annual cost. He said that the charge could possibly extend back to the previous year budget but that we cannot pull that money from the previous budget so it will all be charged to the 2011 fiscal year.

Mayor Clark asked what services rendered within the Civil Service Commission were included in this payment.

Peggy Howard, Director of Human Resources said she thinks that the time period was six months, but there is no breakdown of work or services or specific project listed, that there is just a flat amount.

Council Member Molenda said he thinks that they should pull any sort of documentation we have available.

Mayor Clark said that the City Manager just pulled the invoice for legal services dated from July 1, 2009 – July 9, 2010 for 122.5 hours for a total of \$13,325, approved for payment by the Civil Service Commission on September 29, 2010 signed by the Chairman of the Civil Service Commission and it is date stamped by the Finance Department as being received on October 6, 2010.

It was moved by Council Member Paisley and seconded by Council Member Bica that item B, payments to vendors in the amount of \$954,986.63 be approved.

Ayes: 7 Nays: 0

Motion carried.

234 The communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the East First Street Resurfacing Funding Contract agreement between 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 below.

Council Member Molenda said he pulled this item because the word "of" is used too many times in the 2nd line of the 2nd paragraph of the resolution.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 234 be accepted and placed on file and the resolution be adopted as amended.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Molenda commented on the General Election ballot proposals.

Council Member Conner commented on the 3rd Annual Bed Race and the River Raisin Battlefield National Park public reception on Friday, October 22 at 10:00 a.m. at the Monroe County Community College.

Council Member Beneteau asked about leaf bag distribution from City Hall this year and said that he is still interested in obtaining the information he requested a couple of meetings ago regarding the costs associated in maintaining city owned properties.

Patrick Lewis, Director of Engineering & Public Services said that we are about a third of the way through our supply and that the process is better than it was at DPS in reference to convenience.

George Brown, City Manager said that a work session will be planed to discuss the costs associated in maintaining city owned properties and the potential disposal of some city owned properties.

Council Member Hensley commented on leaf bag distribution, about how smoothly it is going and personal property tax and parking ticket collection.

Council Member Paisley commented on the General Election ballot proposals, the 3rd Annual Bed Race, and a seminar he attended regarding the Battlefield.

Mayor Comments.

Mayor Clark commented on the River Raisin Battlefield National Park public reception, the Lantern Tours to be held on Friday and Saturday, October 22-23 and 29-30, 2010. He also commented on all of the communication material regarding the FEMA 100 year flood plane discussion and the General Election on November 2, 2010.

Citizens Comments.

Pat McElligott, 813 Reisig Street commented on the FEMA Report and said that he supports the ballot proposals on the November 2, 2010 ballot.

Adam Yeager, 1833 S. Custer Road commented on leaf bag and collection, snow removal and public officials.

Adjournment

It was moved by Council Member Molenda and seconded by Council Member Bica that the meeting be adjourned at 9:17 p.m. until the next Regular Meeting on Monday, November 1, 2010 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor