

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, APRIL 4, 2011

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 4, 2011 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.

Proclamations.

46 Sergeant Michael K. Ingram, Jr. Day – April 17, 2011.

Mayor Clark proclaimed April 17, 2011 as Sergeant Michael K. Ingram, Jr. Day and encouraged all citizens to observe this day with appropriate activities and program that honor the memory and legacy of Sergeant Michael K. Ingram, Jr.

65 Child Abuse and Prevention Month – April 2011

Mayor Clark proclaimed April 2011 as Child Abuse and Prevention Month and noted that as part of a statewide awareness campaign, the Child Advocacy Network is sponsoring the Pinwheels for Prevention Project and will display a pinwheel garden in St. Mary's Park along with other locations throughout Monroe County.

Public Hearings.

41 This being the date set for the purpose of reviewing and hearing comments on the special assessment roll for S.A.D. #129, confirming the special assessment process for the installation of a new public water main to service the properties located on Gee Drive and Glendale Court and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Jennifer Ehman, 433 Gee Drive expressed her concern about not having the income to pay over \$6,000 for the special assessment and asked why she would have to pay it because she is a recent homeowner of the property.

Mayor Clark said that streets in that location are underserved unfortunately and have been for many years. He also explained that there was recent work that needed to be done because of the inability for the water flow.

Patrick Lewis, Director of Engineering & Public Services briefly explained why this project is a special assessment and the how the amount of the special assessment is determined for each property owner's portion and the city's portion.

George Brown, City Manager explained that special assessment projects are spread out over a 10 year period with annual payments billed and a set interest rate of 1%. He further explained that Ms. Ehman may qualify for one of the state programs that can be used to defer special assessment, and explained how those programs are handled.

Brenda West, 423 Gee Drive expressed concern that no one had disclosed this information to them when they purchased their property. She said that she thought that by paying her City Water & Sewer bills she was paying for improvements such as these.

There being five (5) persons present commenting and no comments on file in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

62 This being the date set for the purpose of reviewing and hearing comments on the Annual Action Plan for the FY 2011-2012 portion of its Community Development Block Grant (CDBG) funding and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Council Member Molenda asked if the letter that was given to Council prior to the meeting has effect to the Annual Action Plan.

Dan Swallow, Director of Economic & Community Development explained that this is the first of two hearings and this hearing is specifically to gather public comment and gather ideas on possible projects that could be funded through the CDBG Funds. He listed some of the projects that are considered for the upcoming fiscal year. He commented on the letter from the Salvation Army and said that they are potentially asking for funding for their winter emergency warming shelter and said that this could fit into the category of preventing homelessness.

Major Mary Thomas, Salvation Army said that they are part of the housing coalition in this community and that is why she is seeking funding for the warming shelter. She said there were over 82 individuals at the warming shelter this season at 1018 E. Second Street. She said they received a start up grant on a federal funding program for the first three (3) years to help get the shelter going and that last year they received some federal emergency management funds to help with some of the operating costs to keep the program open. She said that this year the federal government has not approved the budget yet so they haven't heard if there is any FEMA funds coming to this community.

Council Member Hensley asked how an organization could be added to the list for consideration of the CDBG funds.

Dan Swallow, Director of Economic & Community Development said that there is an open invitation process and the key thing is that they will screen the request to make sure it falls within an eligible category within the federal program.

There being four (4) persons present commenting and no comments on file in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

Council Action.

47 It was moved by Council Member Molenda and seconded by Council Member Beneteau that the communication from the Finance Director, submitting proposed Ordinance No. 11-002, an ordinance to adopt the Fiscal Year 2011-2012 Budget for the City of Monroe, be placed on its first reading and the public hearing be set for Monday, April 18, 2011.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 11-002 was then presented for the first time and laid over for its second reading and public hearing.

48 Consider Approval of the Proposed Demolition Postponement Agreement for 114 and 116 West Front Street.

1. Communication from the Director of Economic & Community Development, reporting back on the proposed demolition postponement agreement for 114 and 116 West Front Street to allow time to draft the terms of an agreement to renovate the structures, and recommending that Council approve the proposed demolition

postponement and property restoration agreement for 114 and 116 West Front Street, subject to all of the conditions contained therein including the requirement that all property taxes are maintained current, and adherence to the timeline for completion; and authorize the City Manager to execute the agreement.

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

It was moved by Council Member Beneteau and seconded by Council Member Molenda that item 48 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion carried.

Council Member Beneteau said he would like to see a copy of the owners liability insurance included in the agreement and said that the west wall is among his biggest concerns.

Tom Ready, Attorney suggested that inasmuch as the property owner has already signed the agreement, as a condition to the city signing it, the city could request that the owner provide a certificate and proof of insurance along with a letter indicating that it will be maintained throughout the duration of the agreement.

Dan Swallow, Director of Economic & Community Development said he spoke with the applicant and confirmed that the provision requiring that he provide proof of insurance and maintain the property throughout the duration of the agreement are acceptable terms.

Council Member Beneteau asked that in light of demolition delay, for reasons of environmental concerns, will the timeline be amended because the date of April 7th is not realistic.

Dan Swallow, Director of Economic & Community Development said that the owner submitted an anticipated timeline that would commence on April 11th with completion by April 25th.

Jack Piedmonte, 114 and 116 W. Front Street said that the timeline is confusing but that he had intended the start date to be April 11th with a completion date of April 25th and he thinks that they will be able to meet that timeline.

Following discussion it was moved by Council Member Beneteau and seconded by Council Member Bica that item 48 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

270 This item was postponed at the February 22, 2011 meeting.

Revised communication from the Director of Economic & Community Development, submitting an application for Obsolete Property Rehabilitation Tax Exemption from West Front Development, LLC for the buildings located at 114 and 116 West Front Street, and recommending that Council approve the application for an Obsolete Property Rehabilitation Certificate for 114 and 116 West Front Street, for a period of twelve (12) years in accordance with the recommendation of the EDRC, in the form of the attached resolution, and authorize staff to forward the application to the State Tax Commission for their review and action. It was moved by council Member Beneteau and seconded by Council Member Conner that item 270 be postponed until the April 4, 2011 Council Meeting.

It was moved by Council Member Beneteau and seconded by Council Member Molenda that item 270 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion carried.

Council Member Beneteau said that since Council just passed the demolition postponement agreement and is moving forward with the reconstruction of these properties, he thinks that the OPRA should be approved.

It was moved by Council Member Beneteau and seconded by Council Member Paisley that item 270 be accepted, placed on file , in accordance with the recommendation of the EDRC, and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

273 This item was postponed at the February 22, 2011 meeting.

Revised communication from the Director of Economic & Community Development, reporting back on bids received for the demolition of a property located at 114 and 116 West Front Street, and recommending that if Council approves the proposed demolition postponement and property restoration agreement for 114 and 116 West Front Street, that current bids for demolition be rejected; noting that in the event of a breach of the agreement, the demolition of the buildings will need to be re-bid. It was moved by Council Member Molenda and seconded by Council Member Hensley that item 273 be postponed until the April 4, 2011 Council Meeting.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 273 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 273 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

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

A. Approval of the Minutes of the Regular Meeting held on Monday, March 21, 2011, and the minutes of the Work Session held on Monday, March 21, 2011.

B. Approval of payments to vendors in the amount of \$708,569.13.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

49 Water Department Neptune Radio Reading Device and Meter Purchase.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to purchase two hundred (200) 5/8"x3/4" Neptune E-Coder I Inside Water Meters, five (5) 1-1/2" Neptune E-Coder I Inside Water Meters, and five (5) 2" Neptune E-Coder I Inside water Meters, and recommending that several purchase orders be issued to Michigan Meter of Madison Heights, MI based on the available space within the Water Department facilities totaling \$39,320 to provide the Water Department Neptune meters and radio reading devices.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

50 Purchase of Mosquito Larvicide Tablets & Detention Pond Pellets.

1. Communication from the Director of Engineering & Public Services, submitting a request to purchase thirteen (13) cases of Altosid XR briquettes, five (5) cases of detention pond pellets, and recommending that

Council approve the purchase of thirteen (13) cases of larvicide briquettes and five (5) cases of pellets for detention ponds at a total cost of \$11,827.92 from the sole source, Clarke Mosquito Control Products, Inc., and that the Director of Engineering & Public Services be authorized to carry out the purchase.

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

51 Bed Race for M.C. Kids Banner Request.

1. Communication from the City Manager's Office, reporting back on a request from The Bed Race to Aid Children, Inc., for permission to display a banner across Monroe Street from October 10 – 14, 2011 announcing The Bed Race to Aid Children, and recommending the request be approved.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

52 Annual Weed Cutting Date.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting May 2, 2011 as the annual date that all weeds and greases and other items subject to Ordinance No. 05-004 must be cut, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

53 Delinquent Demolition Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for demolition expenses where the owners have failed to pay for the same, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

54 Delinquent Blight Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of blight removal in those cases where the owners have failed to do so, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

55 Delinquent Weeds & Grass Cutting Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of cutting weeds and grasses where the owners have failed to do so, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

56 Delinquent Sidewalk Repair Fees – Proposed Resolution.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of sidewalk repair where the owners have failed to pay for the same, and recommending that the resolution be adopted.

2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 57 Delinquent Rental Housing Fees – Proposed Resolution.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of unpaid rental property inspection fees where the owners have failed to pay for the same, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 58 Delinquent Snow Removal Fees – Proposed Resolution.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of snow removal where the owners have failed to pay for the same, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 59 Installation of New Public Water Mains – Gee Drive and Glendale Court – Special Assessment Resolution Number 3.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 3 which is a determination of the public necessity of this project, and authorizes the Engineering Department to secure bids for the work and recommending that attached Resolution 3 be adopted, and that the Engineering Department be authorized to let this project for bidding.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 60 City of Monroe and Monroe Charter Township Fire Departments - Automatic Aid Agreement.
1. Communication from the Fire Chief, submitting an agreement between the City of Monroe and Monroe Charter Township Fire Departments to enhance the existing mutual aid agreement developed by the Monroe County Fire Chief's Association by effectively sharing resources to make available more firefighters, and recommending that Council approve this automatic aid agreement.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 61 Community Development Block Grant FIX Project Award.
1. Communication from the Director of Economic & Community Development, reporting back on bids received for a Community Development Block Grant FIX project located on Maple Blvd, and recommending that Council award this Community Development Block Grant FIX contract, with a budget of \$7,612, to Carter Building Services and authorize staff to take the necessary steps to complete each project in compliance with federal regulations, and further recommending that a contract be drafted and signed by each homeowner and that it includes a fifteen percent (15%) contingency.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.

62 FY 2011-12 Community Development Block Grant Annual Action Plan.

1. Communication from the Director of Economic & Community Development, submitting the Community Development Block Grant Annual Action Plan for Fiscal Year 2011-12 as required by the Department of Housing and Urban Development (HUD), and recommending that a public hearing on the attached Annual Action Plan be scheduled for Monday, May 16, 2011 in the City Council Chambers at the Regular Council Meeting starting at 7:30 p.m.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

63 Water Treatment Plant Phone System Replacement – Contractor Award.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on the Water Treatment Plant phone / intercom system replacement, and recommending that purchase orders be awarded to: Communication Infrastructure Resources, Inc., in the amount of \$10,920 and a total amount of \$11,250 be encumbered to include a 3% contingency; Altura Communication Solutions in the amount of \$20,504.15 and a total amount of \$21,120 be encumbered to include a 3% contingency; and Sentinel Technologies, Inc., in the amount of \$5,572 and a total amount of \$5,739 be encumbered to include a 3% contingency, and further recommending that the City Manager, Director of Finance or their designee be authorized to sign any potential service and/or maintenance agreements on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

64 Elm / Dixie / Winchester Intersection Reconstruction – Professional Services Contract Extension for Construction Management.

1. Communication from the Director of Engineering & Public Services, submitting a request for a professional services contract extension for reconstruction to the Elm / Dixie / Winchester Intersection, and recommending that Council award an extension of the previously awarded contract for construction engineering services for the Elm / Dixie / Winchester Intersection reconstruction project to The Mannik and Smith Group in the amount of up to \$9,960, and further recommending that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe, and that the Finance Director be authorized to make all necessary transfers to complete the project as described above.
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 item 49, 50, 51, 52, 53, 55, 56, 58, 59,60, 61, 62, 63 and 64 of the Consent Agenda be approved as presented and that item 54 and 57 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

54 Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for demolition expenses where the owners have failed to pay for the same, and recommending that the resolution be adopted.

Pat McElligott, 813 Reisig Street commented on the properties that have outstanding blight fees assessment and the reporting of blight.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 54 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0
Motion carried.

57 Communication from the Clerk-Treasurer, submitting a proposed resolution setting April 18, 2011 as the date of the public hearing on the assessment roll for the expenses of unpaid rental property inspection fees where the owners have failed to pay for the same, and recommending that the resolution be adopted.

Council Member Molenda said that there was a change in the resolution and he wasn't sure the revised version was given to Council.

Charles Evans, Clerk-Treasurer explained that it is a verbiage change in line 3, which should read, "and requires City Council by resolution to 'fix and determine' the fees and charges for the periodic inspections;".

Pat McElligott, 813 Reisig Street commented on the delinquent rental inspection fees and stated concern about collection of the fees.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 57 be accepted, placed on file and the resolution be adopted as amended.

Ayes: 7 Nays: 0
Motion carried.

Council Comments.

Council Member Molenda said that the River Raisin Ballet Company will be performing the Wizard of OZ at the RRCA with shows beginning Friday, April 15, 2011 at 7:00 p.m., Saturday, April 16, 2011 at 2:00 p.m. and 7:00 p.m., and Sunday, April 18, 2011 at 3:00 p.m., and for more information call (734)242-7722.

Council Member Conner thanked everyone who came out to help clean up the city on Saturday and reported that there are 155 foreclosures in the city this month. She also commented on the email she received from one of the ladies from our Sister City, Hofu, Japan.

Council Member Beneteau said that the red hat he brought with him to the meeting tonight was to remind him to mention the musical performed by SMCC at the RRCA called Seussical and also to encourage everyone to attend a production at the RRCA, that it is a great place to see one.

Council Member Hensley commented on the concerns from the residents regarding the water main and road construction projects.

Patrick Lewis, Director of Engineering & Public Service said that the residents have been notified, by letter, and updated about the projects in their area.

Council Member Paisley commented on tax day being moved to April 18th this year and honored Sgt. Ingram for his sacrifice and the family for the phone card they are providing to the soldiers to enable them to call home.

Council Member Bica also thanked the family of Sgt. Ingram and said that if you would like to make a donation go to www.mikiesminutes.com. He also commented on the 4th Annual Easter Egg Hunt at Munson Park on Saturday, April 16, 2011, and said that the Easter Bunny will also be there for the kids to have pictures taken, with registration at 10:00 a.m. and the event to begin at 11:00 a.m. He also said to keep the families from the plane crash tragedy at Munson Park in our thoughts.

Mayor's Comments.

Mayor Clark also commented on Mikies Minutes phone card and the Monroe County ISD Technology Millage Renewal set to be on the May 3rd ballot. He also mentioned that Thursday, April 11th is the Salvation Army Soup Day at the Quality Inn from 11:30 a.m. – 1:00 p.m., and that tickets are available at the Salvation Army location on First Street. He also commented on the public hearings for the delinquent fees special assessments and the downtown clean up day.

Citizen's Comments.

Jeannie Micka, 47 E. Elm Street invited everyone to the Annual Founders Day at the Sawyer House on Saturday, May 7th and cited many other events in the city for the month of April and May.

Pat McElligott, 813 Reisig Street commented on child abuse and shared his opinion of the major causes of it.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that Council go into Closed Executive Session, to discuss Attorney's Opinion, at 9:25p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Beneteau and seconded by Council Member Hensley that Council reconvene at 9:52 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Conner and seconded by Council Member Hensley that the meeting adjourn at 9:53 p.m. until the next Regular Meeting on Monday, April 18, 2011 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor