

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, JUNE 6, 2011

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, June 6, 2011 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.

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Presentation by Molly A Luempert-Coy, DTE Energy regarding the demolition of one of the two tall stacks at the Monroe Power Plant.

Molly A Luempert-Coy, DTE Energy introduced Frank Warren, Director, Monroe Power Plant, Neil Mortenson, Major Enterprise, Project Manager for the stack demolition, Wendell Keen, Construction Superintendent, and Kenny Owens, Kulhman Consultant and said that Frank Warren and Neil Mortenson would give the presentation.

Andrea Jones, Monroe Downtown Development Authority said that the DDA Office is moving to the 2nd floor of City Hall at the end of June and the phone number will be changed to (734)384-9172, and also said that her position will be changed to part time after June 30th so the DDA Office hours will be changed. She said the DDA is looking for volunteers to participate on their promotion, Design, Grant and Development Committees and for volunteers for the Board of Directors and for more information on that and current events to contact her or go to downtownmonroemi.com.

Council Action.

108 It was moved by Council Member Molenda and seconded by Council Member Beneteau that the communication from the Fire Chief, submitting Proposed Ordinance No. 11-006, an Ordinance to adopt the 2009 Edition of the International Fire Code, be placed on its first reading and the public hearing be set for Monday, June 20, 2011.

Ayes: 7 Nays: 0

Motion carried.

Propose Ordinance No. 11-006 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.)

- A. Approval of the minutes of the Special Meeting held on Monday, May 16, 2011 and the minutes of the Regular Meeting held on Monday, May 16, 2011.

- B. Approval of payments to vendors in the amount of \$908,228.88.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 109 Wastewater Treatment Plant Fiscal Year 2011 – 2012 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 2011 – 2012 Chemicals / Sludge Hauling & Disposal Requirements, and recommending that 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 \$137,953, and WW Sludge Disposal to Republic Services for a total cost of \$224,431.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 110 Wastewater Department – Sanitary Sewer System Cleaning & Video Inspection Services – Additional Footage – Change Order.
1. Communication from the Director of Water & Wastewater Utilities, submitting a change order to the 2010 Wastewater Department Sanitary Sewer System Cleaning & Video Inspection Services for additional footage and recommending that a change order to the original purchase order be awarded to Robinson Pipe Cleaning Company out of Pittsburgh, PA for the additional costs resulting from the additional footage cleaned and video inspected in the amount of \$4,316.44.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 111 Water Treatment Plant Fiscal Year 2011-2012 Chemical Requirement Bids.
1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for Liquid Aluminum Sulfate (Alum-Coagulant), Zinc Orthophosphate (1:1), Hydrofluosilic Acid 23% (Fluoride), Sodium Hypochlorite (Chlorine) and Liquid Oxygen for use at the Monroe Water Treatment Plant, and recommending that the Liquid Oxygen contract amendment be executed and for the Mayor and City 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 PVS Nolwood Chemicals for a total cost of \$167,200, Zinc Orthophosphate to Carus Corporation for a total cost of \$35,640, Fluoride to PVS Nolwood Chemicals for a total cost of \$23,800, Sodium Hypochlorite to JCI Jones Chemicals, Inc for a total cost of \$55,211.04, and Liquid Oxygen to Air Liquide Industrial for a total cost of \$23,837.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 112 South Monroe Street and Bacon Street water Main Replacement – Change Order.
1. Communication from the Director of Engineering & Public Services, submitting a change order to the South Monroe Street and Bacon Street Water Main Replacement program, and recommending that Council award a change order to the 2010-2011 Water Main Replacement Program, Group 1 to Salenbien Trucking & Excavating for the replacement of water main on Bacon Street in the amount of

\$236,039.15 and that a total of \$260,000 be encumbered to include a 10% project contingency, and further recommending that Council award a change order to the 2010-2011 Water Main Replacement Program, Group 2 to C & D Hughes, Inc. for the replacement of water main on South Monroe Street from Jones Avenue to Front Street in the amount of \$452,005.28 and that a total of \$497,000 be encumbered to include a 10% project contingency, and further recommending that the Director of Engineering & Public Services be authorized to execute both change orders on behalf of the City of Monroe.

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

113 Budget Amendment – Downtown Rental Rehab Program Grant.

1. Communication from the Finance Director, submitting a proposed budget amendment to the 2011 fiscal year budget and recommending that the Mayor and Council approve the Finance Director to amend the 2011 fiscal year budget for the addition of the Rental Rehabilitation Grant in the amount of \$163,900.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

114 DDA Downtown Parking Permit.

1. Communication from the Executive Director, Monroe/DDA, reporting back on the Downtown Parking Permit Program that will expire June 30, 2011, and recommending that City Council approve the attached documents for the Downtown Parking Permit Program and that various City and DDA staff be authorized to continue implementation of this program annually with minor revisions as appropriate.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

115 2011 River Raisin International Muster.

1. Communication from the City Manager's Office, submitting a request from the River Raisin International Fife and Drum Muster for permission to host the 2011 River Raisin International Muster on June 17 & 18, 2011, and recommending that City Council approve the request contingent upon items being met as outlined by the administration, and that the City Manger be granted authority to alter/amend the event due to health and/or safety reasons.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

116 Extending Moratorium on Growing, Sale and Dispensing of Medical Marihuana.

1. Communication from the Director of Economic & Community Development, submitting a proposed resolution to extend the moratorium on growing, sale and dispensing of medical marihuana, to allow additional time for the courts to rule on the pending cases related to the Michigan Medical Marihuana Act, MMMA, and for the state legislature to act on the proposed bills that would clarify permitted uses under the MMMA, and recommending that Council extend the moratorium on the submission or receipt of applications, and any and all City permits, licenses or approvals for the growing, sale or dispensing of medical marihuana within the City of Monroe in accordance with the attached resolution.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

117 Police 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 Officers Association of Michigan (COAM) and the Police Officers Association of Michigan (POAM), and recommending that Council approve the attached Letters of Understandings.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

118 Appointment of Thomas C. Moore as Director of Public Safety and post-retirement employment agreement.

1. Communication from the City Manager recommending that the Mayor and Council confirm and approve the appointment of Thomas C. Moore as Director of Public Safety and further recommending that the City retain the services of Thomas C. Moore as Director of Public Safety and Police Chief, following his retirement from regular City Employment, under the terms of the employment agreement attached and to authorize the City Manager to execute it on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

119 Post-retirement employment agreement with Joseph R. Mominee as Deputy Director of Public Safety.

1. Communication from the City Manager recommending that the City retain the services of Joseph R. Mominee as Deputy Director of Public Safety, following his retirement from regular City employment, under the terms of the employment agreement attached and to authorize the City Manager to execute it on behalf of the City of Monroe.
2. Supporting documents.
3. 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 109, 110, 111, 114, 115, 116, 117, 118 and 119 of the Consent Agenda be approved as presented and that item 112 and 113 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

112 Communication from the Director of Engineering & Public Services, submitting a change order to the South Monroe Street and Bacon Street Water Main Replacement program, and recommending that Council award a change order to the 2010-2011 Water Main Replacement Program, Group 1 to Salenbien Trucking & Excavating for the replacement of water main on Bacon Street in the amount of \$236,039.15 and that a total of \$260,000 be encumbered to include a 10% project contingency, and further recommending that Council award a change order to the 2010-2011 Water Main Replacement Program, Group 2 to C & D Hughes, Inc. for the replacement of water main on South Monroe Street from Jones Avenue to Front Street in the amount of \$452,005.28 and that a total of \$497,000 be encumbered to include a 10% project contingency, and further recommending that the Director of Engineering & Public Services be authorized to execute both change orders on behalf of the City of Monroe.

After lengthy discussion, it was moved by Council Member Bica and seconded by Council Member Beneteau that item 112 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0
Motion carried.

113 Communication from the Finance Director, submitting a proposed budget amendment to the 2011 fiscal year budget and recommending that the Mayor and Council approve the Finance Director to amend the 2011 fiscal year budget for the addition of the Rental Rehabilitation Grant in the amount of \$163,900.

After brief explanation it was moved by Council Member Conner and seconded by Council Member Molenda that item be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0
Motion carried.

Council Comments.

Council Member Hensley complimented the DDA for their work on the Thursday night Jazz Series and cautioned bicycle riders to be very careful of pedestrians during their ride time.

Council Member Bica thanked Chief Moore and Chief Mominee for working longer than they had to.

Council Member Molenda commented on bicycle safety and asked if it would be possible for someone to come to a meeting to talk about it.

Council Member Conner said there are 180 foreclosures in the City of Monroe and also commented on a complaint from a person, who was involved an accident within the city limits recently, regarding the invoice they received. She also commented on the discontinuation of the tot lot at the Greenwood area and said she would like to see that tot lot re-established.

Dan Swallow, Director of Economic & Community Development addressed Council Member Conner's concern about the tot lot.

Mayor's Comments.

Mayor Clark commented on establishing a park on city property, the relay for life this past weekend, the Memorial Day Parade, and the AM Vets moving display. He also commented on the River Raisin Fife & Drum Muster and complimented Barry LaRoy, Director of Water & Wastewater and the employees of the Water Department for their actions during the recent water advisory.

Citizen's Comments.

Becky Brett, 381 Armitage Drive commented on the delayed demolition at 369 Armitage and said that she and other residents are not happy with the delay.

Mayor Clark & Council Member Beneteau addressed Ms. Brett's concerns.

Christian Horkey, Attorney for Ms. Roach, property owner of 369 Armitage, listed all of the improvements that Ms. Roach has made to the property, listed improvements that she intends to do and spoke about the timeline for completion of the improvements and offered to show pictures of the completed improvements.

Mayor Clark commented on the broken front window, shrubs that should be removed and the timeline for completion.

Christian Horkey, Attorney for Ms. Roach, property owner of 369 Armitage responded to the Mayor's concerns.

George Brown, City Manager commented about the agreement of bringing the property up to code.

Deborah Wahl, 205 Avenue De Lafayette commented on the deterioration of the home at 369 Armitage.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that Council go into Closed Executive Session to discuss Pending Litigation at 9:08 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Molenda and seconded by Council Member Conner that Council reconvene into Open Session at 9:37 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Beneteau and seconded by Council Member Paisley that the meeting adjourn at 9:38 p.m. until the next Regular Meeting on Monday, June 20, 2011 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor