

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, JULY 18, 2011

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, July 18, 2011 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Proclamation.

140 "Matt Mahalak Day" – July 18, 2011.

Mayor Clark read and presented Matt Mahalak with a proclamation of support in proclaiming July 18, 2011 as "Matt Mahalak Day".

Matt Mahalak thanked Mayor and Council for their support and recognition and for their decision to open the Monroe Multi Sports Complex when he was just a kid because without that and the support of the community while he was growing up he would not be where he is today.

Public Hearings.

142 This being the date set to hear public comments on the potential permanent closure of the Norfolk Southern railroad crossing at Franklin Street, adjacent to Kentucky Avenue, there being no persons present commenting and no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

Council Action.

Council Member Molenda pointed out that the following item is revised.

152 It was moved by Council Member Molenda and seconded by Council Member Beneteau that the communication from the Director of Human Resources, submitting Proposed Ordinance No. 11-008, as revised, an Ordinance to amend Chapter 127, Retirement Article I, Municipal Employees' Retirement System, of the Code of the City of Monroe; specifically amending Sections 127.6, 127.51, K, and 127.51, E, be placed on its first reading and that the second reading of the Ordinance be scheduled prior to July 28, 2011.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 11-008 was then presented for the first time and laid over for its second reading and anticipated passage to be scheduled before July 28, 2011.

Mayor Clark asked Barry LaRoy, Director of Water & Wastewater Utilities to comment on a letter that will be sent out to all residents.

Barry LaRoy, Director of Water & Wastewater Utilities said that his office will be sending out an informational notice next week regarding the recent boil water advisory. He said that they've had some sporadic positive samples but

that there has not been a pattern that they've been able to distinguish. He explained the steps that they are taking to resolve the issue.

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 Tuesday, July 5, 2011.
 - B. Approval of payments to vendors in the amount of \$ 691,669.06.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 141 Sister City Relationship with Amherstburg, Ontario and Put-in-Bay, Ohio.
- 1. Communication from the Mayor's Office, submitting a proposed resolution supporting the possible establishment of a "Sister City" relationship with Amherstburg, Ontario and Put-in-Bay, Ohio community, and recommending that Council give public support and the resolution be adopted.
 - 2. Supporting documents.
 - 3. Accept, place on file and the resolution be adopted.
- 142 Franklin Street Railroad Crossing Closure Resolution.
- 1. Communication from the Director of Engineering & Public Service, submitting a proposed resolution for the closure of the Norfolk Southern railroad crossing at Franklin Street, adjacent to Kentucky Avenue, and recommending that the attached resolution be adopted, and that the Mayor and Clerk-Treasurer be authorized to execute it on behalf of the City of Monroe, and further recommending that the Engineering Department be authorized to commence survey work for the closure project.
 - 2. Supporting documents.
 - 3. Accept, place on file and the resolution be adopted.
- 143 Scottwood Avenue Block Party.
- 1. Communication from the City Manager's Office, reporting back on a request from the residents and families of Scottwood Avenue for permission to hold their annual block party on July 23, 2011 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. Accept, place on file and the recommendation be carried out.
- 144 Darrin Hoskins Block Party Day.
- 1. Communication from the City Manager's Office, reporting back on a request from Faye McFadden for permission to hold a charitable block party on July 23, 2011, in honor of Darin Hoskins who is battling the debilitating effects of diabetes, to close a portion of Fifth Street between Conant and Almyra from 12 noon – 6:00 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, charitable solicitation permit required from the Clerk's Office, and that the City Manager 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.

145 2011 Sidewalk Program – Final Notice to affected Property Owners.

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 2011 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 do not do so within the next ten (10) calendar days, and to authorize the Engineering Department to bill the cost to them following repairs.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

146 2011 Sidewalk Replacement Program Bid Award.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the replacement of sidewalks east of Kentucky Avenue and south of the River Raisin, and recommending that Council award the above contract to the second low bidder, G.V. Cement Contracting Co., in the amount of \$93,081.42, and that a total of \$107,000 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. Accept, place on file and the recommendation be carried out.

147 Water Treatment Plant - East Reservoir Existing Joint & Concrete Crack Repairs - Bids.

1. Communication from the Director of Water & Wastewater, reporting back on bids received for the East Reservoir Existing Joint & Concrete Crack Repairs Project at the Water Treatment Plant, and recommending that a purchase order in the amount of \$16,350 and a total amount of \$19,700 be encumbered to include a 20% contingency for the East Reservoir Existing Joint and Concrete Crack Repairs project at the Water Treatment Plant, be awarded to Smith's Waterproofing, LLC out of Almont, MI in accordance with the bid specifications.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

148 East Fifth Street Curb Replacement Change Order Award.

1. Communication from the Director of Engineering & Public Services, submitting a Change Order to the East Fifth Street Curb Replacement Program which would consist of the following items: Remove and Dispose Curb & Gutter, Furnish and Install Curb & Gutter, Remove and Dispose Pavement & Approach, Furnish and Install 6" Pavement & Approach, Adjust, Clean, and Plaster Structure, and recommending that Council award a change order to the 2011 Curb Replacement and Resurfacing Program for the above work to C & D Hughes, Inc., in the amount of \$10,801, that a total of \$12,500 be encumbered to include a 15% project contingency, and further recommending that the Director of Engineering & Public Services be authorized to execute it on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

149 2011 Bituminous Pavement Maintenance Program Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2011 Bituminous Pavement Maintenance Program, and recommending that Council award the above contract to D.G. Slurry Seal of Toledo in the amount of \$101,383.22, and that a total of \$117,000 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. Accept, place on file and the recommendation be carried out.

150 CDBG Sub-recipient Agreement with the Monroe Housing Commission.

1. Communication from the Director or Economic & Community Development, submitting a CDBG Sub-recipient Agreement to enable the Monroe Housing Commission to hire a seasonal staff person to supervise a Tot-Lot program at their Greenwood Apartments facility, 900 Greenwood Avenue, and purchase basic supplies, and recommending that Council approve the proposed CDBG Sub-recipient Agreement with the Monroe Housing Commission and authorize the City Manager to execute the agreement.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

151 2011 Concrete Paving Program Bids.

1. Communication from the Director Engineering & Public Services, reporting back on bids received for the 2011 Concrete Paving Program contract that consist of the following locations: Location A – Reisig Street, Location B – Intersection of Roeder/Ninth and Roeder/Eighth, and Location C – Alley east of Kentucky Avenue and south of E. Second Street, and recommending that Council award a contract for the 2011 Concrete Paving Program to Century Cement Company, Inc., in the amount of \$258,859.30, that a total of \$297,300 be encumbered to include a 15% project contingency, and that the Finance Director be authorized to make the necessary transfers, 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. 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 142, 144, 145, 147, 148, 149 and 151 of the Consent Agenda be approved as presented and that item 141, 143, 146 and 150 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

141 The communication from the Mayor's Office, submitting a proposed resolution supporting the possible establishment of a "Sister City" relationship with Amherstburg, Ontario and Put-in-Bay, Ohio community, and recommending that Council give public support and the resolution be adopted.

Council Member Molenda pointed out that the item is revised and that the revisions are in bold print.

Mayor Clark cited some of the reasons that a "Sister City" relationship with these two cities would be beneficial.

Jean Guyor, 303 N. Macomb Street commented on the history between the United States and Canada during the war and spoke favorably regarding a "Sister City" relationship with the two cities.

Bill Saul, 4080 E. Stein Road, LaSalle spoke favorably of a "Sister City" relationship with the two cities and thanked Mayor and Council for their support of the relationship.

It was moved by Council Member Molenda and second by Council Member Hensley that item 141 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0
Motion carried.

143 The communication from the City Manager's Office, reporting back on a request from the residents and families of Scottwood Avenue for permission to hold their annual block party on July 23, 2011 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.

Charles Evans, Clerk-Treasurer said that the item should be Scottwood Avenue not Scott Avenue and he apologized for the typo.

Council Member Molenda said that he is a big fan of neighborhood block parties and spoke about the positive interaction that these events bring about with your neighbors.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 143 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0
Motion carried.

146 The communication from the Director of Engineering & Public Services, reporting back on bids received for the replacement of sidewalks east of Kentucky Avenue and south of the River Raisin, and recommending that Council award the above contract to the second low bidder, G.V. Cement Contracting Co., in the amount of \$93,081.42, and that a total of \$107,000 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.

Council Member Beneteau asked if the low bidder on this project was able to do this contract and fulfill the obligations of the contract other than the Labor Harmony Agreement.

Patrick Lewis, Director of Engineering & Public Services said that he believes so but that they didn't do the comprehensive reference check. He said that he spoke to the company the day after the bid opening and told them that we have Labor Harmony standards in place and asked if they were able to meet them and they expressed some reservation that maybe they could but they would have to work out an agreement.

Mayor Clark commented on Senate Bill 165, which has passed in both the senate and the house and is pending the Governor's review and potential signing.

Tom Ready, City Attorney said that he is monitoring this bill but at present it has not been signed.

Following discussion, it was moved by Council Member Molenda and second by Council Member Hensley that item 146 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Council Member Beneteau)
Motion carried.

150 The communication from the Director of Economic & Community Development, submitting a CDBG Sub-recipient Agreement to enable the Monroe Housing Commission to hire a seasonal staff person to supervise a Tot-Lot program at their Greenwood Apartments facility, 900 Greenwood Avenue, and purchase basic supplies, and recommending that Council approve the proposed CDBG Sub-recipient Agreement with the Monroe Housing Commission and authorize the City Manager to execute the agreement.

Council Member Conner thanked Dan Swallow, Director of Economic & Community Development and Loretta LaPointe, Interim Superintendent of Recreation for finding a way to have a Tot Lot at Greenwood Apartments facility.

It was moved by Council Member Conner and seconded by Council Member Bica that item 150 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Hensley commented on the Thursday night concert in the park series, and announced the Community Awareness Group meeting on Thursday, July 21 at 6:00 p.m. at Manor School.

Council Member Paisley thanked the residents, property owners and businesses, who take care of their property, and commented on the Employees Retirement System Board Trustee's and the roll that they take in ensuring that the retiree's receive their pensions. He also commented on an incident that the Firefighters responded to and thanked them for going beyond the call of duty. He spoke about the loss of Nicky Terassi, his secretary and friend, on Friday.

Council Member Molenda commented on the Darrin Hoskins block party on July 23, 12 noon – 6:00 p.m.

Council Member Conner commented on the Shadowlawn neighborhood watch parade on July 4, and announced that the city has 182 foreclosures this month and nine (9) sales. She announced the lecture about the Civil War Flag at the Monroe Historical Museum on July 21 at 7:00 p.m.

Council Member Beneteau commented on a foreclosure near the corner of Huber and Fredrick's and the condition of the house before and after the foreclosure.

Mayor's Comments.

Mayor Clark announced that the Fair Parade and opening day of the County Fair are both on Sunday, July 31.

Citizen's Comments.

Jeannie Micka, Lotus Garden Club announced the Annual Lotus Tour is on July 30 and it is free but pre-registration is required. She also commented the new museum project at the County Fair and invited everyone out to see it.

Bill Saul, 4080 E. Stein Road commented on the raffle that the Rotary has been holding for the past 45 weeks at Nick & Niño's.

Dorothy Vallade, 918 Cole Road commented on a bill she received from the city for mowing.

Thomas Veres, 315 Arbor Avenue commented on the problem with water draining onto his property from the alleyway and the damage it is causing to his property.

Mayor Clark addressed Mr. Veres issue and reminded him that there have been proposed alternatives to the drainage problem presented to him in the past but said that he was not happy with those alternatives.

George Brown, City Manager commented and expanded on the alternatives and possibilities for resolution of the drainage issue. He suggested that he, Patrick Lewis, Director of Engineering & Public Services, Mr. Veres, and the Mayor have a meeting this week regarding alternatives.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that Council go into Closed Executive Session to discuss the City Manager's Annual Evaluation at 8:48 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that Council reconvene into Open Session at 10:20 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Beneteau and seconded by Council Member Molenda that the meeting adjourn at 10:20 p.m. until the next Regular Meeting on Monday, August 1, 2011 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor