

CITY OF MONROE  
REGULAR COUNCIL MEETING  
TUESDAY, SEPTEMBER 6, 2011

Regular meeting of the City Council of the City of Monroe, Michigan held on Tuesday, September 6, 2011 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Members Bica, Molenda, Conner, Beneteau, Hensley, Paisley 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 the Monroe Housing Commission Regarding Greenwood Tot-Lot.

Megan Wright, Leader of the Summer Magic Day Camp Program at Greenwood thanked Mayor and Council for allocating the grant funds necessary to successfully run a summer day camp for the children living in the Greenwood Housing Complex and gave a brief overview of the project.

Public Hearings.

173 This being the date set for the purpose of hearing public comments on an application for transfer of an Obsolete Property Rehabilitation Tax Exemption Certificate pursuant to Public Act 146 of 2000, as amended, from West Front Development, LLC to West Side Exploration, LLC for the property located at 114 and 116 W. Front Street, Monroe, Michigan, Parcel #'s 29-00448-000 and 29-00449-000, and there being no persons commenting and no comments on file in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

174 This being the date set for the purpose of hearing public comments on an application for an Industrial Facilities Tax Exemption Certificate pursuant to Public Act 198 of 1974, as amended, from MacSteel Monroe Incorporated for property located at 3000 E. Front Street, Monroe, Michigan, Parcel # 49-01498-002, there being no comments on file in the Clerk-Treasurer's Office, the Mayor declared the hearing open

Dan Swallow, Director of Economic & Community Development said "Thank you Mr. Mayor and Honorable Council, uh, with us this evening we do have several guests from the applicant and so I did want to give them the opportunity to at least address Council and answer any questions you may have, but I wanted to at least introduce the Mill Manager, Mr. Otto Alvarado, and allow him to introduce everyone else who is present from the applicant this evening but I did want to at least make a short statement for Council." "Mr. Alvarado..."

"Mayor Clark & distinguished Council Members, I'm Otto Alvarado, General Manager of Gerdau Special Steel formally known as North Star and then known as MacSteel, we're located at 3000 E. Front Street, and I'm here tonight to request your favorable consideration of our request for tax exemption. With us tonight is Bill Levinsling and part of my staff controller. Thank you."

Mayor Clark said, "Thank you Mr. Alvarado, I know that the committee here met and moved this request forward. I know Gerdau MacSteel is putting significant investments into your company and into the Monroe plant, which we appreciate. I think this is an opportunity to partner together and I know that last fall when I and other Council were at your, kind of a ceremony that you had there, and the Gerdau family was here, I recall most of anything was the employees, and how proud that they were working for your company, and the benefits and they see the

growth. I think that's a great statement for yourself and also for the work that they are doing, so I just wanted to give you that comment."

Otto Alvarado, General Manager of Gerdau Special Steel said "Thank you Mayor, our greatest assets are our employees, and we appreciate that."

Mayor Clark said, "Any other comments from Council, thank you sir, any other comments regarding this public hearing, item 174, yes sir..."

David Smith, 530 Hollywood Drive said "Well I think we're most fortunate to have this facility in the City of Monroe and usually a big power plant like that Edison will have to have a facility near it to use the surplus power they do generate. Typically that will be, who knows what, it could be Ferro Alloy Facility and those things are nasty, you wouldn't want it here. You have a really modern facility that takes steel scrap and turns it into excellent alloy bar material and when North Star had it they did a good job too but I think they were doing some structural shapes and things like this. I think but I don't know what they are doing now; it looks like a lot of it is high quality bar material for sway bars, gun barrels and things of that nature, so I can't say enough good about the process and the company. We have no choice but to pass the request for exemption."

Mayor Clark said, "Thank you Mr. Smith, other comments from those present here this evening?"

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

#### Council Action.

166 This item was postponed at the August 15, 2011 meeting.

Communication from the Director of Engineering & Public Services, reporting back on bids received for the ALCC Lighting Upgrades and Mechanical Improvements, and recommending that Council award a contract for Lighting Upgrades and Mechanical Improvements for the Arthur Lesow Community Center in the amount of \$194,700 to Monroe Plumbing & Heating Co., with \$218,000 encumbered to include a 12% contingency, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe. It was moved by Council Member Beneteau and second by Council Member Molenda that item 166 be postponed until the next regular meeting.

It was moved by Council Member Beneteau and seconded by Council Member Molenda that item 166 be placed on the floor for discussion.

Ayes: 7 Nays: 0

Motion carried.

Council Member Beneteau explained that since there wasn't any reason to have an additional meeting due to the fact that our provisions in the purchasing ordinance do not allow for favoritism to be shown to local contractors and also because with CDBG monies used, federal funds, we would probably have run into a little problem with that as well.

It was moved by Council Member Beneteau and seconded by Council Member Hensley that item 166 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Communications.

- 172 Communication from Myron Smolinski, Local Officers Compensation Commission Chairman, giving a recommendation for salaries of the local elected officials of the City of Monroe.

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.)

Mayor Clark announced that item 184 will be pulled from the agenda and also that the agenda amended with the addition of item 185.

- A. Approval of the minutes of the Special Meeting held on Monday, August 15, 2011 and the minutes of the Regular Meeting held on Monday, August 15, 2011.
- B. Approval of payments to vendors in the amount of \$1,995,767.55.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 173 Transfer of Obsolete Properties Rehabilitation Exemption from West Front Development, LLC to West Side Exploration, LLC.
1. Communication from the Director of Economic & Community Development, submitting a proposed resolution to approve an application for transfer of the Obsolete Properties Rehabilitation Act Tax Exemption from West Front Development, LLC to West Side Exploration, LLC for the properties located at 114 and 116 West Front Street, and recommending that Council approve the application for transfer of the Obsolete Properties Rehabilitation Act tax exempt from West Front Development, LLC to West Side Exploration, LLC for the properties located at 114 and 116 West Front Street, in the form of the attached resolution, and authorize staff to forward the application to the State Tax Commission for their review and action.
  2. Supporting documents.
  3. Accept, place on file and the resolution be adopted.
- 174 Approval of an Industrial Facilities Property Tax Exemption for MacSteel Monroe Incorporated for their facility located at 3000 Front Street.
1. Communication from the Director of Economic & Community Development, submitting a proposed resolution approving an Industrial Facilities Property Tax Exemption for MacSteel Monroe Incorporated for their facility located at 3000 East Front Street, and recommending that Council, following consideration of any comments received at the public hearing, approve the Industrial Facilities Exemption for MacSteel Monroe Incorporated for their facility located at 3000 E. Front Street for a period of 12 years, and authorize the City Manager and Clerk-Treasurer to complete the requisite documentation and execute the proposed Agreement.
  2. Supporting documents.
  3. Accept, place on file and the resolution be adopted.
- 175 Installation of New Public Storm Sewer – Relief Sewer for the south side of Walnut Street and Monroe Crossings Condominiums – 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 storm sewer to service the Monroe Crossings Condominium project, located between LaPlaisance Road and Kentucky Avenue

- and the properties on the south side of Walnut Street, and recommending that the attached Resolution No. 1 be adopted, which directs the Engineering Department to prepare plans, specifications, and cost estimates for this project.
2. Supporting documents.
  3. Accept, place on file and the resolution be adopted.
- 176 Franklin Street Railroad Crossing Closure – MDOT Funding Contract.
1. Communication from the Director of Engineering & Public Services, submitting a proposed resolution delineating the terms of the Franklin Street Railroad Crossing Closure Contract with MDOT and the City of Monroe, and recommending that the attached resolution be adopted, and that the Mayor be authorized to execute the contract on behalf of the City of Monroe.
  2. Supporting documents.
  3. Accept, place on file and the resolution be adopted.
- 177 St. Mary Catholic Central High School – Annual Homecoming Parade Request
1. Communication from the City Manager's Office, submitting a request from St. Mary's Catholic Central High School to hold their annual Homecoming Parade on September 30, 2011 at 5:45 p.m., and to close the affected streets, and recommending that Council approve this request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, a parade permit, 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.
- 178 Arthur Lesow Community Center (ALCC) Food Distribution Event
1. Communication from the City Manager's Office, reporting back on a request from the ALCC for permission to hold a "Food Distribution Event" on October 13, 2011, to use the back parking lot of the ALCC and to close E. Second Street between Winchester and Eastchester Streets from 3:00 p.m. – 7:00 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.
- 179 Michigan Municipal League Annual Meeting – October 2, 2011.
1. Communication from the City Manager's Office, submitting a request, by provisions of the League Bylaws, to designate an official representative to cast the vote of the municipality, and recommending that council chose an official representative and alternate representative.
  2. Supporting documents.
  3. Accept, place on file and the recommendation be carried out.
- 180 Water Department Water Service Connection Materials Bids.
1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for the purchase of Water Service Connection Materials and the lowest bidders meeting all bid

specifications for each respective division are as follows: "Division I" – 1" Flared Straight Coupling x 1" M.I.P. – ETNA Supply, "Division II" – 1" Compression Coupling x 1" F.I.P. – ETNA Supply, "Division III" – 1" Mueller Thermal Coil Meter Box (330CS1848FABS) – ETNA Supply, "Division IV" – 1" Copper (100' ROLLS) – Kuhlman Corp., and recommending that the bidders be awarded the respective divisions and for purchase orders to be issued in the amounts shown for providing Water Service Connection Materials in accordance with the bid specifications.

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

181 Emergency Purchase – Centrifuge #1 Repairs – Wastewater Treatment Plant.

1. Communication from the Director of Water & Wastewater Utilities, submitting a proposal to purchase and repair Centrifuge #1 at the Wastewater Treatment Plant, and recommending that Mayor & Council confirm the administrative decision to perform an emergency direct purchase of completing repairs on Centrifuge #1 and that the purchase be allowed to proceed as scheduled.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

182 East Elm Avenue Railroad Crossing – MDOT Funding Contract.

1. Communication from the Director Engineering & Public Services, submitting a proposed resolution delineating the terms of the funding agreement with the Michigan Department of Transportation (MDOT) for the Elm Avenue Railroad Crossing with Norfolk Southern and Canadian National railroads, 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, and further recommending that a contract extension in the amount of \$5,000 be awarded to The Mannik and Smith Group for construction management services if necessary.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

183 Macomb Street Bridge Rehabilitation – Design Contract Amendment for Railing Revisions.

1. Communication from the Director of Engineering & Public Services, submitting a design contract amendment for railing revisions to the Macomb Street Bridge Rehabilitation, and recommending that Council award an amendment to the design contract for the rehabilitation of the Macomb Street Bridge to Spalding DeDecker Associates, Inc., in an amount "Not to Exceed" \$15,500.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

184 This item was pulled from the agenda.

185 S2 Grant Application and Resolution – Wet Weather Facilities and I/I Removal.

1. Communication from the Director of Water & Wastewater Utilities, submitting a proposed resolution authorizing the submittal of the S2 Grant application to the MDEQ, and recommending that Council adopt the proposed Resolution in order to meet the October 1, 2011 S2 Grant program submittal deadline.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 173, 174, 176, 178, 180, 181, 182, 183, and 185 of the amended Consent Agenda be approved as presented and that item 175, 177, and 179 be removed and considered separately and that item 184 be pulled from the agenda.

Ayes: 7 Nays: 0

Motion carried.

175 The communication from the Director of Engineering & Public Services was presented, submitting Resolution No. 1 in the special assessment process declaring the installation of a new public storm sewer to service the Monroe Crossings Condominium project, located between LaPlaisance Road and Kentucky Avenue and the properties on the south side of Walnut Street, and recommending that the attached Resolution No. 1 be adopted, which directs the Engineering Department to prepare plans, specifications, and cost estimates for this project.

Patrick Lewis, Director of Engineering & Public Services gave a brief overview of how and why the special assessment project is being established and how the special assessment costs are determined for each property.

After lengthy discussion between the Monroe Crossings Condominium residents and Council it was moved by Council Member Molenda and seconded by Council Member Bica that item 175 be postponed for additional information to be gathered.

Ayes: 7 Nays: 0

Motion carried.

177 The communication from the City Manager's Office was presented, submitting a request from St. Mary's Catholic Central High School to hold their annual Homecoming Parade on September 30, 2011 at 5:45 p.m., and to close the affected streets, and recommending that Council approve this request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, a parade permit, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Council Member Molenda commented on the route of the parade.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 177 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

179 The communication from the City Manager's Office was presented, submitting a request, by provisions of the League Bylaws, to designate an official representative to cast the vote of the municipality, and recommending that council chose an official representative and alternate representative.

Council Member Beneteau suggested that since Mayor Clark will be in attendance at the Michigan Municipal League (MML) Conference, he should be appointed as the initial representative and that one of the other Council Members, who will also be attending the conference, be appointed as an alternate.

Mayor Clark said that in addition to him the other Council Members who are registered to attend the meeting are, Council Members Conner, Paisley and Hensley.

It was moved by Council Member Beneteau and seconded by Council Member Hensley that Mayor Clark be appointed the Delegate for the MML Conference and that Council Member Conner be appointed as the alternate.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Bica commented on the Downtown Labor Day Bar-B-Que and the Memorial Bike night on Sunday, September 11, 2011.

Council Member Molenda commented on the annual "Bark-in-the-Park" at Munson Park on Saturday, September 10, 2011.

Council Member Conner commented on the number of foreclosures, the WIC Program, and pushing forward to becoming a sister city with Canada. She also commented about the Labor Council Meeting she attended.

Council Member Beneteau commented on the ALCC raffle.

Council Member Hensley commented on the Freedom Celebration on Saturday, September 10, 2011 and the Salvation Army's Heavenly Treasures also on Saturday, September 10, 2011.

Mayor's Comments.

Mayor Clark commented on Fifth Third Bank's Financial Mobile at Michigan Works on September 16, at 1:00 p.m., thanked the MCCTB for the success of the Labor Day Bar-B-Que, and the development of a sister city relationship with Amherstburg, Canada and Put-in-Bay, Ohio and his trip to our current sister city, Hofu, Japan.

Citizen's Comments.

Adam Yeager, 1833 S. Custer Road commented about the speed limit on South Custer Road, bicycles riding on the wrong side of the street and the contracts that the City enters into with contractors.

Elizabeth Coyne, 427 Navarre asked for some documentation to prove to her Political Science Class that she was at the meeting.

Jeannie Micka, 47 E. Elm Avenue announced that Dr. Jarred Burkes will speak at the Sawyer Homestead on Tuesday, September 20 at 7:00 p.m.

Frank Gryzwacki, 116 Hollywood Drive commented on the denial of a hot dog vendor within the city and the cost of the lawsuit because of it and an abandoned house at 417 Elm Avenue.

Quarterly Closed Executive Session to Discuss Pending Litigation.

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 9:32 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Conner and seconded by Council Member Beneteau that Council reconvene to open session at 10:08 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Beneteau and seconded by Council Member Hensley that the meeting adjourn at 10:09 p.m. until the next Regular Meeting on Monday, September 19, 2011 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Charles D. Evans  
City Clerk-Treasurer

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Robert E. Clark

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Mayor