

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, MARCH 5, 2012

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, March 5, 2012 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Members Bica, Molenda, Kansier, Beneteau, Hensley, McKart and Mayor Clark.

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

Mayor Clark led the pledge of allegiance to the flag.

Charles D. Evans announced that the Presentation that was scheduled for tonight's meeting has been rescheduled for the March 19th, 2012 meeting.

Council Action.

35 It was moved by Council Member Molenda and seconded by Council Member Beneteau that the communication from the Director of Economic & Community Development, submitting Proposed Ordinance No. 12-001, Amendments to Chapter 720 Zoning, Article XIII, Signage, Sections 720-168 through 720-185 of the Code of the City of Monroe, be placed on its first reading and that a public hearing be set for Monday, March 19, 2012.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance 12-001 was then presented for its first time and laid over for its second reading and the public hearing be set for Monday, March 19, 2012.

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.)

Charles D. Evans, Clerk-Treasurer noted that the Consent Agenda is revised with an amendment to item 43, Custer National Monument and Museum Resolution, the last word on line 4 and the first word on line 5 have been removed.

- A. Approval of the Minutes of the Regular Meeting held on February 21, 2012, and the Minutes of the Work Session held on February 27, 2012.
- B. Approval of payments to vendors in the amount of \$ 967,767.30.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

36 Monroe County Fair Parade.

- 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Fair Association to hold the 2012 Fair Parade on July 29, 2012 at 1:00 p.m., to close the affected streets and for assistance from the City and the Police Department, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to insurance requirements being met, parade permit, emergency vehicle access being maintained and

that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

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

37 Annual Holiday Parade.

1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Chamber of Commerce for permission to hold the annual Holiday Parade on Saturday, November 10, 2012 at 4:00 p.m., 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, emergency vehicle access being maintained, 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.

38 Water Department Self Propelled Track Trencher / Boring Machine Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for the replacement of a Self Propelled Track Trencher / Boring Machine, and recommending that the purchase order be issued to Gregware Equipment out of Grand Rapids, MI in the amount of \$20,600 for the replacement of a Self Propelled Track Trencher / Boring Machine in accordance with the bid specifications.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out

39 Munson Park Ballfield Concession Operating Agreement Extension.

1. Communication from the Finance Director, submitting an extension to the Munson Park Ballfield Concession Agreement with Cravings, Inc., and recommending that Council approve the Extension Agreement between the City of Monroe and Cravings, Inc. for a five (5) year period beginning January 1, 2012.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out

40 Natural Gas Supplier for City Facilities.

1. Communication from the Finance Director, Director of Water & Wastewater Utilities, submitting an agreement with Lakeshore Energy and Michigan Gas Utilities to put all of the City's natural gas accounts under the gas transportation program, and recommending that Council approve entering into the Michigan Gas Utilities Transportation Services Agreement and the Lakeshore Energy General Terms and Conditions agreement with the changes to each that were previously explained.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

41 Consultant Inspection Contract Extension – TTL Associates.

1. Communication from the Director of Engineering & Public Services, submitting a Consultant Inspection Contract Extension for water main projects, and recommending that Council award an extension to the

original professional services contract from March 2009 to TTL Associates for "as needed" services up to \$8,000, and that the City Engineer be authorized to execute any necessary agreements on behalf of the City of Monroe.

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

42 Parks Ball Field Maintenance and Custodial Services Contracts – Extension of 2011 Contracts into 2012 Season.

1. Communication from the Director of Engineering & Public Services, submitting an extension to the Parks Ball Field Maintenance and Custodial Services Contract, and recommending that both the 2012 Ball Field Maintenance (\$26,495) and the 2012 Parks Custodial Services contracts (\$43,250) be awarded to World Class Landscaping & Contracting, Inc., and that the authorization be given to exceed these contractual amounts if needs dictate, within the budgetary limitations of each line item, and further recommending that the Mayor and Clerk-Treasurer be authorized to execute the contracts on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

43 Custer National Monument and Museum Proposal.

1. Communication from the Director of Economic & Community Development, submitting a proposed resolution of support for the Custer National Monument and Museum, and recommending that Council adopt the Resolution of Support extending a partnership offer and financial assistance to the National Park Service in the creation of the Custer National Monument and Museum.
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 Hensley that item 36, 37, 38, 39, 40 and 41 of the revised Consent Agenda be approved as indicated and that item 42 and 43 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

42 The communication from the Director of Engineering & Public Services, submitting an extension to the Parks Ball Field Maintenance and Custodial Services Contract, and recommending that both the 2012 Ball Field Maintenance (\$26,495) and the 2012 Parks Custodial Services contracts (\$43,250) be awarded to World Class Landscaping & Contracting, Inc., and that the authorization be given to exceed these contractual amounts if needs dictate, within the budgetary limitations of each line item, and further recommending that the Mayor and Clerk-Treasurer be authorized to execute the contracts on behalf of the City of Monroe.

Council Member Kansier, noted that he didn't get his packet until Saturday and would like to have been notified prior to the end of this contract. He said he has noticed that the ball fields at Munson Park are not what they should be so his consideration on this item is that the city workers should be handling the city parks.

Council Member McKart said that he too is opposed to this contract and believes that the city parks should be maintained by city employees and would like time to review this issue further.

Council Member Hensley asked if it would be appropriate to table this item until after the scheduled Budget Work Sessions.

Mayor Clark noted that the Budget Work Session will not be concluded until March 21st and he doesn't know if there will sufficient time for that process.

George Brown, City Manager said that the timing of this item being on this agenda was related to Council's consideration of extending the contract and if Council chose not to extend the contract then the contract will go back out for bid so that there would be an organization in place when the season begins and that is what created the timing issue.

Council Member Molenda said that he's also been disappointed in the condition of some of the parks and ball fields and there are other items that should be addressed with this issue also.

It was moved by Council Member McKart and seconded by Council Member Kansier that item 42 be postponed until the next regular meeting to be held on March 19, 2012.

Ayes: 7 Nays: 0

Motion carried.

43 The communication from the Director of Economic & Community Development, submitting a proposed resolution of support for the Custer National Monument and Museum, and recommending that Council adopt the Resolution of Support extending a partnership offer and financial assistance to the National Park Service in the creation of the Custer National Monument and Museum.

Adam Yeager, 1833 S. Custer Road said that he believes this item should be voted on by the people not by City Council and then taxing the people for it. He noted that if the taxes continue to climb, the rich will move out of the city and all we'll have left are the slums.

Pat McElligott, 813 Reisig Street said that because of publicity of this item in the Monroe Evening News he thinks there should be transparency just for clarification on what is being proposed and he read part of the information from the fact sheet. He asked that if this item is passed tonight, what guarantees that the proposed minimum \$5,000 will not grow to \$100,000, and who determines what amount of money will be given. He also commented on the infrastructure work.

Mayor Clark explained that the Custer Statue is not being donated, that it will be retained by the City of Monroe forever and will remain on city property. Further, the city will meet their obligations concerning the statue as was designed to do with the State of Michigan. He explained that the contribution of \$5,000 per year will be continue until a self-sustaining endowment is achieved, and that we currently have to pay funds to take care of the Custer Statue and he thinks it's about time that the city puts the funds aside to make sure that is one of our assets that we continue to take care of.

David Smith, 530 Hollywood Drive commented on the various monuments around town and finding the expertise to identify all of the monuments that would be best to conserve, he strongly recommends Richard and Jeannie Micka as opposed to the Historical Society. He also commented on the condition of the Kentucky Memorial and said that he recommends that this item be tabled until priorities are established.

Andrew Smith, 211 Saint Anne Lane said that he has reservations about a second National Park in Monroe, because he is concerned that it may dilute the pull that we have to get federal resources to restore the War of 1812 Battlefield by dividing the resources between two National Parks. He also commented on the economic

benefits of two National Parks and expressed concern about a specified dollar amount proposed in the resolution, and suggested that a commitment on behalf of the city to the care and keeping of the Custer Monument may be better wording. He suggested that an amount be set aside as a line item in the CIP Budget.

Mayor Clark said that the idea is to have funds set aside so that when the time comes to repair the monument it is there.

It was moved by Council Member Molenda and seconded by Council Member McKart that item 43 be accepted, as revised, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Bica commented on the ALCC Queen of Hearts Raffle.

Council Member McKart commented on project labor agreements and said that he would like for Council to readdress prevailing wage.

Mayor's Comments.

Mayor Clark announced on the Civil War Presentation at the Ellis Library on Thursday, March 8 at 7:00 p.m.

Citizen's Comments.

Pat McElligott, 813 Reisig Street commented on the Ballfield item that was postponed.

Todd McWilliams, General Manager of Adams Outdoor Advertising expressed concern about the language change in the sign ordinance.

Dan Swallow, Director of Economic & Community Development commented on the language change and what those changes would and would not allow.

Dave Roberts, 706 Broadway commented on recreational vs. competitive soccer at MMSC and said that each level of the program needs to be looked at

Robert Engelhardt, 5951 Parkside expressed concern about the crime rate and drug abuse in Monroe County and would like to know a little about the re-entry program and would like to establish a transitional housing facility.

Mayor Clark directed Mr. Engelhardt to speak with Tom Moore, Director of Public Safety and Dan Swallow, Director of Economic & Community Development.

Andrew Smith, 211 Saint Anne Lane reminded Council and staff members about the CPC Work Session on Wednesday, March 7th at 7:00 p.m.

Thomas N. Veres, 315 Arbor Avenue commented on the questionnaire that was distributed in his neighborhood regarding the problem with drainage from the alley into the resident's yards.

Patrick Lewis, Director of Engineering & Public Services said that results are back from the survey and listed ideas for projects that the city is looking at to remedy the issue.

George Brown, City Manager said that the survey did indicate that one of the steps in the process would be to have a meeting to informally discuss those options with them. He said that meeting has not been scheduled yet.

Council Member Kansier asked if there has been any communication sent to Mr. Veres about the survey findings and what projects are being considered to remedy the problem.

Mayor Clark noted that the city has spoken with Mr. Veres several times and has visited his property.

Thomas N. Veres, 315 Arbor Avenue expressed concern about the information in the survey and the talk among the neighbors regarding the survey and the information in the survey. He indicated that some of the neighbors did not respond to the survey because they were not in agreement with the suggested remedy in the survey.

Mayor Clark said that Mr. Veres will be updated with the results from the survey and will be notified when the work session has been scheduled.

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 at 8:56 p.m. to discuss Pending Litigation.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member McKart and seconded by Council Member Molenda that Council reconvene to Open Session at 10:36 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment

It was moved by Council Member Hensley and seconded by Council Member Kansier that the meeting adjourn at 10:37 p.m. until the Regular Meeting on Monday, March 19, 2012 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City: Clerk-Treasurer

Robert E. Clark
Mayor