

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, MAY 7, 2012

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

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

Excused: Council Member Kansier.

Rosalind Boswell, Secretary to the Clerk-Treasurer, gave the invocation.

Mayor Clark announced that Girl Scout Troop no. 21593 will lead the Pledge of Allegiance and introduced Susan Stehulak, Troop Leader.

Susan Stehulak, Girl Scout Troop no. 21593 said that the Girl Scout Troop consists of cadets and seniors, grades 6-10, that they meet at the Presbyterian Church. She explained that both groups are working on their citizen badges, learning about voting, mediation and finding common ground.

The Pledge of Allegiance was led by Girl Scout Troop no. 21593.

Presentation.

Presentation by Fire Chief, Manuel Hoskins for the Fire Fighter of the Year, Scott Smiley.

Manuel Hoskins, Fire Chief presented a plaque to Firefighter, Scott Smiley naming him Firefighter of the year.

Scott Smiley, Firefighter said it is a great honor to be nominated by the Chief and said that everything he does is as a team with the other firefighters and that he will accept the plaque on behalf of the other members. He also introduced his wife and children.

Proclamation.

79 Motorcycle Awareness Month – May 2012.

80 Founders Day – May 13, 2012.

Mayor Clark said that he would not be presenting either of the Proclamations this evening but wanted to make awareness of each of them. He gave a brief synopsis of each Proclamation and explained how they would be distributed to the organizations.

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 April 16, 2012 the Minutes of the Work Session held on April 16, 2012, the Minutes of the Special Meeting held on April 30, 2012, and the Minutes of the Work Session held on April 30, 2012.
- B. Approval of payments to vendors in the amount of \$ 874,978.80.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

81 2012 River Raisin International Muster.

1. Communication from the City Manager's Office, submitting a request from the River Raisin International Muster Program Director for permission to host the 2012 River Raisin International Muster on June 22 & 23, 2012, and recommending that Council approve the request contingent upon items being met as outlined by the administration, 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.

82 Stump Grinder Purchase.

1. Communication from the Director of Engineering & Public Services, submitting a request to purchase a stump grinder, and recommending that Council authorize the purchase of a stump grinder in the amount of \$31,280 from Vermeer of Michigan, and that the Director of Engineering & Public Services be authorized to prepare a purchase order for the above amount.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

83 Annual Bed Race to Aid Children Banner Request.

1. Communication from the City Manager's Office reporting back on a request from Stephen Swartz on behalf of The Bed Race to Aid Children for permission to display a banner across Monroe Street from October 9 – 23, 2012 announcing The Bed Race to Aid Children, and recommending approval of the request **as modified**, and that the applicant will be given the opportunity to utilize Monroe Street if it becomes available.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

84 Detroit Avenue Reconstruction Funding Contract with MDOT.

1. Communication from the Director or Engineering & Public Services, submitting a proposed resolution delineating the terms of the Detroit Avenue Reconstruction Funding Contract with MDOT and the actual agreement itself, 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.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

85 Acquisition of Property Located at 1007 Franklin Street for the Purpose of Constructing a Turnaround Following Closure of the At-Grade Rail Crossing.

1. Communication from the Director or Economic & Community Development, submitting a request for the acquisition of property located at 1007 Franklin Street for the purpose of constructing a turnaround following closure of the at-grade rail Crossing, and recommending that Council authorize the purchase of property located at 1007 Franklin Street for the purposes of constructing a turnaround or future connection to Humphrey Street following the closure of the at-grade railroad crossing on Franklin Street, and further recommending that Council authorize the City Manager to execute the purchase agreement and all necessary documentation for the acquisition of the property, with a budget not to exceed \$6,500.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

86 Wastewater Department Collection System Annual Root Treatment.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for its annual collection system root treatment program, and recommending that a purchase order in the amount of \$19,683.82 and a total amount of \$20,700 be encumbered to include a 5% contingency be awarded to Duke's Root Control, Inc for the tree root chemical treatment of Section 3 in accordance with the bid specifications.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

87 Wastewater Pump Station Hardware Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received to supply hardware as part of the overall Sunset & Detroit Beach Pump Stations Rehabilitation, and recommending that a purchase order in the amount of \$10,737.15 and a total amount of \$11,300 be encumbered to include a 5% contingency, be awarded to Marshall Sales, Inc out of Detroit, MI to supply the replacement hardware as a part of the overall Sunset & Detroit Beach Pump Stations Rehabilitation project in accordance with the bid specifications.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

88 Skid Loader Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the maintenance and purchase of two (2) Mustang Model 2044 skid loaders, and recommending that Council authorize the purchase of two (2) skid loaders in the amount of \$60,200 from Buck & Knobby Equipment Company, and that the Director of Engineering & Public Services be authorized to prepare a purchase order for the above amount.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

89 Fiber Network Switch Bid Recommendation.

1. Communication from the Director of Finance, reporting back on bids awarded to LSI of Bartlett, TN, for network switches on April 16, 2012, and recommending that Council approve reversing its previous action to award the network switch bid to LSI in the amount of \$11,325 and approve awarding the bid to Sentinel Technologies in the amount of \$12,154.50.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

90 Proposal to Place Memorial Bricks in the West Front Street Public Right-of-Way in front of the Monroe County Labor History Museum.

1. Communication from the Director of Economic & Community Development, submitting a proposal to place Memorial Bricks in the West Front Street Public Right-of-Way in front of the Monroe County Labor History Museum, and recommending that Council find that the proposed memorial serves a public purpose by educating the public about the significance of this location and the labor movement in the City's heritage, culture, and development; and hereby approves the proposal to place memorial bricks in the West Front Street public road right-of-way in front of the Monroe County Labor History Museum subject to the following conditions; 1) The placement of bricks is limited to the area between the sidewalk and curb, and a standard (grey concrete) ADA compliant sidewalk shall be installed adjacent to the building in accordance with the

downtown streetscape plans; 2) A final plan following the design guidelines supplied by the Engineering Department and prepared by a design professional (engineer or architect) is submitted for review and approval; 3) a right-of-way permit is obtained prior to the proposed installation, the applicant is responsible for any permit, review and inspection fees, and the installation shall follow the site preparation and base material guidelines supplied by the Engineering Department; 4) The applicant agrees to execute an agreement approved by the City Attorney and recorded with the County Register of Deeds, specifically acknowledging if the bricks are not maintained, the City has the ability to special assess for their repair, replacement, or removal of the memorial bricks; 5) The content of the brick engravings are submitted to the City Planning Department for review and approval prior to placement.

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

91 Request to Transfer Ownership of an Escrowed Class C Licensed Business Located at 78 West Front Street, from Steve's Tavern to Works in Progress, LLC.

1. Communication from the City Manager's Office, reporting back on a request from Works in Progress LLC, to transfer ownership of an Escrowed Class C licensed business located at 78 West Front Street, Monroe MI from Steve's Tavern to Works in Progress, LLC at 4 E. Front Street and 29 S. Monroe Street, Monroe, MI, and recommending that Council approve this request.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

92 Lease between the City of Monroe and the Arthur Lesow Community Center (ALCC).

1. Communication from the City Manager, submitting the lease agreement between the City of Monroe and the Arthur Lesow Community Center for the property at 120 Eastchester, and recommending that Council authorize the renewal of the agreement with the Arthur Lesow Community Center to lease 120 Eastchester for three more years through June 30, 2015, and further recommending that the Mayor and Clerk-Treasurer be authorized to execute the agreement on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

93 Appointment of City Attorney.

1. Communication from the City Manager's Office, submitting a proposal from Ready, Heller & Ready, PLLC for the continuation of routine, general legal services for another two (2) year term and appointment, and recommending that Council strongly consider accepting Mr. Ready's legal services proposal and re-appointing him as City Attorney for the term of July 1, 2012 to June 30, 2014.
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 81, 82, 83, 84, 85, 87, 88, 89, 91, 92 and 93 of the amended Consent Agenda be approved as indicated and that item 86 and 90 be removed and considered separately.

Ayes: 6 Nays: 0

Motion carried.

86 The communication from the Director of Water & Wastewater Utilities, reporting back on bids received for its annual collection system root treatment program, and recommending that a purchase order in the amount of \$19,683.82 and a total amount of \$20,700 be encumbered to include a 5% contingency be awarded to Duke's Root Control, Inc for the tree root chemical treatment of Section 3 in accordance with the bid specifications.

Council Member Molenda pointed out a typographical error in the first paragraph of the fact sheet which lists the low bidder amount as \$16,683.82 but that consistently through the rest of the information in the fact sheet it is listed as \$19,683.82.

Mayor Clark noted that Council will approve the amount as \$19,683.82.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 86 be accepted, placed on file, and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

90 The communication from the Director of Economic & Community Development, submitting a proposal to place Memorial Bricks in the West Front Street Public Right-of-Way in front of the Monroe County Labor History Museum, and recommending that Council find that the proposed memorial serves a public purpose by educating the public about the significance of this location and the labor movement in the City's heritage, culture, and development; and hereby approves the proposal to place memorial bricks in the West Front Street public road right-of-way in front of the Monroe County Labor History Museum subject to the following conditions; 1) The placement of bricks is limited to the area between the sidewalk and curb, and a standard (grey concrete) ADA compliant sidewalk shall be installed adjacent to the building in accordance with the downtown streetscape plans; 2) A final plan following the design guidelines supplied by the Engineering Department and prepared by a design professional (engineer or architect) is submitted for review and approval; 3) a right-of-way permit is obtained prior to the proposed installation, the applicant is responsible for any permit, review and inspection fees, and the installation shall follow the site preparation and base material guidelines supplied by the Engineering Department; 4) The applicant agrees to execute an agreement approved by the City Attorney and recorded with the County Register of Deeds, specifically acknowledging if the bricks are not maintained, the City has the ability to special assess for their repair, replacement, or removal of the memorial bricks; 5) The content of the brick engravings are submitted to the City Planning Department for review and approval prior to placement.

Council Member McKart said that because there seems to be different opinions in where the brick should be placed, he thought it would be good to let those differences be heard now.

Dan Swallow, Director of Economic & Community Development reviewed some information in the proposal, the streetscape plan and the differences in the recommendation and the applicant's request.

Bill Conner, President, Monroe County Council C.I.O. Social & Welfare Association said that when they did the site plan review the Engineering Department made comment regarding the proposed placement of the brick pavers and they asked for more information to be included in the blue prints to insure the standards that the City adopted regarding the project were included. He said the original agreement was to use the space from the brick veneer of the building out to the curb and that now it has been changed to allow for a five foot wide cement sidewalk, along with the street light and the tree it removes the scope of the plan and will limit the space for the brick pavers to about eleven feet. He said the initial agreed upon area has been cut by almost 50% and that they would like to utilize the full space, as was intended.

After lengthy discussion, it was moved by Council Member McKart and seconded by Council Member Hensley that item 90 be postponed until the May 21, 2012 meeting when more information can be collected.

Ayes: 6 Nays: 0

Motion carried.

Council Comments.

Council Member Molenda noted that the Monroe County Humane Society is having its Mother's Day flower sale on Saturday & Sunday, May 12 & 13 from 9:00 a.m. – 4:00 p.m., Pet Supplies Plus parking lot.

Mayor's Comments.

Mayor Clark noted that the City will be hosting a visit by Mayor & Mrs. Masato Matsuura, Mayor of Hofu Japan (our sister city) from May 15 – 18, 2012, and they will be welcomed at City Hall on Wednesday May 16 around 12:10 p.m. He also noted that a Proclamation will be presented at the Sawyer Homestead on Founders Day, Sunday, May 13 from 11:00 a.m. – 3:00 p.m.

City Manager's Comments.

George Brown, City Manager reminded city property owners of the 8" or lower mowing ordinance that is in effect right now and that the City has started enforcement mowing.

Citizen's Comments.

Lloyd Conner, 530 Lavender Street commented on the article in Saturday's Monroe Evening News, 'Zoning issues cloud DTE solar generator' and said that he feels like the city sold out the residents on Lavender Street because the IHM property looking to install a large solar panel is behind his house.

Dave Roberts, 706 Broadway noted that we have motorcycle awareness month and said that we need to have a walker's awareness month and said it is at times unsafe for walkers to cross the street because of unaware drivers paying no attention.

Pat McElligott, 813 Reisig Street congratulated Firefighter Scott Smiley and complimented the firefighters for their efforts during the past few years for doing more with less and commented on the untimely passing of David Stahl and said that he will sadly be missed.

Mayor Clark noted that the City emblem was designed by David Stahl among many other things.

Jeannie Micka, 47 E. Elm Avenue said that there will be a new addition to Founder's Day; they are adding the game Cricket which predated baseball by about 125 – 150 years. She commented on the Detroit River International Wildlife Refuge and its Alliance event on the Detroit River held last weekend. She reminded everyone of the Civil War Memorial Dedication on Sunday, May 27th and said the reception is at the Sawyer House.

Adjournment.

It was moved by Council Member McKart and seconded by Council Member Molenda that the meeting adjourn at 8:40 p.m. until the Regular Meeting on Monday, May 21, 2012 at 7:30 p.m.

Ayes: 6 Nays: 0

Motion carried.

Rosalind Boswell
Secretary to the City Clerk-Treasurer

Robert E. Clark
Mayor