

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, MAY 21, 2012

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, May 21, 2012 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Mayor Clark announced that a Presentation by the Chairman of the Emergency Medical Authority, EMA, will be added and will follow the Proclamation.

Proclamation.

107 Karen Feldman Day - May 21, 2012.

Karen Feldman thanked Council for their recognition, noted some of the benefits of having a Tot Lot program and a Recreation Department and introduced friends and family in attendance who were with her.

Presentation.

Presentation by Troy Goodnough, Chairperson of the Emergency Medical Authority, EMA.

Public Hearing.

94 This being the date set for the purpose of review and hearing comments on the FY 2012-13 Community Development Block Grant (CDBG) Annual Action Plan funding and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing opened.

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.

90. Postponed at the May 7, 2012 meeting.

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. 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.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 90 be placed on the floor for further discussion.

Ayes: 7 Nays: 0

Motion carried.

George Brown, City Manager briefly overviewed some of the factors that were addressed in the past couple of weeks regarding the Memorial Bricks in the West Front Street Public Right-of-Way.

Following discussion, it was moved by Council Member Molenda and seconded by Council Member Beneteau to amend the first condition of the staff recommendation to leave the bricks located within the area delineated by the downtown streetscape plan as that ADA compliant sidewalk adjacent to the building shall be a color consistent with standard grey concrete and otherwise adopt the balance of the recommendation.

After discussion a vote was taken on the motion.

Ayes: 3 Nays: 4 (Council Member's Kansier, Hensley, McKart and Bica)

Motion failed.

It was moved by Council Member Kansier and seconded by Council Member Bica that item 90 be postponed until the June 4, 2012 meeting when additional information can be provided.

Ayes: 7 Nays: 0

Motion carried.

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.)

Rosalind Boswell, Secretary to the Clerk-Treasurer noted that the May 7, 2012 Special Meeting Minutes need to be amended to reflect that Council Member Kansier was excused from that meeting.

A. Approval of the Minutes of the Special Meeting held on May 7, 2012 and the Minutes of the Regular Meeting held on May 7, 2012.

B. Approval of payments to vendors in the amount of \$1,009,708.85.

Action: Bills be allowed and warrants drawn on the various accounts for their payment.

94 FY 2012-13 Community Development Block Grant Annual Action Plan.

1. Communication from the Director of Economic & Community Development, submitting the Community Development Block Grant Annual Action Plan for Fiscal Year 2012-13 as required by the Department of Housing and Urban Development (HUD), and recommending that Council approve the proposed FY 2012-13 CDBG Annual Action Plan, following a public hearing to be held at this meeting.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

- 95 Approved Depositories and/or Investment sources.
1. Communication from the Finance Director, reporting back on approved depositories or investment sources and recommending that Council approve the attached list of depositories and/or investment sources and the attached resolution.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.
- 96 Detroit Avenue Consultant Inspection Contract – TTL Associates.
1. Communication from the Director of Engineering & Public Services, submitting a Consultant Inspection Contract for the Detroit Avenue reconstruction project, and recommending that Council award a professional services contract to TTL Associates for inspection services on the Detroit Avenue Reconstruction project in an amount up to \$40,000, and that the City Engineer be authorized to execute any necessary agreements on behalf of the City of Monroe, and further recommending that the Finance Director be authorized to make any necessary fund transfers to provide for any charges to be allocated to the appropriate fiscal year.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 97 Retiree Health Care Program Trust and Plan Preparation Consulting Services.
1. Communication from the City Manager, submitting a contract for Plan Preparation Consulting Services for the Retiree Health Care Program Trust, and recommending that Council approve the contract with Dykema Gossett PLLC to assist in the creation of a retiree health benefits trust agreement, retiree health care plan document, investment policies and HIPAA Privacy and Security Documents, for a cost not to exceed \$7,500.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 98 Great Lakes Commission – Grant Agreement.
1. Communication from the Director of Water & Wastewater Utilities, submitting a grant agreement with the Great Lakes Commission (GLC) for a Public Advisory Support Grant for the River Raisin Area of Concern (AOC) 2012, and recommending that Council accept the GLC Grant Agreement in the amount of \$20,000 and that the City Manager or his designee be authorized to sign the agreement on behalf of the City of Monroe.
 2. Supporting documents.
 3. Accept, place on file and the recommendation be carried out.
- 99 Installation of New Public Sanitary Sewer – South Roessler Street from West Seventh Street to the City Line – Special Assessment Resolution Number 2 – Sewer SAD #231.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 2 in the special assessment process declaring the installation of a new public sanitary sewer to service the properties located on South Roessler from West Seventh Street to the City line, and recommending that the attached Resolution 2 be adopted, and that the public hearing be scheduled for June 4, 2012 at 7:30 p.m. in the City Council Chambers.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.

100 Water Department Neptune Meter Reading Device and Meter Supplies Purchase.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to purchase fifty (50) 5/8"x3/4" Neptune E-Coder I Inside Water Meters, twenty-five (25) 5/8"x3/4" Neptune E-Coder I Pit Water Meters, ten (10) 5/8" Straight Neptune Water Meter Bodies, thirty (30) 5/8"x3/4" Neptune Water Meter Bodies, three (3) 2" Neptune E-Coder I Inside Water Meters, three (3) 2" Neptune E-Coder I Pit Water Meters, one (1) 2" Compound Neptune E-Coder I Inside Water Meter, one (1) 3" Compound Neptune E-Coder I Inside Water Meter, one (1) 6" Compound Neptune E-Coder I Inside Water Meter, one (1) Neptune Handheld Water Meter Reading Device, one (1) Neptune Reading Device Handheld Cradle & Adaptor, and recommending that several purchase orders be issued to Michigan Meter out of Madison Heights, MI based on the available space within the Water Department facilities totaling \$36,605 to provide the Water Department Neptune water meter product inventory supplies and to replace an existing handheld meter reading device/cradle.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

101 Modification to John Deere End Loader Bid.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the modification of a 2003 John Deere Model 544H End Loader, and recommending that Council authorize the modification of the 2003 John Deere end loader in the amount of \$21,685 from Buck & Knobby Equipment Company, and that the Director of Engineering & Public Services be authorized to prepare a purchase order for the above amount, charged against the 2012-13 fiscal year budget.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

102 Downtown Monroe Business Network – Annual Fine Art Fair.

1. Communication from the City Manager's Office, reporting back on a request from the Downtown Monroe Business Network (DMBN) Fine Arts Fair Committee to hold the 9th Annual Fine Art Fair in conjunction with the 2012 River Raisin Jazz Festival on August 11 & 12, 2012, and requesting closure of the affected streets, and that all fees be waived, 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 in accordance with City Council adopted policy, **that the DMBN make arrangements to provide porta potties**, 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.

103 Request from the National Parks Service & Others to Hold a Community Event to Commemorate the Building of Hull's Road through the City on June 30, 2012.

1. Communication from the City Manager's Office, reporting back on a request from the National Parks Service, Friends of the River Raisin Battlefield, Monroe County Historical Society, and the Monroe County War of 1812 Bicentennial Steering Committee for permission to hold a community event to commemorate the building of Hull's Road through the City on June 30, 2012, to close the affected streets, use of the city's portable stage, musket volley on MCCCUC property, and allow parking on E. Elm Avenue and at the Monroe Multi-Sports Complex, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to Council adopted policy, communication with Monroe Multi-Sports Complex management, insurance requirements being met, 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.

104 Appointments.

1. Communication from the Mayor's Office, submitting a proposed resolution for appointment to Lake Erie Transit Commission, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

105 Employment Agreement – Gary Werner.

1. Communication from the Director of Human Resources, submitting an employment agreement between the City of Monroe and Gary Werner, to employ Mr. Werner on a seasonal basis as a Blight & Property Maintenance Compliance Inspector, and recommending that the funds be transferred from contingency for the remainder of this fiscal year, that the attached agreement be approved, and that the Director of Human resources be authorized to execute it on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

Item 106 was amended at the meeting:

106 Port of Monroe – Approval to Sell up to 12 Acres of Land Generally Located at 1530 East Front Street.

1. Communication from the Director of Economic & Community Development, submitting a proposed resolution that would grant approval to the Port of Monroe to sell or convey property that it owns, and recommending that Council adopt the attached Resolution, approving the request from the Port Commission of the Port of Monroe to sell **up to 12** acres of land generally located at 1530 East Front Street, subject to the conditions that the sale of the property is for an industrial purpose that is in accordance with the terms and conditions by the Port Commission.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

It was moved by Council Member Molenda and seconded by Council Member Kansier that item 94, 96, 97, 98, 99, 100, 101, 103, 104, 106 and 107 of the amended Consent Agenda be approved as indicated and that item 95, 102 and 105 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

95 The communication from the Finance Director, reporting back on approved depositories or investment sources and recommending that Council approve the attached list of depositories and/or investment sources and the attached resolution.

Council Member Molenda asked if all of the depositories and/or investment sources that were adopted under Resolution R09-38 are still viable and operational as they were when the resolution was adopted.

Ed Sell, Finance Director noted that aside from the name change for National City Bank to PNC, yes they are all still viable organizations.

It was moved by Council Member Molenda and seconded by Council Member Kansier that item 95 be amended to add PNC Bank and to remove National City Bank, accepted, placed on file, and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

102 The communication from the City Manager's Office, reporting back on a request from the Downtown Monroe Business Network (DMBN) Fine Arts Fair Committee to hold the 9th Annual Fine Art Fair in conjunction with the 2012 River Raisin Jazz Festival on August 11 & 12, 2012, and requesting closure of the affected streets, and that all fees be waived, 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 in accordance with City Council adopted policy, **that the DMBN make arrangements to provide porta potties**, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Council Member Molenda pointed out a discrepancy between the request for street closures and what was reviewed by staff and said that the request for closure was Washington Street from Second to Front Street and that staff reviewed the closure as Washington Street from First to Front Street.

George Brown, City Manager said that he'll note that in the report from Lt. Morgel he discusses last year's street closures, and he can't recall the specifics from last year but it may be just an oversight that the Washington Street closure wasn't mentioned through Second Street.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 102 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

105 The communication from the Director of Human Resources, submitting an employment agreement between the City of Monroe and Gary Werner, to employ Mr. Werner on a seasonal basis as a Blight & Property Maintenance Compliance Inspector, and recommending that the funds be transferred from contingency for the remainder of this fiscal year, that the attached agreement be approved, and that the Director of Human resources be authorized to execute it on behalf of the City of Monroe.

Council Member McKart asked why the position is being placed under the Police Department when the original position was in the Building Department.

George Brown, City Manager said that he made that decision because the duties of the seasonal Blight Inspector are a combination of duties that have been shared by staff in the Department of Public Services and previously by staff in the Building Department. He explained that the reason he recommends going the seasonal route is to relieve the building inspection staff during their busy season from some of these duties. He added that this position will be dealing mainly with exterior conditions and engaging the Building Department staff for issues that might involve structural and interior problems. He said that he was looking for a department that had a very well defined code and law enforcement background, with a vigorous, efficient process, with good report writing, statistics gathering and that this type of activity compliments the community policing concept.

Council Member McKart asked if this was a full time position, what department it would be under.

George Brown, City Manager said in the past blight and property maintenance was assigned within the Building Department and the weed and grass control was assigned to the Department of Public Services.

Council Member Hensley asked if the person in the position will use a city vehicle.

George Brown, City Manager said yes he will.

Council Member Kansier said that he has knowledge that a union will have an issue with the previous full time position becoming a part time position and asked if the issue with the union has been taken care of or will there still be a problem with the implementation of this position.

Peggy Howard, Human Resources Director said that she and Mr. Brown had discussions with COMEA Unit I because in the union contract the blight enforcement position is recognized in that unit and that in the discussion there has not been any problem. She said that she met with the President late last week and there weren't any issues as it's written, but that there would be later on if it were to become a full time position.

Council Member Kansier asked if he understands correctly that COMEA Unit I does not have a problem with this position being created as it is because he does not want any issues down the road.

Peggy Howard, Human Resources Director answered no they do not have a problem with it.

George Brown, City Manager noted that there was concern raised by the union in the past but were not formal meetings in regard to any type of action being filed. He said that language was negotiated regarding part time / temporary positions but that there was concern about an employee being displaced and replaced by a part time position. He noted that the employee that formally fill this position on a full time basis wasn't laid off; he actually bid on and took a job that was either lateral or maybe slightly better and that employee has expressed that he is happy where he's at, so we don't have an employee on the street at this point that would have done this work or an employee in that unit even so we don't consider this displacement. He said that was the nature of the discussion and certainly if the position would go over six months, we realize that's an issue.

Council Member Kansier asked, didn't we just add a month to make it a seven month position.

George Brown, City Manager said that the position will be part funded in this fiscal year and the remaining months will be in the next fiscal year for a total of six (6) months.

Council Member McKart asked if he heard Mr. Brown correctly, that the person who originally did these duties bid on another job or transferred to another position and left this position vacant.

George Brown, city Manager explained that the city eliminated the full time blight inspector and Council asked us to come back with a better coverage of blight in the work sessions. He noted that they came back with a proposal to create a new position, at least for the coming fiscal year, of a seasonal employee inspector.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 105 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 1 (Council Member McKart)

Motion carried.

Council Comments.

Council Member Hensley commented on Major Michael and Major Mary Thompson of the Salvation Army who will be leaving Monroe County in June and noted that there will be an Open House Farwell at the United Way Office on June 4, 2012 from 2:00 p.m. – 4:00 p.m. He wished the current graduates congratulation and good luck.

Council Member Bica congratulated the Police Department for finding some of the graffiti artists and he said that they are going to be diligent in their efforts to find those who are out defacing things with spray paint.

Council Member Molenda thanked Mayor Matsuura and the group from our Sister City Hofu, Japan for coming and visiting our city and thanked the people who are involved with the exchange program.

Mayor's Comments.

Mayor Clark said he appreciated Mayor Matsuura's visit and all of the support from Council and staff. He commented on the River Raisin National Battlefield Park open house and activities, The Vietnam Veterans Association twenty-fifth anniversary celebration and rededication of Heck Park and the safe return of a Monroe County resident, Specialist, Joshua Pierce from Afghanistan. He noted upcoming events; Michigan Week, Mayor's Exchange Day with the Mayor of Wyandotte, Civil War Monument Memorial Commemoration on Sunday, the Memorial Day Parade on Monday and Relay for Life.

City Manager's Comments.

George Brown, City Manager announced a Special Meeting and Presentation regarding projects for the River Raisin and further restoration and the Water Shed on Thursday, June 14 at 6:30 p.m. (doors open at 6:00 p.m.) in the Council Chambers at City Hall. The projects that will be presented at the meeting are The Sterling Island Habitat Restoration Project, The Sterling State Park Marsh and Prairie Restoration, The River Raisin Wetland Enhancement and Habitat Restoration Project, Fish Passage 1 and Fish Passage 2 which are modification to the dams in the River Raisin to allow fish to reach upstream locations for spawning and to restore the natural fish habitat. Also the Great Lakes Initiative to remove contaminated sediment in the River Raisin near the mouth and the Port Basin and in that vicinity, on the banks and in the depths.

Adjournment

It was moved by Council Member Beneteau and seconded by Council Member Molenda that the meeting adjourn at 9:04 p.m. until the Regular Meeting on Monday, June 4, 2012 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Rosalind Boswell
Secretary to the City Clerk-Treasurer

Robert E. Clark
Mayor