

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 1, 2012

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, October 1, 2012 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Proclamations.

193 October 31, 2012 – Halloween Trick-or-Treat Night.

Mayor Clark noted that Trick-or-Treat hours will be from 6:30 p.m. to 8:00 p.m.

Public Hearings.

186 This being the date set to review and receive comments on sidewalk installation the assessment roll for the installation of public street lighting to service properties located in Mason Run Phase 2, Special Assessment District Number 1, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

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

196 This being the date set to review and receive comments on the application for Industrial Facilities Property Tax Exemption Certificate for MacSteel Monroe Incorporated for their facility located at 3000 E. Front Street, and there being no comments on file in writing in the in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

David Smith, 530 Hollywood Blvd. spoke in favor of the Industrial Facilities Property Tax exemption Certificate and spoke highly about the facility and the service that they provide.

Otto Elvarado, General Manager Gerdau MacSteel Monroe Incorporated, 3000 East Front Street said that he appreciates Council's consideration of the tax abatement and said they look forward to many more years in partnership with the City of Monroe.

Adam Yeager, 1833 South Custer asked about the amount of the tax abatement and recommended six (6) years instead of twelve years and said that he used to work there.

Dan Swallow, Director of Economic & Community Development said that the fact sheet, available on the City of Monroe website, details out the amount of investment and what that could translate to in terms of tax relief for the company. He quoted the total investment at \$88,499,716 which translates to roughly, in the first year of the abatement, a reduction in taxes of \$339,335. He explained that this is proposed as twelve year abatement and

as time goes on the personal property, the equipment that's in the facility, depreciates in value so the value of the abatement on year twelve would be \$182,812.

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

Council Action.

194 It was moved by Council Member Molenda and seconded by Council Member Kansier that Proposed Ordinance No. 12-006, an ordinance to amend Section 570-26 of Chapter 570, Sewers, Part 2, of the Code of Monroe, Michigan, be placed on its first reading and that the public hearing be set for Monday, October 15, 2012.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 12-006, was then presented for the first time and laid over for its second reading and public hearing for Monday, October 15, 2012.

195 It was moved by Council Member Molenda and seconded by Council Member Beneteau that Proposed Ordinance No. 12-007, an ordinance to amend §127-49 and §127-51 of Chapter 127, Retirement, Article I, Municipal Employees' Retirement System, of the Code of the City of Monroe, be placed on its first reading and that the public hearing be set for Monday, October 15, 2012.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 12-007, was then presented for the first time and laid over for its second reading and public hearing for Monday, October 15, 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 there are two (2) items on the Consent Agenda that have been revised/updated; Item 196, Industrial Facilities Property Tax Exemption and item 207, Demolition Bid – 476 N Monroe and 14 E Lorain.

Dan Swallow, Director of Economic & Community Development noted that the revision to item 196 is the amount listed for the foundation that the building sits on was submitted as real property but should be listed as personal property so the amounts for the real and personal property have been adjusted to reflect the change however the amount of the abatement has not changed. He also noted that the update to the fact sheet for item 207 is to recommend that the item be postponed for 90 days to allow the owner time to complete the demolition.

- A. Approval of the Minutes of the Regular Council Meeting held on September 17, 2012.
- B. Approval of payments to vendors in the amount of \$834,393.74.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

196 Industrial Facilities Property Tax Exemption Application – MacSteel Monroe Incorporated.

1. Communication from the Director of Economic & Community Development, submitting an application for an Industrial Facilities Property Tax Exemption for MacSteel Monroe Incorporated for their facility located at 3000 East Front Street, and recommending that following consideration of any comments received at the public hearing; that Council 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 Mayor and Clerk-Treasurer to complete the requisite documentation and execute the proposed Agreement, by adopting the attached Resolution.
2. Supporting documents.
3. Accept, place on file and the resolution.

197 Addition of 10% Interest on Unpaid Special Assessment.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the addition of a 10% interest to all delinquent special assessments and then be reassessed and added onto the winter tax bill, and recommending that the resolution be adopted.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

198 Collection of Delinquent Summer Taxes and Other Delinquent Charges.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the addition of a 5% penalty to all delinquent taxes and assessments and then be collected on the winter tax bill, and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

199 Michigan Municipal League – Liability and Property Pool Board of Directors.

1. Communication from the City Manager's Office, submitting an official ballot for the MML Liability and Property Pool Board of Directors, and recommending that Council cast their vote for both Mayor Robert Clark and Mayor Zelenko.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

200 Demolition Bid – 528 Winchester Street.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 528 Winchester Street, and recommending that Council award the above contract in the amount of \$5,900 to McBee Trucking & Excavating Inc., and that a total of \$10,900 be encumbered to include a contingency of \$5,000 for any unforeseen costs associated with the demolition, and further recommending that the Mayor or Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

- 201 Sidewalk Installation on South Side of North Dixie Highway Between Detroit Avenue and Ternes Drive – Special Assessment Resolution Number 4 – Sidewalk Special Assessment District Number 19.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing date on the assessment roll, and recommending that the attached Resolution 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 15, 2012 at 7:30 p.m. in the City Council Chambers.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.
- 202 Street Lighting Special Assessment District Number 1 – Mason Run Phase 2 – Special Assessment Resolution Number 5 and District Confirmation.
1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 5, confirming the special assessment roll for Street Lighting in Mason Run Phase 2, Special Assessment District Number 1, and recommending that the attached Resolution 5 be adopted, and that Street Lighting Special Assessment District Number 1 be confirmed, and further recommending that the attached DTE Standard Agreement for Street Lighting for Municipal Street Lighting for this project be approved, and that the Director of Engineering & Public Services be authorized to execute it on behalf of the City.
 2. Supporting documents.
 3. Accept, place on file and the resolution be adopted.
- 203 2012 Resurfacing Program Bids.
1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2012 Resurfacing Program, and recommending that Council award an amended contract for the 2012 Resurfacing Program to AI's Asphalt Paving Co. in the amount of \$81,177.39, and that a total of \$90,500 be encumbered to include a 11.5% 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.
- 204 Monroe County Substance Abuse Coalition 5K Freedom Walk/Run.
1. Communication from the City Manager's Office, submitting a request from the Monroe County Substance Abuse Coalition for permission to hold a 5K Freedom Walk/Run at Munson Park on November 11, 2012 at 9:00 a.m., to use the running trails and pavilion and for assistance from the City Police Department, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, 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.

205 Proposed Sidewalk Special Assessment Project – Brick Paver Area on North Side of West Front Street at Cass Street – Special Assessment Resolution Number 4.

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing date on the assessment roll, and recommending that the attached Resolution 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 15, 2012 at 7:30 p.m. in the City Council Chambers.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

206 Traffic Committee Meeting.

1. Communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on September 26, 2012, and recommending that Council accept and place on file the minutes from the September 26, 2012 Mayor's Traffic Committee meeting, and approve the suspension of parking meters at Front / Macomb Street Parking Lot.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

207 Demolition Bid – 476 N Monroe and 14 E Lorain.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 476 North Monroe Street and 14 East Lorain Street, and recommending that Council award the above contract to Earth Works Concrete in the amount of \$15,800; and that a total of \$20,800 be encumbered to include a contingency of \$5,000 for any unforeseen costs associated with the demolition and further recommending that the Mayor or Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

208 Title VI - Non-Discrimination Plan.

1. Communication from the Director of Human Resources, submitting the City of Monroe Title VI Non-Discrimination Plan as a requirement to continue receiving federal and state financial assistance from the U.S. Department of Transportation and the Michigan Department of Transportation, and recommending that Council approve the Title VI Non-Discrimination Plan and direct City administration to proceed with the execution and implementation of the Plan.
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 McKart that item 196, 197, 198, 203, 205, 207 and 208 of the Amended Consent Agenda be approved as indicated and that item 199, 200, 201, 202, 204 and 206 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

199 The communication from the City Manager's Office, submitting an official ballot for the MML Liability and Property Pool Board of Directors, and recommending that Council cast their vote for both Mayor Robert Clark and Mayor Zelenko.

Council Member Hensley noted that this is the time to vote on the candidate which is required by the MML's bylaws.

Mayor Clark explained that this is a nomination regarding the Liability and Property Pool Board of Directors.

It was moved by Council Member McKart and seconded by Council Member Hensley that Mayor Robert Clark and Mayor Paula Zelenko be nominated as the two candidates for item 199.

Ayes: 7 Nays: 0

Motion carried.

200 The communication from the Building Official, reporting back on bids received for the demolition of a property located at 528 Winchester Street, and recommending that Council award the above contract in the amount of \$5,900 to McBee Trucking & Excavating Inc., and that a total of \$10,900 be encumbered to include a contingency of \$5,000 for any unforeseen costs associated with the demolition, and further recommending that the Mayor or Clerk-Treasurer be authorized to sign the contract on behalf of the City of Monroe.

Charles D. Evans, Clerk-Treasurer read a letter from John Wickenheiser, Owner 528 Winchester submitted to the Clerk's Office to be read into the record.

Mayor Clark asked the Building Official about past communication with Mr. Grodi or with Mr. Wickenheiser.

Joe Lehmann, Building Official said that letters were sent to Mr. Grodi, but after a title search it was learned that Mr. Wickenheiser held a land contract on the property so Mr. Wickenheiser was copied on the orders.

Mayor Clark asked if anything about a judgment came up in the title search.

Joe Lehmann, Building Official said that the contact was not made with Mr. Wickenheiser until the demolition order was made.

Mayor Clark asked when the demolition process was started with the Building Department.

Joe Lehmann, Building Official said the first demolition order and the letter to Mr. Grodi were in December 2011 and a copy of that letter was sent to Mr. Wickenheiser in May 2012 and the inspection after the fire was in February 2011 which was when the department set the property maintenance code to repair the dwelling.

Pat Wickenheiser, part owner 528 Winchester Street said that the house is missing siding and the two porches are falling down but the house is repairable. He commented on the process to-date.

After discussion, it was moved it was moved by Council Member Beneteau and seconded by Council Member Kansier that item 200 be postponed until the next Regular Council Meeting to allow the owners time to provide a performance bond and allow the administration to work out the details with on a proposed plan, not to exceed 60 days.

Ayes: 7 Nays: 0

Motion carried.

201 The Communication from the Director of Engineering & Public Services, submitting Resolution No. 4, which schedules the final public hearing date on the assessment roll, and recommending that the attached

Resolution 4 be adopted, and that the public hearing on the assessment roll be scheduled for Monday, October 15, 2012 at 7:30 p.m. in the City Council Chambers.

Adam Yeager, 1833 S. Custer Road noted that the sidewalk is only being installed on the south side of North Dixie Highway and thinks it is discrimination because both sides of the road would benefit.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 201 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

202 The communication from the Director of Engineering & Public Services, submitting Resolution No. 5, confirming the special assessment roll for Street Lighting in Mason Run Phase 2, Special Assessment District Number 1, and recommending that the attached Resolution 5 be adopted, and that Street Lighting Special Assessment District Number 1 be confirmed, and further recommending that the attached DTE Standard Agreement for Street Lighting for Municipal Street Lighting for this project be approved, and that the Director of Engineering & Public Services be authorized to execute it on behalf of the City.

Council Member Hensley noted that because he works for DTE, it would be a conflict for him to vote on this item so he will abstain.

It was moved by Council Member Bica and seconded by Council Member McKart that item 202 be accepted, placed on file and the resolution be adopted.

Ayes: 6 Nays: 0 Abstain: 1 (Council Member Hensley)

Motion carried.

204 The communication from the City Manager's Office, submitting a request from the Monroe County Substance Abuse Coalition for permission to hold a 5K Freedom Walk/Run at Munson Park on November 11, 2012 at 9:00 a.m., to use the running trails and pavilion and for assistance from the City Police Department, and recommending that Council approve the request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, and that the City manager be granted authority to alter/amend the event due to health and/or safety reasons.

Pat McElligott, 813 Reisig Street explained where the money raised by the Coalition through the 5K Freedom Walk/Run will be used, talked about the Substance Abuse Coalition and how drugs have affected our community and thanked the Mayor for attending and speaking at one of the meetings held by the Coalition.

It was moved by Council Member McKart and seconded by Council Member Bica that item 204 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

206 The communication from the Director of Engineering & Public Services, submitting the minutes of the Traffic Committee meeting held on September 26, 2012, and recommending that Council accept and place on file the minutes from the September 26, 2012 Mayor's Traffic Committee meeting, and approve the suspension of parking meters at Front / Macomb Street Parking Lot.

Council Member Hensley noted that the Traffic Committee meeting minutes from the September 26, 2012 are not approved minutes and the minutes have information that he is not sure is accurate and that will not be determined until the minutes go back to the Traffic Committee.

Mayor Clark acknowledged and agreed with Council Member Hensley and explained the items that may have discrepancies.

It was moved by Council Member Hensley and seconded by Council Member McKart that item 206, with the proposed minutes be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Mayor's Comments.

Mayor Clark announced that Mr. Swinkey, Monroe Area Soccer Association, MASA, gave a check for \$350 to the City, and he commented about the MASA soccer tournament this weekend. He also commented on the Historical Society's Annual Conference and complimented City staff for their help and participation in the event. He commented on the American Heart Chase event, the 5th Annual Bed Race and noted that the Boy Scouts were at the River Raisin National Battlefield Park holding their activities to earn their Merit Badges and asked two of the Boy Scouts who were at the Council Meeting to step to the podium and give their name and troop number. Alec Smith, Troop 502, Grace Lutheran and Matthew Mitchell, Troop 502, Grace Lutheran said that they were at the meeting to earn their Communication Merit Badge. He announced that there will be a Human Trafficking Seminar at Monroe County Community College on Thursday, October 4 from 6:00 p.m. – 8:00 p.m., and on Saturday, October 13th from 10:00 a.m. – 12:00 p.m. there will be a Child Craft Day at the River Raisin National Battlefield Park.

Council Member Bica recognized and congratulated Audie Cole, who was one of our local student athletes and now plays for the Minnesota Vikings. He said he went to a game on Sunday and there were many Monroe residents at the game and that unfortunately the Lions lost.

Citizen Comments.

Adam Yeager, 1833 S. Custer Road commented on the speed of cars traveling on South Custer Road and bicycle riders riding against traffic and commented on the condition of the roadway on Western Avenue.

Mayor Clark noted that the leaf bags will be available on October 8th at City Hall and at the Police Department.

Adjournment.

It was moved by Council Member Molenda and seconded by Council Member Hensley that the meeting adjourn at 8:48 p.m. until the next Regular Meeting on Monday, October 15, 2012 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor