

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 19, 2012

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, November 19, 2012 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Presentation.

Presentation of Certificates of Appreciation by Mayor Robert E. Clark and James Johnson, Historic District Commission Chairman. Jeffrey Green, City Planner and Historic Preservation Officer, gave an overview of the homes being recognized. Barry Egan, Historic District Commission Vice-Chair, assisted Mayor Clark with the presentations.

Public Hearings.

231 This being the date set to review and receive comments on Proposed Ordinance No. 12-008, an ordinance to amend Part Two of the Monroe Code, Chapter 720, Zoning, Section 720-23, Zoning Map, in order to rezone property identified by the City Assessor's Office and commonly referred to as 501 Stewart Road, and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Dan Swallow, Director of Economic & Community Development, explained that they have drafted a rezoning with conditions agreement highlighting three points: 1) outlining the timeline that if the development did not occur that potentially there would be a reversion back to R-1B Single Family Residential; 2) limiting language on the types of office uses that could be developed on the property and 3) ensuring that proper protections for the Oak Savannah take place within a 36 month timeframe. He explained that an edited version of the agreement is provided to Council tonight with the following highlighted changes: 1) clarification of SSIHM's legal status; 2) more specific references in the agreement to the property that is being rezoned from R-1B to Public Recreation Open Space (Oak Savannah area); 3) revision of the permitted uses under the agreement to include office facilities including and without limitation, research and training facilities; 4) extending the timeframe to 36 months that the developer must initiate construction to the foundation status; and 5) if the agreement expires or terminates, the protection of the Oak Savannah should still occur.

Bill Guenther, 130 Sylvan Drive, stated that this does not meet the goals in the comprehensive plan; he feels that this is introducing a commercial industrial use because they are now introducing assembly, testing, research and development and those uses are currently only allowed in an industrial district. He disagreed with the Planning Office's opinion that this meets the goals called out in the Comprehensive Plan, referencing Chapter 5, Page 33. He stated that in three instances on page 33 it says that non-residential impacts on adjacent neighborhoods such as service and delivery area, parking, glare and noise need to be controlled. He also disagreed with the staff's analysis that this current public institutional designation in the master plan was merely a holding zone until a better deal came along stating that the reason that was put there was to preserve the last area of agricultural and open space in the city of Monroe. He stated that it was always intended to preserve that area; not to wait until a commercial industrial proposal came along.

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

Council Action.

It was moved by Council Member Molenda and seconded by Council Member McKart to move Consent Agenda Item 244, Proposed Stewart Road Corridor Amendment to the City of Monroe Comprehensive Plan Resolution to Council Action for consideration.

Ayes: 7 Nays: 0

Motion carried.

244 The communication from the Director of Economic & Community Development was presented, submitting a resolution approving the proposed Stewart Road Corridor Amendment to the City of Monroe Comprehensive Plan, and recommending that Council adopt the resolution approving the Stewart Road Corridor amendment to the City of Monroe's Comprehensive Plan, in accordance with the recommendation of the Citizens Planning Commission.

Council Member Molenda felt that it would be prudent to consider the proposed amendment to the master plan before considering the rezoning. He stated that the Comprehensive Master Plan was adopted in 2003 but there is a process for amendment, therefore it is not by necessity a static document and what they are considering is an amendment to reflect changes and re-evaluation of conditions.

It was moved by Council Member Molenda and seconded by Council Member Hensley that item 244 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

231 It was moved by Council Member Molenda and seconded by Council Member Beneteau that Proposed Ordinance No. 12-008, an ordinance to amend Part Two of the Monroe Code, Chapter 720, Zoning, Section 720-23, Zoning Map, in order to rezone property identified by the City Assessor's Office and commonly referred to as 501 Stewart Road, be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 12-008, was then presented for the second time after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

Motion carried.

Tom Ready, Attorney pointed out that the recommendation for item 231 is in two parts; the second part being consideration of the conditional rezoning agreement that was discussed earlier. He suggested that separate consideration be given to that portion of the recommendation.

Charles Evans, City Clerk suggested that the recommendations be renumbered to read 231a and 231b.

Tom Ready, City Attorney stated it would be acceptable to renumber the recommendations. He stated for the record that item 231 which is the ordinance, has been considered and passed (amendment to the zoning ordinance); 231a is consideration given to the conditional rezoning agreement; and 231b is consideration given to the recommendation appearing on the final paragraph of the fact sheet.

It was moved by Council Member Molenda and seconded by Council Member Kansier that item 231a, the authorization of Mayor and Clerk Treasurer to execute a conditional rezoning agreement subject to final review and approval by the city attorney, and 231b, Council's affirmation of the findings by the Citizens Planning Commission, be accepted, placed on final and the recommendation be carried out.

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.)

A. Approval of the Minutes of the Work Session held on November 5, 2012 and the Minutes of the Regular Council Meeting held on November 5, 2012.

B. Approval of payments to vendors in the amount of \$1,437,136.85.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

244 Proposed Stewart Road Corridor Amendment to the City of Monroe Comprehensive Plan Resolution. (This item was moved to Council Action.)

245 2012 Healthcare Contributions.

1. Communication from the Finance Director, submitting proposed healthcare contribution sheet per current contract provisions and the proposed contribution sheet per group, and recommending that Council approve the appropriate healthcare contribution sheets that are attached and marked as proposed, under the terms that this is a one-time adjustment for the 2013 calendar year, that it is non-precedent setting, and that the rates for 2014 will revert back to those set by the current contracts and policies in place, and further recommending that these adjustments be made for all covered non-union employees and for only those covered union-represented employees whose associated union representatives have provided written concurrence and acceptance of the adjustments proposed no later than November 30, 2012 otherwise the rates would stay at those provided for in the current contracts and policies.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

246 Wastewater Department Bubbler Line Replacement Project Bid.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for the Bubbler Line Replacement Project at the Wastewater Treatment Plant and six (6) different pump stations, and recommending that a purchase order in the amount of \$33,900, and a total amount of \$39,000 be encumbered to include a 15% contingency, be awarded to Erie Welding & Mechanical Contractors, Inc out of Erie, MI for the Bubbler Line Replacement Project at the Wastewater Treatment Plant and six (6) different pump stations as part of an approved FY 2012-2013 CIP project in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

247 Monroe County Chamber of Commerce Banner Request.

1. Communication from the City Manager's Office, submitting a request from the Monroe County Chamber of Commerce for permission to display a banner across Monroe Street from February 11 – March 4,

2013, announcing the annual Home Builders & Remodelers Show, and recommending approval of the request.

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

248 United Way of Monroe County Banner Request.

1. Communication from the City Manager's Office, submitting a request from the United Way of Monroe County to display a banner across Monroe Street from October 1 – 31, 2013, announcing their annual campaign, and recommending approval of the request.
2. Supporting documents.
3. Accept, place on file and the recommendation be carried out.

249 Appointments Resolution.

1. Communication from the Mayor's Office, submitting a proposed resolution for an appointment to the Recreation Advisory Commission whose terms have expired and/or where there is a vacancy, and recommending the resolution be adopted.
2. Supporting documents.
3. Accept, place on file and the resolution be adopted.

250 Resolution Setting Minimum Staffing Levels in the Fire Department.

1. Communication from the Fire Chief, submitting a resolution setting minimum staffing levels in the Fire Department, and recommending that minimum staffing levels in the Fire Department be set at three (3) fire fighters per day for the remainder of calendar year 2012 and calendar year 2013.
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 Kansier that items 245, 246, 247, 248 and 249 of the Consent Agenda be approved as indicated and that item 250 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

250 The communication from the Fire Chief was presented, submitting a resolution setting minimum staffing levels in the Fire Department, and recommending that minimum staffing levels in the Fire Department be set at three (3) fire fighters per day for the remainder of calendar year 2012 and calendar year 2013.

Council Member Kansier expressed his concerns regarding the public safety recommendation. He stated that council previously decided to reduce the manpower at the fire station and go to a public safety system where they cross train police officers as fire fighters because of a reduction in fires. He also stated that they currently have about 85 percent as medical emergency calls which is on the rise, but now they are looking at reducing the paramedics and he has a problem with that. He further stated that the city manager told him that this is not a money maker or a money saver, so he is not really sure where the benefits lie at this point. He then asked Manuel Hoskins, Fire Chief, if he was comfortable with the recommendation if a call is received at the west side station for a house fire because there would only be one fire fighter there at that time and public safety officers as the front attack team.

Manuel Hoskins, Fire Chief, stated that he would not be comfortable at this particular moment, but once they get the public safety officers where he knows they can be he will be comfortable.

Council Member Molenda clarified that this is setting minimal staffing at the fire department; the normal shift compliment would still be four people.

Council Member McKart asked if they are just going to keep reducing the level of service every time someone retires or leaves their employment with the city.

Manuel Hoskins, Fire Chief, stated that as firefighters leave, public safety officers will be coming into the mix. They will probably have more personnel; it just won't be the traditional firefighters.

Council Member Hensley clarified that this will not change the staffing that is currently out on the street every day; there will still be eight trained fire fighters at any given time.

Council Member Molenda pointed out that today they actually have more trained personnel to fight fires on a given shift than they had two years ago.

Council Member Kansier explained that his comments are not so much about the fire fighters, except maybe for a lack of experience, but his concern is that every time a firefighter leaves or retires, a paramedic goes out the door and is replaced with a medical first responder. He stated that he is opposed to the recommendation unless they receive further information that was requested by the City Manager from the management team.

Council Member Molenda stated that Council Member Kansier has a valid concern but feels there is an opportunity to explore further development of the relationship with MCA or some other model that makes sense within our public safety model.

Lt. Mike Foley, Monroe Fire Department, explained that not all public safety officers carry their gear in their car, which significantly reduces response time. He also pointed out that there will be a three man minimum when people take personal days, vacation days, or kelly days and when you have a traumatic call, four people are not even enough. He stated that he and the senior command staff are sincerely concerned not only for their safety but for the safety of the citizens of Monroe.

Derek Whittaker, Monroe Firefighters President, stated that the whole concept of public safety officers could possibly have worked when they initially talked about it as supplemental assistance and the department had fifteen guys, but now you are eliminating the fire department one by one.

Bill Guenther, 130 Sylvan Drive, stated that with only four officers patrolling the city at any given time he would like to think the police are dedicated to their service and they won't be pulled off of duty for a medical emergency.

Mayor Clark stated that public safety officers will respond on calls, but not to imply that all public safety officers will be responding to one fire department call; it is all about prioritization.

Bill Guenther, 130 Sylvan Drive, said he understood why it is necessary because of the city's financial situation, but suggested that they could direct some of the funds from other areas less critical to support the police and fire and maintain the staffing levels.

It was moved by Council Member Molenda and seconded by Council Member Beneteau that item 250 be accepted, placed on file and the resolution be adopted.

Ayes: 5 Nays: 2 (Council Members Kansier and McKart)
Motion carried.

Council Comments.

Council Member Beneteau congratulated the SMCC volleyball team on their state championship.

Council Member Bica recognized the SMCC football team stating that they were one game away from Ford Field.

Council Member Molenda commented on a mailing that may be distributed in the community and asked anyone who may have any questions about their water service and what they are responsible for to please feel comfortable calling the City Manager's Office or the Water Department.

Mayor's Comments.

Mayor Clark congratulated both the SMCC soccer and football teams and announced the following events that will take place in December: 1) Monroe Exchange Club and the Goodfellows at K of C Hall, December 1, 8:00 a.m.; 2) Old Frenchtown Days at the River Raisin National Battlefield Park, December 1st, 11:00 a.m. to 3:00 p.m.; and 3) Nutcracker Ballet at the River Raisin Center for the Arts, December 1st, 7:00 p.m. the with a repeat performance December 2nd, 3:00 p.m. and 7:00 p.m.

Adjournment.

It was moved by Council Member McKart and seconded by Council Member Bica that the meeting adjourn at 9:02 p.m. until the next Regular Meeting on Monday, December 3, 2012 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor