

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 4, 2013

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, February 4, 2013 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the Pledge of Allegiance.

Presentations.

Presentation by Jerry Roberts, GIS/CAD Leader, regarding online GIS.

Public Hearings.

7 This being the date set for the purpose of hearing comments on Proposed Ordinance No. 13-002, an ordinance to amend Part Two, Chapter 720, Zoning, Article IV, Zoning District Regulations, Section 720-33, C-O Office District, and Section 720-44, Schedule of Area, Height, Width and Setback Regulations, of the Code of the City of Monroe, there being no comments on file in writing in the Clerk's Office and no one present commenting, the Mayor declared the hearing closed.

Council Action.

7 It was moved by Council Member Beneteau and seconded by Council Member Molenda that Proposed Ordinance No. 13-002, an ordinance to amend Part Two, Chapter 720, Zoning, Article IV, Zoning District Regulations, Section 720-33, C-O Office District, and Section 720-44, Schedule of Area, Height, Width and Setback Regulations, of the Code of the City of Monroe, be placed on its final reading.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 13-002, was then presented for the second time, after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 7 Nays: 0

Ordinance Passed.

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 City Council Meeting held on January 22, 2013 and Minutes of the Work Session held on January 28, 2013.

B. Approval of payments to vendors in the amount of \$495,734.88.

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

- 14 Monroe County Convention and Tourism Bureau Custer Week Banner Request.
 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention and Tourism Bureau for permission to display three overhead banners announcing the 15th Annual Custer Week on October 7 through 13, 2013, and recommending that Council approve the request for banner placement as modified, across Monroe Street, East Front and West First Streets from September 16 through 30, 2013.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.

- 15 Monroe County Convention and Tourism Bureau Jazz Festival Banner Request.
 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention and Tourism Bureau for permission to display three overhead banners announcing the 12th Annual River Raisin Jazz Festival on August 8 through 11, 2013, and recommending that the request be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.

- 16 Monroe County Convention and Tourism Bureau Labor Day Barbeque Festival Banner Request.
 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Convention and Tourism Bureau for permission to display three overhead banners announcing the Annual River Raisin Labor Day Barbeque Festival on August 31, 2013, and recommending that the request be approved.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.

- 17 VFW Memorial Day Parade Request.
 1. Communication from the City Manager's Office, reporting back on a request from the VFW Memorial Day Parade Committee to hold the Annual Memorial Day Parade on May 27, 2013, beginning at 2:00 p.m., to close the affected streets, hold a brief ceremony on the bridge and to waive all permits and fees, 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, and that the City Manager be granted the 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.

- 18 Appointments Resolution.
 1. Communication from the City Manager's Office, submitting a proposed resolution for appointments to various boards, commissions and committees, and recommending that the resolution be adopted.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.

19 Traffic Committee Meeting.

1. Communication from the Director of Engineering and Public Services, submitting the minutes of the Traffic Committee meeting on January 23, 2013, and recommending that the minutes be accepted and placed on file and that Traffic Control Orders 134-002 and 307-004 be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out

20 ALCC – Professional Architectural Design Services Award.

1. Communication from the Director of Engineering and Public Services, reporting back on a Request for Proposals received on January 23, 2013 to prepare plans and specifications for all remaining work items for the Arthur Lesow Community Center Professional Architectural Design Services, and recommending that Council authorize remaining design work as described above on a “Not to Exceed” basis as described in the attached documents to Mitchell & Mouat Architects in an amount not to exceed \$32,600 for the base project, and that up to \$1,000 be additionally authorized for any reimbursable expenses, and further recommending that the Director of Engineering and Public Services be authorized to execute any necessary and appropriate agreements on behalf of the City.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

21 Demolition of Garage at 621 Cass Street.

1. Communication from the Building Official, reporting back on the garage located at 621 Cass Street, and recommending that Council approve demolition of the garage by the Department of Public Services at a cost of \$1,815.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

22 CDBG Subrecipient Agreement with Paula’s House.

1. Communication from the Director of Economic and Community Development, submitting a CDBG Subrecipient Agreement with Paula’s House, establishing the scope of work and expenses for which Paula’s House will be reimbursed, specifying records that must be kept, and incorporating other standard items required by federal CDBG regulations, and recommending that Council approve the proposed agreement with Paula’s House and authorize the City Manager to execute the agreement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

23 CDBG Subrecipient Agreement with Legal Services of South Central Michigan.

1. Communication from the Director of Economic and Community Development, submitting a CDBG Subrecipient Agreement with Legal Services of South Central Michigan, establishing the scope of work and expenses for which LSSCM will be reimbursed, specifying records that must be kept, and incorporating other standard items required by federal CDBG regulation, and recommending that Council approve the proposed agreement with Legal Services of South Central Michigan and authorize the City Manager to execute the agreement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

24 Proposed FY2013-2019 Capital Improvements Program Budget.

1. Communication from the Director of Economic and Community Development, submitting the Proposed Capital Improvements Program Budget for Fiscal Years 2013-2019, and recommending that Council set the public hearing and adoption of the proposed FY 2013-2014 Capital Improvements Program Budget for its regular meeting on February 19, 2013.
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 Bica that items 14, 15, 16, 17, 18, 19, 22, 23, and 24 of the Consent Agenda be approved as indicated and that items 20 and 21 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

20 The communication from the Director of Engineering and Public Services was presented, reporting back on a Request for Proposals received on January 23, 2013 to prepare plans and specifications for all remaining work items for the Arthur Lesow Community Center Professional Architectural Design Services, and recommending that Council authorize remaining design work as described above on a "Not to Exceed" basis as described in the attached documents to Mitchell & Mouat Architects in an amount not to exceed \$32,600 for the base project, and that up to \$1,000 be additionally authorized for any reimbursable expenses, and further recommending that the Director of Engineering and Public Services be authorized to execute any necessary and appropriate agreements on behalf of the City.

Council Member McKart asked what the difference was in bid amounts for Mitchell & Mouat Architects and Jacobs Architects.

Patrick Lewis, Director of Engineering and Public Services, responded stating that the difference in the proposal amounts is about \$2,400, and could be up to \$3,000 with reimbursables.

Council Member McKart stated that with a difference of only \$2,400 in the amount of the proposals, he tends to favor the local business that has done most of the work already.

Patrick Lewis, Director of Engineering and Public Services gave a background of the work that has been done on the ALCC and the proposal process. He stated that they received five proposals and explained the breakdown of point factors. He stated that cost was a factor as well as local project experience. He stated that although he agreed with Council Member McKart in philosophy, the selection team did assign point values to each of the proposals and they had to let the numbers fall where they may.

Council Member Molenda asked for a breakdown of points for each proposal.

Patrick Lewis, Director of Engineering and Public Services, stated that he could provide that.

Council Member Hensley stated that it is a fair bidding process and it seems like the staff did everything to make it fair, therefore, he thinks they should respect the bidding process the City has in place.

Council Member Molenda felt it would be a disadvantage for Council not to see all of the proposals before awarding the contract.

Council Member Kansier agreed stating that he would also like to see the other proposals.

After discussion, it was moved by Council Member McKart and seconded by Council Member Molenda that item 20 be tabled until the February 19, 2013 meeting, giving Council time to review all of the proposals.

Ayes: 7 Nays: 0

Motion carried.

21 The communication from the Building Official was presented, reporting back on the garage located at 621 Cass Street, and recommending that Council approve demolition of the garage by the Department of Public Services at a cost of \$1,815.00.

Joe Lehmann, Building Official, gave a review of the situation, stating that the demolition of the garage at 621 Cass Street was ordered since the maintenance requested by the City has been put off since September of 2012.

Joe Duran, 621 Cass Street, explained his situation stating that he purchased the house six years ago and has been working on the house every year but he is a disabled veteran on a fixed income and has not been able to afford to perform the work on the garage yet. He stated that he does have a bid from a contractor to repair the roof of the garage and he also plans to have the door repaired and the garage painted.

Council Member McKart asked Mr. Duran to give a reasonable timeframe of when he feels the work could be finished.

Council Member Kansier stated that he would like to have the Building Official inspect the inside of the garage to determine if the structure of the building is sound and he also asked that a timeframe be set for completion of the work.

Council Member Molenda agreed that the inside of the garage should be inspected.

Joe Duran stated that it is a money issue for him, but he anticipated that the work could be completed by the end of April.

Mayor Clark suggested that the Building Official meet with Mr. Duran to make sure the structure is sound and that it be referred back to staff for review before a timeframe is set.

After discussion, it was moved by Council Member Molenda and seconded by Council Member Kansier that item 21 be tabled until further review by staff.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Molenda thanked the Citizen Planning Commission as well as city staff for their help in developing the CIP Budget.

Council Member Hensley reminded everyone to keep their sidewalks clear of snow.

Mayor's Comments.

Mayor Clark thanked the Citizen Planning Commission and Ken Miller, Chairperson for their work regarding the CIP Budget. He commented on the appointments that were made tonight and thanked all of the citizen volunteers for the time spent serving on City Boards and Commissions. He also commented on a correspondence he received from the Housing and Urban Development regarding the City's Consolidated Annual Performance and Evaluation Report, stating that the report congratulates the City for their accomplishments during the past year, in particular for their compliance with ADA standards. He commended Matt Wallace, Planner, who oversees all of the CDBG funds, Jeff Green, Planner and Dan Swallow, Community and Economic Development Director.

City Manager Comments

George Brown, City Manager commented on his attendance at the Michigan Managers Winter Institute, stating that Monroe appears to be one of those communities that got out in front of the economic crisis fairly early on, made well planned and measured adjustments and set up criteria to continue to invest in infrastructure both with the enterprise funds and the general funds.

Closed Executive Session to Discuss Attorney's Opinion

It was moved by Council Member Molenda and seconded by Council Member McKart that Council go into Closed Executive Session to discuss Attorney's Opinion at 8:50 p.m.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Molenda and seconded by Council Member Kansier that Council reconvene to Open Session at 9:20 p.m.

Ayes: 7 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Hensley and seconded by Council Member Molenda that the meeting adjourn at 9:21 p.m. until the next Regular Meeting on Tuesday, February 19, 2013 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor