

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

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

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

Excused: Council Member Bica.

Charles D. Evans, Clerk-Treasurer, gave the invocation.

Mayor Clark led the Pledge of Allegiance.

Presentation.

Presentation by Tim Miller, DTE regarding the DTE LED Streetlight Program.

Public Hearings.

35 This being the date set hear comments regarding the necessity of installing a storm sewer to service some of the properties adjacent to the alley between Riverview Avenue and Arbor Avenue, South of Noble Avenue, there being one comment on file in writing in the Clerk's Office, the Mayor declared the hearing open.

Charles Evans, Clerk-Treasurer read a letter from Gary G. and Karen A. Bartz, 316 Riverview Avenue, in opposition of the proposed installation of the storm sewer and possible pavement of the alley.

Tom Veres, 315 Arbor, stated that although he was in favor of a proper way to drain the water from his property, he did not want to see the whole alley paved.

Council Member Molenda wanted clarification that this does not include vacating any portion of the alley. Mayor Clark stated that is correct.

Tom Veres, 315 Arbor, stated the Traffic Committee never gave him a legitimate reason for not vacating the alley but he understands that Council can override that decision.

Mayor Clark stated that although vacating the alley is not part of the proposal, Council can have discussion on the issue later in the agenda.

Tom Veres, 315 Arbor, suggested that part of the alley could be left open for those who have garage approaches.

There being one comment on file in writing in the Clerk's Office and one person present commenting, the Mayor declared the hearing closed.

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 February 19, 2013 and the Minutes of the Regular City Council Meeting held on February 19, 2013.
 - B. Approval of payments to vendors in the amount of \$797,631.75.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 38 Monroe County Fair Parade.
- 1. Communication from the City Manager's Office, reporting back on a request from the Monroe County Fair Association for permission to hold the annual Fair Parade on July 28, 2013 at 1:00 p.m., to close the affected streets and for assistance from the City and Police Department, 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, emergency vehicle access being maintained, 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.
- 39 Lawn Maintenance Contract (Group B) – Change Order Award.
- 1. Communication from the Director of Engineering and Public Services, submitting a change order to the Lawn Maintenance Contract (Group B) for additional work, and recommending that Council award a change order for all of the additional work for the 2013 season to Noel Lawn Service in the amount of \$23,975.00 and that the Director of Engineering and Public Services be authorized to execute it on behalf of the City.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 40 Light Emitting Diode (LED) Street Light Conversion.
- 1. Communication from the Director of Engineering and Public Services, submitting a proposed agreement with the Detroit Edison Company to participate in their 2013 Energy Efficiency Program by converting existing mercury vapor or high pressure sodium lights to light emitting diode (LED) lights at 296 locations, and recommending that the attached agreement with the Detroit Edison Company be approved, and that the Director of Engineering and Public Services be authorized to execute it on behalf of the City.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.
- 41 Installation of a Storm Sewer in the Alley between Riverview and Arbor, South of Noble – Resolution No. 3.
- 1. Communication from the Director of Engineering and Public Services, submitting Resolution No. 3, declaring the construction of a storm sewer in the alley between Riverview and Arbor, South of Noble, a public necessity, and recommending that the resolution be adopted and that the Engineering Department be directed to solicit a quotation for the work.

2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

42 Firefighter Turnout Gear Bid Award.

1. Communication from the Fire Chief, reporting back on bids received on February 11, 2013 for 15 sets of Janesville firefighter turnout gear, and recommending that the bid be awarded to Phoenix Safety Outfitters of Springfield, Ohio in the amount of \$27,660.00.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

43 Burn Permit Request.

1. Communication from the Fire Chief, submitting a request from the Sisters, Servants of the Immaculate Heart of Mary, for a permit to perform a prescribed burn of a specified area on the property located at 610 West Elm, in accordance with Ordinance 09-005, and recommending that Council grant the request.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out

44 Community Development Block Grant FIX Projects Award.

1. Communication from the Director of Economic and Community Development, reporting back on bids received for the Community Development Block Grant FIX Projects, and recommending that Council award the contracts to Carter Building Services for the Washington project with a budget of \$22,358.80 plus an additional \$2,640.20 in contingencies, further recommending that the Harbor and Michigan projects be awarded to Williams Painting, with a proposed budget for the Harbor project of \$23,408 plus an additional \$1,591 in contingencies and a proposed budget for the Michigan project of \$18,855 plus a 20% contingency of \$3,771 (\$22,626 total), and further recommending that Council authorize staff to take the necessary steps to complete each project in compliance with federal regulations, including drafting agreements to be signed by each homeowner and contractor.
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 McKart that items 43 and 44 of the Consent Agenda be approved as indicated and that items 38, 39, 40, 41 and 42 be removed and considered separately.

Ayes: 6 Nays: 0

Motion carried.

38 The communication from the City Manager's Office was presented, reporting back on a request from the Monroe County Fair Association for permission to hold the annual Fair Parade on July 28, 2013 at 1:00 p.m., to close the affected streets and for assistance from the City and Police Department, 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, emergency vehicle access being maintained, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Council Member Molenda stated that the request is for the closure of Monroe Street and the closure of Elm to Roessler Street, but he knows from past experience that it also requires the closure of the complete stretch of Jones between LaPlaisance and Monroe Street as well as Elm Street all the way to Huber Drive.

After discussion, it was moved by Council Member Molenda and seconded by Council Member Hensley that item 38 be accepted, placed on file and the recommendation be carried out with the noted amendments.

Ayes: 6 Nays: 0

Motion carried.

39 The communication from the Director of Engineering and Public Services was presented, submitting a change order to the Lawn Maintenance Contract (Group B) for additional work, and recommending that Council award a change order for all of the additional work for the 2013 season to Noel Lawn Service in the amount of \$23,975.00 and that the Director of Engineering and Public Services be authorized to execute it on behalf of the City.

Council Member McKart feels that this should not be contracted out and that city staff is capable of doing this work.

Council Member Molenda asked if a cost analysis was done.

Patrick Lewis, Director of Engineering and Public Services, stated that there wasn't a full blown cost benefit analysis done on the work, but for the most part he feels it is a bit cheaper to contract the work out, particularly the riverbank work.

Council Member Hensley asked if the change order work was bid out.

Patrick Lewis, Director of Engineering and Public Services, responded stating that he did not bid out the change order, but they did get quotes last year.

Council Member Molenda asked what other work city staff is freed up to do by contracting this work out.

Patrick Lewis, Director of Engineering and Public Services, stated that it varies from year to year but there is a definite backlog of the storm sewer system, rebuilding catch basins, and street repairs. He stated that when staff cutbacks were made several years ago, one of the biggest goals was to be able to keep the talent in-house and be able to outsource some of the lower skilled tasks.

George Brown, City Manager explained that since they do not have the same work load throughout the year they do not like to bring on more full time people year round. He stated that they prefer to have the professional staff working on higher skilled projects and subcontracting out the lower skilled work provides the opportunity to manage a little better.

Patrick Lewis, Director of Engineering and Public Services, stated that almost half of the award represents the riverfront parking lot, which was on the lawn maintenance contract before, but it is drastically different for 2013.

Council Member Hensley stated that he would like to see a better cost analysis comparison and a review of last year's bid before making a decision.

Council Member Kansier agreed with Council Member Hensley and stated he does not understand why this was not bid out.

Patrick Lewis, Director of Engineering and Public Services stated that it was a judgment call and difficult to spec out so he thought offering it to the present contractor would be more appropriate.

After discussion, it was moved by Council Member Hensley and seconded by Council Member Kansier that item 39 be tabled until March 18, 2013 until which time Council is provided with a cost analysis and a review of last year's bid.

Ayes: 6 Nays: 0

Motion carried.

40 The communication from the Director of Engineering and Public Services was presented, submitting a proposed agreement with the Detroit Edison Company to participate in their 2013 Energy Efficiency Program by converting existing mercury vapor or high pressure sodium lights to light emitting diode (LED) lights at 296 locations, and recommending that the attached agreement with the Detroit Edison Company be approved, and that the Director of Engineering and Public Services be authorized to execute it on behalf of the City.

Council Member Hensley stated that he will abstain from voting on this issue due to his employment with DTE Energy.

After discussion, it was moved by Council Member Molenda and seconded by Council Member Beneteau that item 40 be accepted, placed on file and the recommendation be carried out.

Ayes: 5 Nays: 0 Abstain: 1 (Council Member Hensley)

Motion carried.

41 The communication from the Director of Engineering and Public Services was presented, submitting Resolution No. 3, declaring the construction of a storm sewer in the alley between Riverview and Arbor, South of Noble, a public necessity, and recommending that the resolution be adopted and that the Engineering Department be directed to solicit a quotation for the work.

Council Member Hensley asked if all responses from the residents were included in the Council packet.

Patrick Lewis, Director of Engineering and Public Services, explained that the questionnaire which was sent out to residents over a year ago was included in the packet. He stated that some of the residents seemed to be in favor of the paving, at least two have definite storm sewer drainage issues, and several property owners did not respond at all. He explained that this is split into two assessments under one Special Assessment District; a storm sewer component which is usually matched 1/6 by the city with a remainder split up on a per lot basis and the alley paving which is typically done on a front foot basis. Residents are looking at approximately \$400/year assessment.

Tom Veres, 315 Arbor does not see the need to pave the alley all the way through.

Patrick Lewis, Director of Engineering and Public Services, stated reasons for paving the alley: 1) it is not really that long of a distance and the people on the north end would stand to benefit from the paving and 2) in order to make the adjacent properties drain they are trying to create the "v" section where water is funneled to the middle; therefore they have to drop down the edges to be lower than the adjacent properties. He stated that this allows the property owners to at least be able to solve the problem.

Council Member Molenda expressed concern that the questionnaire seems to be from some time ago and thought that people may feel differently now. He asked to hear from anyone present who had an interest in the project.

Patrick Lewis, Director of Engineering and Public Services, stated that he didn't believe there was anyone else present who had an interest in the project. He detailed the comments he received from the property owners who did respond to him.

George Brown, City Manager, explained that this is a city initiated project versus a property owner initiated project and it is up to Council to decide whether this project as proposed would benefit the property owners and the public at large to some extent. He stated if this project does not go forward they do not have an alternative public project to bring forward to Council.

After discussion, it was moved by Council Member Kansier and seconded by Council Member Beneteau that item 41 be accepted, placed on file and the resolution be adopted.

Ayes: 4 Nays: 2 (Council Members Molenda and Hensley)

Motion passed.

42 The communication from the Fire Chief was presented, reporting back on bids received on February 11, 2013 for 15 sets of Janesville firefighter turnout gear, and recommending that the bid be awarded to Phoenix Safety Outfitters of Springfield, Ohio in the amount of \$27,660.00.

Council Member Molenda pointed out that there is mention of three helmets in the proposal form along with 15 sets of turnout gear, but he does not see the helmets listed in the response breakdown from the vendor. He also stated that there is reference in the RFP of decals for the Public Safety Division but in the specs and response from the vendor the stitching on the jackets is listed as MFD. He asked for clarification on both of these concerns.

Manuel Hoskins, Fire Chief, responded stating that the helmets are included in the bid and he will make sure that it does get included in the detailed response. He also stated that he will have to get a determination from Director Moore and Deputy Director Mominee as to what stitching should be on the back of the gear.

After discussion, it was moved by Council Member McKart and seconded by Council Member Beneteau that item 42 be accepted, placed on file and the recommendation be carried out.

Ayes: 6 Nays: 0

Motion carried.

Council Comments.

Council Member Molenda announced that the Monroe County Humane Society 23rd Annual Funds for Furry Friends Dinner and Auction will be held on March 16th and further information can be obtained by calling the Humane Society at 734-240-0562.

Council Member Kansier questioned why the city is still training Police Officers for Fire Inspectors when there are already two or three on staff. Mayor Clark will get clarification regarding the matter.

Citizen Comments

Jeanne Micka, President, The Sawyer Homestead, announced that the Sawyer Homestead volunteer luncheon will be held on March 11th; a Civil War Program will also be held that evening at 7:00 p.m.; the Sawyer Homestead will be participating with three other patriotic organizations dedicating benches for the River Raisin National Battlefield Park on May 3rd; and Founders Day Activities will be held on May 11th. She also presented \$2,500 to the city for the purpose of conducting an Environmental Assessment of the Sawyer House grounds.

Mayor Clark stated that while he appreciates the support and the willingness to pay for the assessment, they also need to make sure that the appropriate people are secured to do it if in fact it is decided upon. He thanked her for the support of the Sawyer Homestead and the volunteers there. Jeanne Micka asked that he let her know if they find someone, and if not, she will be attending the Conference of Michigan Archeologist on April 20th and will be included on their agenda to see if someone would be interested.

Adjournment.

It was moved by Council Member Molenda and seconded by Council Member Kansier that the meeting adjourn at 9:00 p.m. until the next Regular Meeting on Monday, March 18, 2013 at 7:30 p.m.

Ayes: 6 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor