

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, APRIL 15, 2013

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 15, 2013 at 7:30 p.m. in the City Hall Council Chambers.

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

Excused: Council Member Kansier.

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

Mayor Clark led the Pledge of Allegiance.

Presentations.

Length of Service Award – Randy Sommers – 30 Years – Wastewater Department.

Mayor Clark invited Randy Sommers to the podium to give a brief history of his employment with the City. He thanked him for his service to the City of Monroe and presented him with an award of recognition for his 30 years of service.

Randy Sommers thanked Mayor and Council for taking time out of their busy agenda to present the award to him and thanked the City of Monroe for the opportunity to serve them for 30 years.

Length of Service Award – Rich Ohanasian – 25 Years – Police Department.

Mayor Clark invited Rich Ohanasian to join him at the podium to give a brief history of his employment with the City. He also thanked him for his service to the City of Monroe and presented him with an award of recognition for his 25 years of service.

Rich Ohanasian talked about the first Council Meeting that he attended and thanked the City of Monroe and Council for inviting him to speak.

Public Hearings.

54 This being the date set to review and receive comments on proposed Ordinance No. 13-003, an ordinance to adopt the Fiscal Year 2013-2014 Budget for the City of Monroe, 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 the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

60 This being the date set to review and receive comments on the special assessment roll for the expenses of unpaid rental property inspection fees where the owners have failed to pay for same and there being no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Ray Rose, 21 West Front Street read a written statement regarding dangerous sparks flying from a clothes dryer in an upstairs laundry room and said his first impulse was to contact the city electrical inspector to investigate the situation. He said that the inspector said to him "it seems to me that you want me to maintain your property when you

are gone." He explained that his business has served Monroe for more than 30 years and he cannot recall asking any inspector to maintain any of his properties. He said the girl that works for him is deaf and yanked out bare wires from a 220 outlet, and then the electrical inspector came to inspect, said that was wrong and left. He continued that soon to follow was a \$50 fee for a one minute job and subsequently a fire inspector came to inspect and most of the time he was there he was in the basement which is seldom used. He uses a board to brace the back door, for security, and was told that was not acceptable so he hung a sign on it that says "in case of emergency, "move this board" and said that inspection cost him \$100. He said, as a landlord he paid \$75 to have his rental property inspected and has had two inspections in 10 minutes. He talked about the charges for inspection fees and noted that he had an apartment inspected in March 2012 and subsequently received a notice that the inspection would expire 6 months later. He also commented on previous tenants and the damage left behind by some of them, previous inspections made by city inspectors and inspection fees from 3 years ago.

Discussion ensued regarding the inspection fees from 3 years ago.

Joe Lehmann, Building Official explained that rental housing inspections are on a 3 year inspection cycle and the office mails the bill a month in advance before the end of the 3 year cycle. He noted the invoice has a message at the top in red that says "please pay this invoice and schedule inspection within ten days." He said that the homeowner is given 30 days to reply and if the landlord fails to schedule the inspection within the allotted time, the fee doubles. He explained that after the inspection, the landlord is given a list of discrepancies on the property and on that list it directs the landlord to call within 60 days for inspection of the items on the list. He noted that there are so many of these so if the landlord doesn't call back for inspection, sometimes the department loses track or the department will call them back or send a letter to tell the landlord to get the items taken care of. He said that is what happened with this inspection and after notification back to the landlord he took care of all the discrepancies on the list and that was the reason he received a bill later in the year that indicated it was only good for six months because he was back on a three year cycle to be re-inspected. He also explained what the \$75 inspection fee includes.

Ray Rose, 21 West Front Street complained that they still want \$300 and he thought it had already been paid.

Julie Tartarian, 14419 Jonathan said the bill for the rental inspection came to her house but unfortunately she did not see it right away. When she finally opened it two months had past and the fee had doubled to \$300. She said she understands that \$75 is a fair price for the inspection but she doesn't understand how the fee, when doubled comes to \$300.

George Brown, City Manager said these are the fees that were adopted by Council in the past and this is the official fee. He said there are twenty-four properties on the list that propose to be placed on the assessment roll and every one of those appear to have incurred a \$300 fee. He said some of them have paid \$75 of that fee so an exception would be difficult.

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

61 This being the date set to review and receive comments on the special assessment roll for the expenses of unpaid blight fees where the owners have failed to pay for same and there being no comments on file in writing in the Clerk-Treasurer's Office the Mayor declared the hearing open.

Charles D. Evans, Clerk-Treasurer read a letter from the Fraternal Order of Eagles Aerie #2254 regarding 445 North Dixie Highway, into the minutes.

Keith Kamin, 417 East Elm Avenue explained that the property has been in complete disrepair, bought and sold by the County through the tax sale process. He said kids play around it and there is a pit behind the house that is an obvious danger to kids and said the back porch is falling off, etc. He said he would like to see these issues taken care of and to see this particular property owner held to the same standards as everyone else in the city.

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

62 This being the date set to review and receive comments on the special assessment roll for the expenses of unpaid weed and grass cutting fees where the owners have failed to pay for same 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 the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

63 This being the date set to review and receive comments on the special assessment roll for the expenses of unpaid sidewalk repair fees where the owners have failed to pay for same and there being no comments on file in writing in the Clerk-Treasurer's Office the Mayor declared the hearing open.

Charles D. Evans, Clerk-Treasurer read an email from Tina Valentine, daughter of Floella Valentine, 509 Maywood Avenue, into the minutes.

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

69 This being the date set to review and receive comments on the FY 2013-14 Community Development Block Grant Annual Action Plan 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 one comment on file in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

Council Action.

Charles D. Evans, Clerk-Treasurer announced that Item 73 from the Consent Agenda will be brought forward to be considered under Council Action. He explained that the item is a Resolution naming Mark G. Worrell Park and designating the Mark G. Worrell Pathway.

73 Resolution Naming Mark G. Worrell Park and Designating the Mark G. Worrell Pathway.

1. Communication from the City Manager's Office, submitting a resolution naming Mark G. Worrell Park in the Cranbrook Estates Subdivision (assessment parcel 69-00659-002), and designating the Mark G. Worrell Pathway, a segment of the pedestrian and bicycle pathway on North Custer, and recommending that Council approve the accompanying Resolution, which, if adopted, will name the described park-parcel as the "Mark G. Worrell Park" and will also designate the described segment of pathway as the "Mark G. Worrell Pathway".
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 Hensley that item 73 be brought forward for discussion.

Ayes: 6 Nays: 0

Motion carried.

Council Member Molenda noted that the Mayor has a nicely packaged Resolution to present and that the family of Mark G. Worrell is in attendance so he thought that now would be the time to make the presentation.

Mayor Clark said he would like to have a motion in support of the Resolution from Council before the presentation.

It was moved by Council Member Hensley and seconded by Council Member Bica that item 73 be accepted, placed on file and the resolution be adopted.

Ayes: 6 Nays: 0

Motion carried.

Mayor Clark spoke about Mark G. Worrell's life and accomplishments within this community and within the State of Michigan. He also made a presentation of the Resolution to Mark G. Worrell's family naming Mark G. Worrell Park in the Cranbrook Estates Subdivision, (assessment parcel 69-00659-002), and designating the Mark G. Worrell Pathway, a segment of the pedestrian and bicycle pathway on North Custer.

Mrs. Ramona Worrell spoke about her son Mark G. Worrell and his passion for being involved with his community. She thanked Mayor and Council for their recognition of Mark.

54 It was moved by Council Member Molenda and seconded by Council Member Beneteau that Proposed Ordinance No. 13-003, an ordinance to adopt the Fiscal Year 2013-2014 Budget for the City of Monroe, be placed on its final reading.

Ayes: 6 Nays: 0

Motion carried.

Proposed Ordinance No. 13-003, was then presented for the second time after which the Mayor asked, "Shall this ordinance pass?"

Ayes: 6 Nays: 0

Motion carried.

66 Postponed at the April 1, 2013 meeting.

The communication from the Building Official was presented, reporting back on bids received for the demolition of a property located at 728 East Fourth Street, and recommending that Council award the above contract in the amount of \$5,900 to Universal Consolidated Enterprises and that a total of \$9,900 be encumbered to include a contingency of \$4,000 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. It was moved by Council Member Kansier and seconded by Council Member Beneteau that item 66 be postponed until the next Council Meeting on Monday, April 15, 2013.

It was moved by Council Member Beneteau and seconded by Council Member McKart that item 66 be placed on the floor for discussion.

Ayes: 6 Nays: 0

Motion carried.

Council Member Beneteau asked if an agreement has been reached between the Building Department and the property owner.

Joe Lehmann, Building Official explained, after a thorough inspection of the property it is determined what repairs need to be addressed. He gave a PowerPoint presentation of the inspection to show what maintenance and repairs are needed and said in his opinion the house should not be repaired.

Mayor Clark asked if a surety bond was posted for the repairs.

Joe Lehmann, Building Official said State Farm contacted him and inquired about the stipulations for the bond, but a contract would have to be in place first, then the bond follows the conditions of the contract.

Anthony Cortese, Property Owner, 728 East Fourth Street said he contacted the Building Department regarding the bond and was told that he had to schedule the inspection, so he called the next day to schedule it and was told he needed the bond first. He said he called around to various insurance companies and they wanted the conditions of the bond faxed to them. He then call the Building Department again that day and the next day and again the next week because the insurance company had not received a fax listing the conditions and finally he received call from a staff member of the department to schedule an inspection and said at that time he tried to get the bond. He said that he would like to continue to move forward with this project.

Mayor Clark asked Mr. Cortese if he forwarded the information that he received from the inspection to the insurance company.

Anthony Cortese, Property Owner, 728 East Fourth Street said he received the information today and has not provided it to the insurance company.

Council Member Molenda noted that because of the timing of the inspection and the bond process, he would not be opposed to postponing this item once again.

Council Member Hensley asked if the homeowner has the money and ability to do the needed repairs within 60 days.

Anthony Cortese, Property Owner, 728 East Fourth Street said that he does have the ability to complete the repairs in 60 days.

After discussion, it was moved by Council Member Molenda and seconded by Council Member McKart that item 66 be postponed until the next Regular Council Meeting on May 6, 2013 and that the property owner will come up with a specific plan and a time table for the needed repairs.

Ayes: 4 Nays: 2 (Council Member's Beneteau and Hensley)

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 Regular City Council Meeting held on April 1, 2013.
 - B. Approval of payments to vendors in the amount of \$471,884.54.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.
- 69 FY 2013-14 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 2013-14 as required by the Department of Housing and Urban Development (HUD), and recommending that Council approve distribution of the proposed FY 2013-14 CDBG Annual Action Plan for a 30-day public comment period, after holding public hearing and further recommending the City Council schedule a second public hearing and approval action for its May 20, 2013 regular meeting.
 - 2. Supporting documents.
 - 3. Action: Accept, place on file and the recommendation be carried out.

70 Annual Bed Race to Aid Children in Monroe County.

1. Communication from the City Manager's Office, reporting back on a request from the Bed Race Committee Chairperson Kim Hooper for permission to hold the annual charity bed race to aid needy children in Monroe County on September 29, 2013, to close East First Street between South Monroe and South Macomb Streets and Washington Street between East Front and East Second Streets from 8:00 a.m. – 6:00 p.m., 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, 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.

71 Dunbar Road Water Main Pipe Bursting Project – Consultant Design Award.

1. Communication from the Director of Engineering & Public Services, reporting back on consultant design services for the Dunbar Road Water Main Pipe Bursting Project, and recommending that Council award a contract for design services for the above project to The Mannik and Smith Group in the amount of up to \$19,415, and that the Finance Director be authorized to advance the necessary funds from Water Fund reserves into the 2012-13 fiscal year for use, and further recommending that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

72 Street Lighting Special Assessment District #1 – Mason Run Phase 2 – DTE Agreement for Additional Light on Baptiste Avenue.

1. Communication from the Director of Engineering & Public Services, reporting back on Street Lighting Special Assessment District #1, Mason Run Phase 2 DTE Agreement, for an additional light on Baptiste Avenue, and recommending that the attached DTE Standard Agreement for Street Lighting for Municipal Street Lighting for one additional light on Baptiste Avenue be approved, and that the Director of Engineering & 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.

73 *This item was moved to Council Action.*

74 Wastewater Department Collection System Annual Root Treatment Program.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for its annual collection system root treatment program, and recommending that a purchase order in the amount of \$16,507.93 and a total amount of \$17,300 be encumbered to include a 5% contingency, be awarded to Duke's Root Control, Inc for tree root chemical treatment of Section 1 in accordance with the bid specifications.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

75 Assessment Roll – Weeds and Grasses.

1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessors to spread the special assessment roll for the expenses of cutting weeds and grasses on the 2013 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2013 Tax Roll.

2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 76 Assessment Roll – Sidewalk Repair.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessors to spread the special assessment roll for the expenses of sidewalk repair on the 2013 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2013 Tax Roll..
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 77 Assessment Roll – Rental Property.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessors to spread the special assessment roll for the expenses of rental property inspection on the 2013 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2013 Tax Roll.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 78 Assessment Roll – Blight Removal.
1. Communication from the Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessors to spread the special assessment roll for the expenses of blight removal on the 2013 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2013 Tax Roll.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 79 Installation of New Public Storm Sewer – Lavender Street between Calkins and Hendricks – Special Assessment Resolution Number 2 – Sewer SAD 234.
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 storm sewer to service Lavender Street between Calkins and Hendricks, and recommending that the attached Resolution 2 be adopted, and that the public hearing be scheduled for May 6, 2013 at 7:30 p.m. in the City Council Chambers.
 2. Supporting documents.
 3. Action: Accept, place on file and the resolution be adopted.
- 80 Bucket Truck Emergency Repairs.
1. Communication from the Director of Engineering & Public Services, reporting back on the electrical bucket truck emergency repairs, and recommending that the previously-issued emergency purchase order be affirmed to Cannon Truck Equipment in the amount of \$5,890.74, and that the competitive bidding process be waived for these repairs.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 81 Purchase of Mosquito Larvicide Tablets and Detention Pond Pellets.
1. Communication from the Director of Engineering & Public Services, reporting back on the mosquito control larvicide application in storm sewer catch basins throughout the City, and recommending that Council approve the purchase of eleven (11) cases of larvicide briquettes and four (4) cases of pellets for detention ponds at a total cost of \$9,917.10 from the sole source, Clarke Mosquito Control Products, Inc., and that the Director of Engineering & Public Services be authorized to carry out the purchase.

2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 82 CDBG Sub-Recipient Agreement with the Monroe Housing Commission.
1. Communication from the Director of Economic & Community Development, submitting a CDBG sub-recipient agreement with the Monroe Housing Commission to hire a seasonal staff person to supervise the Tot-Lot Program at Greenwood Apartments Facility, and recommending that Council approve the proposed CDBG Sub-recipient agreement with the Monroe Housing Commission for fiscal year 2012-13 and authorize the City Manager to execute the agreement.
 2. Supporting documents.
 3. Action: Accept, place on file and the recommendation be carried out.
- 83 Demolition Bid – 424 Winchester Street.
1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 424 Winchester Street, and recommending that Council award the above contract in the amount of \$8,500 to Quality Construction of Michigan Incorporated and that a total of \$12,500 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.
- 84 Demolition Bid – 1008 East Second Street.
1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 1008 East Second Street, and recommending that Council award the above contract in the amount of \$7,000 to Quality Construction of Michigan Incorporated and that a total of \$11,000 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.
- 85 Demolition Bid – 1132 Franklin Street.
1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 1132 Franklin Street, and recommending that Council award the above contract in the amount of \$5,500 to Quality Construction of Michigan Incorporated and that a total of \$9,500 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.
- 86 Demolition Bid – 803 East Elm Avenue.
1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 803 East Elm Avenue, and recommending that Council award the above contract in the amount of \$7,000 to Quality Construction of Michigan Incorporated and that a total of \$11,000 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.

87 Demolition Bid – 628 Humphrey Street.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 628 Humphrey Street, and recommending that Council award the above contract in the amount of \$7,900 to Quality Construction of Michigan Incorporated and that a total of \$11,900 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.

88 Demolition Bid – 1116 Franklin Street.

1. Communication from the Building Official, reporting back on bids received for the demolition of a property located at 1116 Franklin Street, and recommending that Council award the above contract in the amount of \$6,000 to Quality Construction of Michigan Incorporated and that a total of \$10,000 be encumbered to include a contingency of \$4,000 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. Action: Accept, place on file and the recommendation be carried out.

89 Detroit Avenue Bridge Over Mason Run Drain – Consultant Inspection and Design.

1. Communication from the Director of Engineering & Public Services, reporting back on consultant inspection and design services for the Detroit Avenue Bridge Over Mason Run Drain, and recommending that Council award a contract for inspection, and possibly design, services for the above drain crossing to The Mannik and Smith Group in the amount of up to \$5,933, and that the Finance Director be authorized to make the necessary funds transfer, and further recommending that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe.
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 Beneteau that item 69, 70, 71, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88 and 89 of the Consent Agenda be approved as indicated and that item 72 be removed and considered separately.

Ayes: 6 Nays: 0

Motion carried.

72 The communication from the Director of Engineering & Public Services was presented, reporting back on Street Lighting Special Assessment District #1, Mason Run Phase 2 DTE Agreement, for an additional light on Baptiste Avenue, and recommending that the attached DTE Standard Agreement for Street Lighting for Municipal Street Lighting for one additional light on Baptiste Avenue be approved, and that the Director of Engineering & Public Services be authorized to execute it on behalf of the City.

Council Member Hensley explained that he will abstain from the vote due to his employment with DTE.

It was moved by Council Member Molenda and seconded by Council Member Bica that item 72 be accepted, placed on file and the recommendation be carried out.

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

Motion carried.

Mayor's Comments.

Mayor Clark announced Earth Day Celebration on Saturday, April 20th from 10:00 a.m. – 2:00 p.m. in Loranger Square, National Park Week Celebration on Monday, April 22nd at 10:00 a.m. and there will be activities at the River Raisin National Battlefield Park, and The Red Cross Recognition Dinner is on Tuesday, April 23rd at LaRoy Hall at 5:30 p.m. He also noted that there is a meeting regarding Resilience Monroe at the Monroe County Community College on Friday, April 26th and The Daughters of 1812 are having a luncheon at the Sawyer House on Friday, May 3rd beginning at 11:30 p.m. and following the luncheon, a dedication and presentation will be at the River Raisin National Battlefield Park at 1:30 p.m.

Citizen Comments

Dave Roberts, 706 Broadway commented on the process prior to a demolition and the delays that are created by that process. He said he thinks the process is a waste of time.

Adam Yeager, 1833 South Custer Road commented about roof replacement and auto dealers and their deceiving ways to get you into the dealership.

John Timko, 1034 Bentley Drive commented about water shut off's at rental properties because of non-payment by the renter, and he thinks that the landlord should be notified of the shut off prior to.

Mayor Clark suggested that the water bill can be put into the landlord's name and that will assure the landlord is notified of any shutoffs.

Barry LaRoy, Director of Water & Wastewater Utilities said that if the landlord is listed on the account as the landlord, the tenants are allowed to be the customer on the account with the landlord's approval. He noted that all shut off notices are sent to the customer and landlord and the shut off policy dictated that we notify the customer and the landlord of the \$75 fee. He also explained that when there is \$150 past due, a delinquent notice will be sent as well and if that goes unpaid the department gives 48 hours notice for shut off proceedings. He said that final bills are also copied to the landlord, so if Mr. Timko is not registered as the landlord on a particular account he'd be more than willing to sit down with Mr. Timko and go over the details with him.

George Brown, City Manager said that some landlords leave the water account in their name and require a deposit from the tenant so that there is a cushion for the landlord if the tenant does not pay their bill.

Ray Rose, 21 West Front Street commented on notice of shutoffs and deposits from the tenant.

Council Member Beneteau also commented on the benefit of keeping the water bill in the landlord's name.

Mayor Clark invited the students who were at the meeting from the Monroe County Community College to stand and introduce themselves.

Closed Executive Session.

It was moved by Council Member McKart and seconded by Council Member Bica that Council go into closed executive session to consider attorney opinion and potential property acquisition at 9:21 p.m.

Ayes: 6 Nays: 0

Motion carried.

It was moved by Council Member McKart and seconded by Council Member Molenda that Council reconvene to open session at 10:12 p.m.

Ayes: 6 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Hensley and seconded by Council Member McKart that the meeting adjourn at 10:13 p.m. until the next Regular Meeting on Monday, May 6, 2013 at 7:30 p.m.

Ayes: 6 Nays: 0

Motion carried.

Charles D. Evans
City Clerk-Treasurer

Robert E. Clark
Mayor