

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, MAY 20, 2013

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, May 20, 2013 at 7:30 p.m. in the City Hall Council Chambers.

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

Excused: Council Member Kansier and Molenda.

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

Mayor Clark led the Pledge of Allegiance.

Mayor Clark said that over the weekend Ron Smith, 35 years old, Department of Public Services employee passed away and asked for a moment of silence out of respect for him and the family.

Proclamation.

113 Motorcycle Awareness Month – May 2013.

Public Hearing.

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

101 This being the date set to review and receive comments on the distribution of the special assessment roll for the purpose of defraying that part of the cost which the City Council decided should be paid and borne by Special Assessment for the Installation of new public storm sewer to service properties on Lavender Street between Calkins and Hendricks Drive and there being no comments on file in writing in the Clerk-Treasurer's Office the Mayor declared the hearing open.

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

112 This being the date set to review and receive comments on Proposed Ordinance No. 13-004, an Ordinance to amend Part Two, Chapter 625, Streets and Sidewalks, Article I, Obstructions in Public Areas, Section 625-1, Obstruction by articles prohibited, Sub-Section D, of The Code of 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 person present commenting and no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing closed.

Council Action.

112 It was moved by Council Member Beneteau and seconded by Council Member Bica that Proposed Ordinance No. 13-004, an Ordinance to amend Part Two, Chapter 625, Streets and Sidewalks, Article I, Obstructions in Public Areas, Section 625-1, Obstruction by articles prohibited, Sub-Section D, of The Code of the City of Monroe, be placed on its final reading.

Ayes: 5 Nays: 0

Motion carried.

Proposed Ordinance No. 13-004, was then presented for the second time and after which time the Mayor asked "Shall this Ordinance Pass?"

Ayes: 5 Nays: 0

Motion carried.

114 It was moved by Council Member Beneteau and seconded by Council Member Bica that the Communication from the Director of Engineering & Public Services Proposed Ordinance 13-005, amendments to Chapter 720, Zoning, Article IV, Zoning District Regulations, Section 720-23, Zoning Map, of the Code of the City of Monroe be places on its first reading and the public hearing be set for Monday, June 3, 2013.

Ayes: 5 Nays: 0

Motion carried.

Proposed Ordinance No. 13-005, was then presented for the first time and laid over for its second reading and public hearing.

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 Council Work Session held on May 6, 2013 and the Minutes of the Regular City Council Meeting held on May 6, 2013.

B. Approval of payments to vendors in the amount of \$730,333.75.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

115 Great Lakes Commission – Grant Agreement Acceptance.

1. Communication from the Director of Water & Wastewater Utilities, submitting a grant agreement from the Great Lakes Commission (GLC) for a Public Advisory Support Grant as part of the River Raisin Area of Concern (AOC), and recommending that Council accept the GLC Grant Agreement in the amount of \$7,500 and for the City Manager or his designee be authorized to sign the agreement on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

116 Downtown Development Authority – First Annual Downtown Monroe Giant Garage Sale.

1. Communication from the City Manager's Office, submitting a request from the Downtown Development Authority to hold the first annual Downtown Monroe Giant Garage Sale on June 22, 2013, and recommending that Council approve this request contingent upon items being met as outlined by the administration, subject to emergency vehicle access being maintained, subject to passage of Ordinance

No. 13-004 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.

117 Recommendation for Approval of a Land Division at 407 S. Telegraph Road.

1. Communication from the Director of Economic & Community Development, submitting an application to divide parcel #19-00730-000, 407 S. Telegraph Road into three (3) separate parcels, and recommending that Council approve CPC Case # S 13-001, 407 S. Telegraph Road, specifically approving the proposed land division for the subject parcel, Parcel # 19-00370-000, and authorizing staff to complete all required procedural steps and documentation to create the three (3) new parcels as described in the survey and legal descriptions, and further recommending that approval of this land division is conditioned upon execution of shared access and parking agreements, and application for site plan review before re-occupancy of the building with the noted exceptions of demolition and site preparation activities.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

118 Monroe Street Water Main Crossings – Consultant Design Award.

1. Communication from the Director of Engineering & Public Services, submitting a consultant design contract for the Monroe Street Water Main Crossings, and recommending that Council award a contract for design services for the above project to The Mannik & Smith Group in the amount of up to \$7,700, and that the Director of Engineering & Public Services be authorized to sign the attached proposal on behalf of the City of Monroe, and further recommending that the Finance Director be authorized to make any necessary transfers for this project from the Water Fund reserves.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

119 2013 River Raisin International Muster.

1. Communication from the City Manager's Office, submitting a request from the River Raisin International Muster Program Director for permission to host the 2013 River Raisin International Muster on June 21 & 22, 2013, 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, modified parade route, 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.

120 Installation of New Public Storm Sewer – Lavender Street Between Calkins and Hendricks – Special Assessment Resolution Number 5 – Sewer SAD 234.

1. Communication from the Director of Engineering & Public Services, submitting Resolution No. 5, confirming the special assessment roll and reporting back on bids received for the installation of new public storm sewer on Lavender Street between Calkins and Hendricks, and recommending that the attached Resolution 5 be adopted, and that sewer special Assessment District 234 be confirmed, and further recommending that a change order to the 2012 Concrete Paving Program be awarded to G.V. Cement Contracting Co. in the amount of \$278,162.59, and that a total of \$320,000 be encumbered to include a 15% contingency, and further recommending that the Finance Director be authorized to make

any necessary transfers for this project from the Local Street Fund Balance and/or Capital Projects Reserves as needed to account for the expenditure in the proper fiscal year.

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

121 Alzheimer's Association – 2<sup>nd</sup> Annual Walk to End Alzheimer's.

1. Communication from the City Manager's Office, submitting a request from the Alzheimer's Association for permission to hold the 2<sup>nd</sup> Annual Walk to End Alzheimer's at St. Mary's Park on September 21, 2013 at 11:00 a.m., with use of bandshell, electricity, and that all fees to use St. Mary's Park be waived, and recommending that Council approve this request contingent upon items being met as outlined by the administration, subject to costs recovery & fee waivers in accordance with City Council adopted policy, with no reduction in fees to use St. Mary's Park, updated insurance certificate, 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.

122 Aeration Membrane Diffuser Purchase – Wastewater Department.

1. Communication from the Director of Water & Wastewater Utilities, submitting a request to purchase 1,500 SSI Aeration PolyTetraFluoro Ethylene (PTFE) Coated Membrane Diffusers and Type 304 stainless steel clamps, and recommending that a purchase order in the amount of \$42,350 be issued to Waterworks Systems & Equipment, Inc out of Lakeland, MI in accordance with the budgeted amounts respective for FY 2012-2013 (\$21,175) & FY 2013-2014 (\$21,175) to provide a total of 1,500 PTFE Coated Membrane Diffusers and 3,000 type 304 stainless steel clamps in accordance with their quote dated 5/6/13 and that the bid process be waived.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

123 Wastewater Treatment Plant Fiscal Year 2013 – 2014 Chemicals / Sludge Hauling & Disposal Requirements Bids.

1. Communication from the Director of Water & Wastewater Utilities, reporting back on bids received for Cationic Polymer and Liquid Ferric Chloride, for Sludge Hauling at the Monroe Wastewater Treatment Plant, and recommending that the purchase orders be awarded to the following vendors for the estimated chemicals/sludge hauling and disposal requirements at the Wastewater Treatment Plant based on the bid unit prices, and further recommending that the City Manager or his designee to be authorized to sign all necessary documents on behalf of the City of Monroe (if needed), Liquid Ferric Chloride, PVS technologies, Inc., \$16,000; Cationic Polymer, Polydine, Inc., \$69,300; WW sludge Hauling, BCA Express, \$153,400; WW Sludge Disposal, Republic services, 4254,172, for a total of \$492,872.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried.

124 Request to Temporarily Expand the Area Used for Outdoor Café' Service.

1. Communication from the City Manager's Office, submitting a request from James Bica Jr. to temporarily expand the area used for the sidewalk outdoor café' service at Beek's Bar and Grill, the Mancinos Restaurant and the 129 Lounge, during the period of the East Front and North Macomb Streets intersection closure, and recommending that Council approve this request contingent upon all conditions

being met as outlined by the administration above, 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.

125 Request from Andrew Clark on Behalf of the Monroe County Historical Museum and the Genealogical Society of Monroe County.

1. Communication from the Historic Preservation Officer/City Planner, submitting a request from Andrew Clark on behalf of the Monroe County Historical Museums and the Genealogical Society of Monroe County to coordinate a cleanup and documentation project of headstones and footstones located within Memorial Place on Saturday, June 8, 2013 at 10:00 a.m., and recommending approval with the conditions listed on the fact sheet.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried.

It was moved by Council Member Beneteau and seconded by Council Member McKart that item 115, 116, 118, 119, 120, 121, 123, and 125 of the Consent Agenda be approved as indicated and that item 117 and 124 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

117 The communication from the Director of Economic & Community Development was presented, submitting an application to divide parcel #19-00730-000, 407 S. Telegraph Road into three (3) separate parcels, and recommending that Council approve CPC Case # S 13-001, 407 S. Telegraph Road, specifically approving the proposed land division for the subject parcel, Parcel # 19-00370-000, and authorizing staff to complete all required procedural steps and documentation to create the three (3) new parcels as described in the survey and legal descriptions, and further recommending that approval of this land division is conditioned upon execution of shared access and parking agreements, and application for site plan review before re-occupancy of the building with the noted exceptions of demolition and site preparation activities.

David Smith, 530 Hollywood asked if the property has been taken off of the tax roll and if part of the split is on behalf of the Mercy Memorial Hospital System.

Mayor Clark explained that at this point it's simply a request from the owner to have the property divided in this fashion, but that it does not speak to the intended use of the property in the future.

David Smith, 530 Hollywood said that he has observed a lot of properties that are not on the tax roll because they are non profit, but that he is not suggesting that they be taxed. He said that we have a lot of entities that have a large amount of cash flow and that would include hospital and medical facilities. He commented further about how these entities inevitably cost the taxpayers' money.

It was moved by Council Member Beneteau and seconded by Council Member Hensley that item 117 be accepted, placed on file and the recommendation be carried out.

Ayes: 5 Nays: 0

Motion carried.

124 The communication from the City Manager's Office, submitting a request from James Bica Jr. to temporarily expand the area used for the sidewalk outdoor café' service at Beek's Bar & Grill, the Mancinos Restaurant and the 129 Lounge, during the period of the East Front and North Macomb Streets intersection

closure, and recommending that Council approve this request contingent upon all conditions being met as outlined by the administration above, and that the City Manager be granted authority to alter/amend the event due to health and/or safety reasons.

Council Member Bica noted that he will abstain from the vote because of a conflict of interest.

It was moved by Council Member Hensley and seconded by Council Member McKart that item 124 be accepted, placed on file and the recommendation be carried out.

Ayes: 4 Nays: 0 Abstain: 1 (Council Member Bica)

#### Council Member Comments.

Council Member Hensley asked people to be aware and conscious of bicycle riders as well as motorcycle riders.

Council Member Bica wanted everyone to know that downtown businesses are still open throughout the construction. He also noted that the bump on the north end of the Macomb Street Bridge is gone.

#### Mayor's Comments.

Mayor Clark commented about the construction of the bridge on Macomb Street and the sidewalk repairs on Monroe and Front Streets. He commented on Memorial Day and what the day signifies, Relay for Life at the Monroe County Fair Grounds and spoke about his trip to Hofu, Japan.

#### City Manager's Comments.

George Brown, City Manager noted that the access to East Front Street between Monroe and Macomb Streets is easily made coming in from the south on Washington Street and you can turn right onto East Front Street during the temporary closure. He also commented on the AM Vet Memorial at Soldiers & Sailors Park, which is a plaque with the name of every Monroe County Soldier, Sailor, Marine, and Armed Forces Member who were killed in all of our wars.

#### Citizens Comments.

Adam Yeager, 1833 S. Custer Road commented on how reckless some people drive on South Custer.

David Smith, 530 Hollywood Drive commented on the Macomb Street Bridge.

#### Closed Executive Session.

It was moved by Council Member McKart and seconded by Council Member Bica that Council go into Closed Executive Session to discuss Potential Property Acquisition at 7:57 p.m.

Ayes: 5 Nays: 0

Motion carried.

It was moved by Council Member Hensley and seconded by Council Member Beneteau that Council reconvene to Open Session at 8:28 p.m.

Ayes: 5 Nays: 0

Motion carried.

Adjournment.

It was moved by Council Member Hensley and seconded by Council Member Beneteau that the meeting adjourn at 8:30 p.m. until the next Regular Meeting on Monday, June 3, 2013 at 7:30 p.m.

Ayes: 5 Nays: 0

Motion carried.

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Charles D. Evans  
City Clerk-Treasurer

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Robert E. Clark  
Mayor