

CITY OF MONROE  
REGULAR COUNCIL MEETING  
MONDAY, APRIL 7, 2014

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, April 7, 2014 at 7:30 p.m. in the City Hall Council Chambers.

Present: Council Members Molenda, Rafko, Sisk, Hensley, Iacoangeli, Vining and Mayor Clark.

Michelle J. LaVoy, City Clerk-Treasurer gave the invocation.

Mayor Clark led the pledge of allegiance to the flag.

Public Hearing.

44 This being the date set to hear public 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, 4240 W. Dunbar Road said he owes another \$225 for an inspection that has a certificate of compliance for the rental inspection from 6/30/13 – 6/30/2016 and prior to that the house was almost completely destroyed. He said he replaced the windows, doors and flooring, and at that time he went to the Building Department to have the inspection of the house put on hold, but no one made a record of it. He said it took almost a year to get the insurance settlement, the contractor's hired and to have the work done. He said that he isn't sure how they've come up with an extra \$225 in fees.

Mayor Clark asked if he received the first notice and did he respond to it.

Ray Rose, 4240 W. Dunbar Road said he had a number of notices that he's responded to and has spoken to several people at the Building Department but has not been listened to.

Mayor Clark asked when he was last here to talk to someone concerning this item.

Ray Rose, 4240 W. Dunbar Road said this is the first time they said they were going to put it on his taxes.

Council Member Iacoangeli inquired as to the address of the property.

Ray Rose, 4240 W. Dunbar Road said the rental is located at 223 Conant Avenue.

Council Member Molenda said that he is not sure what this property owner is asking nor does he know the circumstances of his situation. He said it sounds like the inspections were conducted in 2013 and maybe the amount in question is the payment for inspection fees that were ignored and have now compounded with penalties despite the property owner having gotten notice to pay those.

Ray Rose, 4240 W. Dunbar Road said that you have to pay before an inspection is complete so they wouldn't give the certificate of compliance without payment and inspection.

Council Member Hensley asked Mr. Rose if he received a notice that he did not pay.

Ray Rose, 4240 W. Dunbar Road said that he went down to the city to find out what was going on but doesn't remember what they said.

Council Member Hensley asked what he did with the second notice.

Ray Rose, 4240 W. Dunbar Road said he put it with the first notice.

Council Member Hensley clarified that Mr. Rose was familiar with the rental property ordinance and clarified that for the past few years Mr. Rose has been here for similar issues and he is trying to understand why Mr. Rose did not take care of the initial invoice and the second one.

Ray Rose, 4240 W. Dunbar Road said that he went to talk to Butch in the Building Department who said that he would look into it and he talked to someone who was going to do something else but they have no record of him even putting the inspection of the house on hold during the disaster that went on there.

Council Member Sisk said it appears to him that Council has limited information and he said he thinks the situation could be streamlined if Mr. Brown would meet with Mr. Rose sometime tomorrow and then report back to Council or maintain communication with the Mayor. He said that we can talk for a long time but information is limited on both sides.

George Brown, City Manager said he had a meeting with Mr. Rose and another Council Member several months ago and the late payment charge was discussed. He checked to see if there was an error from within the department but did not find an error. He noted that at the time Mr. Rose had paid the \$75 after the second late notice and the additional late penalties were added. He said that he does not have the authority to waive the late fees which other property owners pay under similar circumstances and he found the charges legitimate under current ordinances and policies.

Ray Rose, 4240 W. Dunbar Road said if the inspection had been on hold like he requested they wouldn't have even been adding additional fees at that time.

George Brown, City Manager said it is standard policy to register rentals on a three year cycle and that the property is not always inspected at the beginning of that cycle for a number of reasons, some of the practices being altered but the notices that go out with the registration renewal communication and the billing, \$75 per unit, indicate that the owner is to make an appointment to have them inspected. He explained that during property file maintenance, if the property owner pays their fee, they're not billed delinquent but over the weeks and months ahead as staff does file maintenance if they find that rentals have not been inspected at the beginning of the cycle, staff attempts to make appointments and there is a charge of additional fees if there is a failure to show, but it does not extend the three year registration. He said rentals that are temporarily vacant are included in the three year registration; they are not pulled out and put back in. He said the city understands that for various reasons, remodeling, damage from tenants, weather or otherwise, a rental property might be vacant temporarily while repairs and remodeling are occurring but it's still in the cycle and is still a rental property. He said the city will hold an inspection until the work gets done but the only way to pull a property out of the system is for the owner to attest that the property has been pulled out of rental property commission completely and is being used for owner occupancy.

Council Member Iacoangeli noted that we have over 2000 rental properties in Monroe which equates to 38% of our housing stock and said that we should be at about 15% rental. He said some neighborhoods are approaching 67%-75% rental. He said it is his opinion that rental property is one of the factors that causes neighborhood decline and devaluation of home ownership property. He said he thinks it is incumbent and responsible for people who have rental property to maintain it, to follow the certificate and to file their fees; if they're going to own rental properties it is a source of income, it's a business. He noted that most of the people on the list live outside of the City of Monroe, from various other cities and are obviously absentee landlords. He continued that it is the people who live here that have to put up with and are confronted with the issues of rental property. He explained it is his position that if the city has sent out multiple notices to a property owner, then they are delinquent on their fees. He said it's incumbent on

the property owner to pay the penalty because rental property, according to the IRS code, is a legitimate business and it should be treated appropriately.

Mayor Clark said he is not sure if there is other recourse for those who are on the list following action by Council later in the Agenda this evening.

Tom Ready, City Attorney said the only recourse that he is aware of is for the objecting party to bring it back to Council for reconsideration or since it is an assessment of sorts, they can take it to the tax tribunal.

Mayor Clark said that Council cannot start waiving fees for those that decide to come and speak but Council is here to listen to a procedural error that the City Manager could look into, but it appears that he already has looked into this particular case previously because Mr. Rose was here last year also.

There being one (1) person present commenting and no comments on file in writing in the Clerk-Treasurer's Office, the Mayor declared the public hearing closed.

45 This being the date set to hear public comments on the special assessment roll for the expenses of unpaid blight removal 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 person present commenting and no comments on file in writing in the Clerk-Treasurer's Office, they Mayor declared the public hearing closed.

46 This being the date set to hear public 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 one (1) comment on file in writing in the Clerk-Treasurer's Office, the Mayor declared the hearing open.

Michelle J. LaVoy, Clerk-Treasurer read a letter from Mrs. C. K. Hill into the record.

William Young, 416 Almyra Avenue said that he only saw Dave's Lawn Service one time and explained that they broke into his yard, damaged the fence, cut three rose bushes and two pine trees down and scared the ground with their equipment. He said afterwards the City billed him three times and then notified him that they plan to place it on his 2014 taxes. He said his complaint is that the City gave someone the right to trespass onto and damage his property, but they won't say who is responsible for the damage. He said he thinks the City is responsible because they hired Dave's Lawn Service. He said that the City Manager came to look at the damage but he hasn't heard back from him. He also explained that he cut the grass and two days later Dave's Lawn Service came out to cut it also. He said that three rose bushes and two pine trees are not an exceptional amount but they were his.

Mayor Clark said that Mr. Brown will respond to the site visit and that the ordinance states how the long the grass is allowed to be before the City will have it cut and it also states that it can be cut when it exceeds that length. He said if there is damage the City will look into that to make sure that was something done by the company hired by the City and if so that would be something they would hold the company responsible for.

George Brown, City Manager said that he saw the location of the plants and that they unfortunately were in the turf and they were not separated with soil or mulch. He said that he understands why Mr. Young would be disappointed that his landscape plants were mowed over. He said in all of these cases, the inspectors are trained to make a determination that the grass exceeds the eight inches and it's only then that they're turned in for mowing. He said sometimes it takes a few days for the contractor to get out to the property to mow and the contractor is directed to mow only if it hasn't been mowed since the initial inspection and order for mowing. He said that he did not find error in the process other than they need to be more careful especially with landscape beds.

Mayor Clark said that if there is damage to the yard, what is the expectation is from the contractor.

George Brown, City Manager said that we expect the contractor to take reasonable care.

Council Member Hensley suggested there be a meeting between the City Manager, Mr. Young and the contractor to see if it can be rectified.

Council Member Vining clarified that Mr. Young said the contractor mowing occurred two days after he mowed the yard.

William Young, 416 Almyra Avenue said he cut the grass carefully around the rose bushes and said the contractor was carless in his workmanship and even bent the fence as he cut down the 10" pine trees that he had planted there.

Mayor Clark explained that if the trees are that small and the ordinance doesn't take effect until the grass is over eight inches high, he can see how it would be difficult for the contractor to see the trees and the grass isn't going to get cut if it is less than eight inches. He asked Mr. Young to stop into City Hall tomorrow to speak with the City Manager regarding the saplings.

Troy Overstreet, 317 Kentucky Avenue said he had recently bought his house and the next day the contractors showed up to cut his grass. He said when his girlfriend asked the man what he was doing he told her about the weed and grass ordinance eight inch length stipulations, and she told him that she would cut the grass. He said it would have to be done today and then he drove away. He said a couple of weeks later he received a letter in the mail that said he had to pay for mowing of his property but noted he was the one who mowed the grass.

Rebecca, 317 Kentucky Avenue explained that she went to City Hall to discuss the letter and logged her complaint with four people in the past several months and said she just can't understand why they have to pay this bill.

Council Member Iacoangeli asked if Mr. Overstreet said he had just purchased the house but were not the owners at the time the previous owners were notified of the high grass.

Mayor Clark asked what date Rebecca had the conversation with the contractor when the grass was to be cut.

Rebecca, 317 Kentucky Avenue said the date was May 29, 2013.

Mayor Clark said that this has come up before, when there has been a transition of a home ownership, where someone has moved in and the person has received a notice that was meant for the previous owner and that's why he needs to clarify dates.

Council Member Molenda asked if the contractor has mowed the lawn at all since they have live at the property.

Troy Overstreet, 317 Kentucky Avenue said that he has mowed the grass each time and May 29<sup>th</sup> was the only time the contractor has been to their house.

Mayor Clark asked if they have the letter or invoice with them.

Troy Overstreet, 317 Kentucky Avenue said yes and passed it to the Clerk.

Michelle J. LaVoy, Clerk-Treasurer noted that the service date of invoice 1192 is May 29, 2013 for grass, weed cutting, mowing fee, equipment, lienable items, miscellaneous revenue and penalty, in the amount of \$51.34.

Mayor Clark asked if that is the day they moved in.

Michelle J. LaVoy said that she read the wrong invoice number, it is 162177, and also there is a note on the invoice that the mowing of the property at 317 Kentucky took place on 5/30/13.

Mayor Clark asked them to come into City Hall this week to speak with the City Manager and/or the Director of Engineering & Public Services.

Ray Rose, 4240 West Dunbar Road said that he has a couple of kids mow his property on Conant Street if the grass needs to be mowed they mowed it. He said there is no proof that the grass was over eight inches tall. He said the first time he was bill the amount was \$47.68 and now the next mowing is \$65.

Mayor Clark said that a homeowner's property is their responsibility and that he has had this conversation with other landlords who said they had an agreement with the tenant to mow, or shovel but when it doesn't get done they think that the City should go to the tenant to get it resolved, but the City goes to the property owner.

Ray Rose, 4240 West Dunbar Road said he paid the first invoice and that he did not think his grass was over eight inches high. He said he would like to see someone out there with a measuring tape.

Council Member Iacoangeli said he doesn't have a problem having DPS or the Building Department go out with a tape measure and a camera but that employees' time would be added to the bill for the administrative cost.

George Brown, City Manager said that the City is not an economical mowing service and as noted it is not a desirable part of the business to be on blight and property maintenance activities. He noted that there is an administrative and inspection fee added to the invoices so it is best that property owners stay on top of the maintenance of their property because it is more expensive if the City has to contract a company to do it.

Ray Rose, 4240 West Dunbar Road asked how the grass cutting fees can be \$47.68 at one time and then a couple months later be billed at \$65.

George Brown, City Manager said that with some multiple billings, the amounts vary because of various equipment used, how long the grass is and the time it takes to complete the job. He said there will be a different system in place this year and also different contractors but there will still be administrative and inspection charges added.

Nina Spaulding, 326 West Front Street (also owner of 603 & 605 West Front) said that she spoke with Mr. Wagner and Mr. Swallow about her problem, that she has a receipt from the service that she hires to cut the grass from July 1, 2013 and she has a bill from the City that states the contractor cut the grass on July 2, 2013, so there is a discrepancy of who cut the grass. She said that she spoke with the guy who she employees to cut her grass and he said that he was there and had cut the grass. She also commented on the different amounts that are being charged by the contractors. She thinks they cut the vacant lot next to her and used her address as a billing address.

Mayor Clark asked for the billing invoice number.

Dan Swallow, Director of Economic & Community said the number is 162649.

Mayor Clark said that he knows of the vacant lot next to her address and that there is no address because the house has been removed. He said that he would like to compare her invoice to that parcel number so he asked her to come back through the week at her convenience and ask that she speak with Mr. Lewis or Mr. Swallow.

Council Member Vining said she's had had property owners ask her how they would know if their grass was really more than 8 inches when the contractor cut it and how does the City prove it or do they have to prove it.

Mayor Clark said that if you look at the list of hundreds that are listed, he doesn't see how they would find the time to cut a lawn that wasn't.

Council Member Vining asked what process a property owner should take if they still don't agree with the charge from the City after the Public Hearing.

Tom Ready, Attorney explained that under the grass cutting ordinance there is not a notice process given the extent of the list to argue the fact of the eight inches and after the mowing the property owner can contest the charges either at the tax tribunal or in court if the property owner is of the strong opinion that the City made an error in some way but the burden of proof would be on the property owner to demonstrate that the grass was not eight inches at the time it was cut.

There being five (5) person present commenting and one comment on file in writing in the Clerk-Treasurer's Office, the Mayor declared the public hearing closed.

47 This being the date set to hear public comments on the special assessment roll for the expenses of unpaid sidewalk 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 writing in the Clerk-Treasurer's, the Mayor declared the public hearing closed.

48 This being the date set to hear public comments on the special assessment roll for the expenses of unpaid demolition 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 writing in the Clerk-Treasurer's Office, the Mayor declared the public hearing closed.

#### Council Action.

51 This item was postponed at the March 17, 2014 meeting.

The communication from the City Manager's Office, submitting a proposal from Ready, Heller & Ready, PLLC for the continuation of routine, general legal services for another two (2) year term and appointment, and recommending that Council strongly consider accepting Mr. Ready's legal services proposal and re-appointing him as City Attorney for the term of July 1, 2014 to June 30, 2016. It was moved by Council Member Sisk and seconded by Council Member Iacoangeli that item 51 be postponed until the next Regular Council Meeting.

It was moved by Council Iacoangeli and seconded by Council Member Sisk that item 51 be placed on the floor for discussion.

Ayes: 7 Nays: 0  
Motion carried.

Council Member Sisk thanked Council for allowing him time to speak with Mr. Ready by postponing this item. He shared that he asked Mr. Ready to be diligent at holding him accountable to other Council Members and to the public if Mr. Ready found that he was doing something wrong and he also asked Mr. Ready how he would adjust to a situation involving people that he was close to, be they a Council person or somebody in city government and Mr. Ready gave him two answers. He said that he does not sweep anything under the rug, and said if he was too close to a situation that he felt he could not 100% maintain his objectivity, he would ask that a neutral party do the investigation. Council Member Sisk said that was an outstanding answer.

Council Member Iacoangeli said that the term of the Attorney's contract is up for renewal as the new Council Members take their seats so he is of the opinion that the contract should be for one (1) year so that the contract from that point forward is in the middle of any Council Member's term therefore giving any new Council Members an opportunity to work with the City Attorney in order to appropriately evaluate their services to the City.

It was moved by Council Member Iacoangeli and seconded by Council Member Sisk to approve the proposal from Ready, Heller & Ready for continuation of routine general legal services for one year, for the term July 1, 2014 through June 30, 2015.

Council Member Rafko asked if at the end of the approved year if the contract reverts back to a two year cycle.

Mayor Clark answered yes. He said that he understands the reasoning, but at the same time you'll then extend the contract into a new Council, with an assessment time or not, won't have the ability to change it but he wants to look and see what the ending clause may be.

Tom Ready, Attorney noted that the current contract has been in effect since 2008 and it provides, among other things, that it can be terminated either by the city or by the firm with a 90 day notice.

Council Member Hensley said that Tom Ready had given outstanding service and representation to Council and he does not see a reason to change the process now.

Mayor Clark asked if there are any Charter provisions that might permit or not permit changing the term of the contract.

George Brown, City Manager said there is a Charter provision that mentions Council Appointment of a City Attorney for a two year term.

Michelle J. LaVoy, Clerk-Treasurer read from the City Charter, C-47 Appointive Officers Designated- The appointive officers of the said City are hereby fixed and designated as follows and shall be appointed by the Council: One City Attorney, for a term of two years.

Council Member Iacoangeli withdrew his motion but said he takes these appointments very seriously and would like this item to be postponed until the June 2<sup>nd</sup> Council Meeting to give him an opportunity to evaluate the performance of the City Attorney.

It was moved by Council Member Iacoangeli and seconded by Council Member Vining that item 51 be postponed until the Jun 2, 2014 Regular Council Meeting.

Council Member Sisk said that based on the time he spent with Mr. Ready he can say that he will support him but understands and supports Council Member Iacoangeli the same due diligence.

Following discussion a vote was taken on the motion.

Ayes: 7 Nays: 0

Motion carried.

53 It was moved by Council Member Molenda and seconded by Council Member Rafko that Proposed Ordinance No. 14-001, an ordinance to adopt the Fiscal Year 2014-2015 Budget for the City of Monroe be placed on its first reading and that the public hearing be set for Monday, April 21, 2014.

Ayes: 7 Nays: 0

Motion carried.

Proposed Ordinance No. 14-001, was then presented for the first time and laid over for its second reading and public hearing on April 21, 2014.

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 Council Member or citizen.)

- A. Approval of the Minutes of the Work Session held on Monday, March 17, 2014, Regular City Council Meeting held on Monday, March 17, 2014, the Minutes of the Work Session held on Tuesday, March 25, the Minutes of the Special City Council Meeting held on Wednesday, March 26, 2014 and the minutes of the Work Session held on Wednesday, March 26, 2014.
- B. Approval of payments to vendors in the amount of \$622,509.67.  
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

Michelle J. LaVoy, Clerk-Treasurer noted that item 54, Appointments Resolution has been amended and items 51, 58 and 61 have updated totals reports.

54 Appointments Resolution.

- 1. Communication from the Mayor'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.

55 Special Olympics Half Marathon/5K Road Race on November 9, 2014.

- 1. Communication from the City Manager's Office, submitting a request from the Special Olympics for permission to hold the 2<sup>nd</sup> annual Monroe Half Marathon and 5K race on Sunday, November 9, 2014 at 8:30 a.m., and specifically to hold a half-marathon road race from Sterling State Park through the streets of Monroe and back to Sterling State Park, for assistance from the City and Police Department, 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, **receipt of deposit in full of estimated costs no later than 14 days prior to event**, and that the City Manager be granted authority to alter/amend the event due the health and/or safety reasons.
- 2. Supporting documents.
- 3. Action: Accept, place on file and the recommendation be carried out.

56 Custer Airport – Professional Consultant Award.

- 1. Communication from the Director of Engineering & Public Services, reporting back on proposals for professional consultant services on aviation construction projects at Custer Airport, and recommending that Council approve the selection of RS & H as the City's aviation consultant for the years 2014 through 2018, and that the Director of Engineering & Public Services be authorized to execute any necessary or desirable agreements to this effect on behalf of the City.
- 2. Supporting documents.
- 3. Action: Accept, place on file and the recommendation be carried out.

- 57 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 fifteen (15) cases of larvicide briquettes and four (4) cases of pellets for detention ponds at a total cost of \$12,827.12 from Clarke Mosquito Control Products, Inc., that the Director of Engineering & Public Services be authorized to carry out the purchase, and that the formal competitive bidding process be waived for these purchases.
  2. Supporting documents.
  3. Action: Accept, place on file and the recommendation be carried out.
- 58 Assessment Roll – Blight Removal Expenses.
1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of blight removal on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 tax Roll.
  2. Supporting documents.
  3. Action: Accept, place on file and the resolution be adopted.
- 59 Assessment Roll – Demolition Expenses.
1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of demolitions on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 Tax Roll.
  2. Supporting documents.
  3. Action: Accept, place on file and the resolution be adopted.
- 60 Assessment Roll – Rental Property Inspection Expenses.
1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of rental property inspections on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 Tax Roll.
  2. Supporting documents.
  3. Action: Accept, place on file and the resolution be adopted.
- 61 Assessment Roll – Sidewalk Repair Expenses.
1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of sidewalk repairs on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 Tax Roll.
  2. Supporting documents.
  3. Action: Accept, place on file and the resolution be adopted.
- 62 Assessment Roll – Weed and Grasse Cutting/Tree Removal Expenses.
1. Communication from the City Clerk-Treasurer, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of weed and grass cutting and tree

removal on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 Tax Roll.

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

63 Blue Star Memorial Request from the Lotus Garden Club for Placement at the Sawyer Homestead.

1. Communication from the Director of Economic & Community Development, submitting a request from the Lotus Garden Club to place a "Blue Star Memorial" at the City-owned Sawyer Homestead property, and recommending that Council approve the Blue Star Memorial request from the Lotus Garden Club with the condition that it be placed at Soldiers & Sailors Park due to the site's stronger connection to Veterans, and further recommending that a letter be sent to the applicant that the City supports the establishment of a marker under the Blue Star Memorial Program, subject to final location being identified with City staff at Soldiers & Sailors Park.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

64 Preventative Maintenance Service Contract for Refrigeration System.

1. Communication from the Finance Director, submitting a Preventative Maintenance Service Contract for Refrigeration Systems at the Monroe Multi-Sports Complex (MMSC), and recommending that Council authorize Rink Management Services and/or the City of Monroe to enter into a three year preventative maintenance agreement with Toromont Cimco with a three-year price total of \$25,295.
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 Sisk that items 54, 55, 56 and 57 be approved as presented and that items B, 58, 59, 60, 61, 62, 63 and 64 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

B. Approval of payments to vendors in the amount of \$622,509.67, was presented, action: Bills be allowed and warrants drawn on the various accounts for their payment.

Council Member Iacoangeli noted that he will abstain from the vote on this item because there is a final invoice from Beckett & Raeder Inc, a firm of which he is part owner.

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

Ayes: 6 Nays: 0 Abstain: 1 (Council Member Iacoangeli)

Motion carried.

58 The communication from the City Clerk-Treasurer was presented, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of blight removal on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 tax Roll.

Council Member Vining asked about the disputed invoices and what will happen to them if the item is approved.

Tom Ready, Attorney said if the assessment roll is approved as presented there could be a correction made at a later date if need be. He said another option is to accept or take out those persons who made objections and were

directed or opted to speak with the administration in the coming week and they would not be on the roll unless there was further action at another meeting.

It was moved by Council Member Iacoangeli and seconded by Council Member Hensley that item 58 be accepted, placed on file and the resolution be adopted.

Ayes: 7 Nays: 0

Motion carried.

59, 60, 61, 62 The communication from the City Clerk-Treasurer was presented, submitting a proposed resolution authorizing the City Assessor to spread the special assessment roll for the expenses of demolitions, rental property inspections, sidewalk repairs, weed and grass cutting and tree removal on the 2014 summer tax roll, and recommending that the resolution be adopted and the charges be placed on the Summer 2014 Tax Roll.

It was moved by Council Member Iacoangeli and seconded by Council Member Rafko that item 59, 60, 61 & 62 be accepted, placed on file and the resolution's be adopted.

Ayes: 7 Nays: 0

Motion carried.

63 The communication from the Director of Economic & Community Development was presented, submitting a request from the Lotus Garden Club to place a "Blue Star Memorial" at the City-owned Sawyer Homestead property, and recommending that Council approve the Blue Star Memorial request from the Lotus Garden Club with the condition that it be placed at Soldiers & Sailors Park due to the site's stronger connection to Veterans, and further recommending that a letter be sent to the applicant that the City supports the establishment of a marker under the Blue Star Memorial Program, subject to final location being identified with City staff at Soldiers & Sailors Park.

Council Member Vining said she would like to approve placement of the "Blue Star Memorial" at the City-owned Sawyer Homestead property and said she is confused by the two different agenda fact sheets on this item. She said the first fact sheet had a recommendation against placement of the "Blue Star Memorial" for lack of compatibility and direct connection with its surroundings. She said that she disagrees with that and thinks there is a direct connection in the area of the Sawyer Homestead and said there are historical markers on that site.

Council Member Molenda noted that there is something to be said about having a unified theme within any park or facility and said there are two (2) parks that are dedicated to military service. He said to start spreading memorials and markers to other facilities that have identities unique in and of themselves takes him back to his point about a unified feel or theme.

Council Member Vining said that the Sawyer House holds the Founder's Day program, they are involved in re-enactments every year and all of that lines up with the plans for the Battlefield Nation Park project. She said she does not think the request is off base or starting some new trend, she thinks that the Sawyer House has been involved in this in some capacity for many years.

Council Member Hensley spoke against placement of the Blue Star Memorial at the Sawyer Homestead.

Council Member Iacoangeli spoke in favor of placing the Blue Star Memorial at the Sawyer Homestead.

Mayor Clark spoke against placement of the Blue Star Memorial at the Sawyer Homestead.

Council Member Rafko spoke in favor of placing the Blue Star Memorial at the Sawyer Homestead.

Following discussion, it was moved by council Member Vining and seconded by Council Member Rafko that the Blue Star Memorial be placed at the Sawyer Homestead not at Soldiers and Sailors Park, as identified.

Council Member Molenda said he feels like this is not the normal process in which memorial placement requests are made and asked if there has been some deviation in the policy.

George Brown, City Manager said that this request was expedited.

Following further discussion, a vote was taken on the motion.

Ayes: 4 Nays: 3 (Council Member Molenda, Hensley and Mayor Clark)

Motion carried.

64 The communication from the Finance Director was presented, submitting a Preventative Maintenance Service Contract for Refrigeration Systems at the Monroe Multi-Sports Complex (MMSC), and recommending that Council authorize Rink Management Services and/or the City of Monroe to enter into a three year preventative maintenance agreement with Toromont Cimco with a three-year price total of \$25,295.

Council Member Rafko would like to delay Council action on this item in light of discussion that has taken place at Work Sessions regarding the Monroe Multi-Sports Complex and the Recreation Department. She thinks more discussion is needed on this item.

Council Member Molenda said that his concern is that this is a three-year contract and he doesn't think there is a three-year plan for the facility. He is also concerned that there is no termination clause.

Council Member Hensley suggested that staff meet with the contractor and establish a 30, 60 or 90 day out with this contract.

Mayor Clark asked if Mr. Brown had a timeframe that would be appropriate to have this item revisited.

George Brown, City Manager said there is not a critical deadline to have this contract executed.

Council Member Iacoangeli noted that the professional service agreement has a clause that if there are any disputes, they shall be resolved in the Ontario court system and he would like to see that changed that they will be handled here in the United States.

It was moved by Council Member Rafko and seconded by Council Member Hensley that item 64 be postponed until the May 19<sup>th</sup> Council Meeting.

Adam Yeager, 1833 South Custer Road asked if the MMSC is self funded.

Council Member Iacoangeli said no.

Lou Lambardo, Rink Management, MMSC said that he will address Councils concerns but unfortunately running one compressor as it gets warmer, and not getting this item approved until the end of May can be detrimental to the ice surface.

Council Member Molenda said the issue is the termination clause and that it is a single issue so it may not be necessary to hold this item until the middle of May.

Council Member Rafko agreed to change her motion to read "no later than May 19<sup>th</sup>" and Council Member Hensley supported the change to the motion.

Following discussion, a vote was taken on the motion.

Ayes: 7 Nays: 0  
Motion carried.

#### Council Comments.

Mayor Clark recognized Ray Solo and Jim Solo, two former City of Monroe Fire Chiefs and said that he would have Council Comments first and then invite them to speak.

Council Member Molenda commented on Earth Day and the Humane Society Auction. He noted that Waterloo Elementary School entered into a contest sponsored by Bridgestone Tire to improve green spaces and playgrounds. He urged everyone to go to the Bridgestone Tire website and place their vote daily for Waterloo Elementary School. He also commented on a performance at RRCA, Coppelia, and said that he is the Mayor of the fictitious town in the play.

Council Member Rafko commented on the Celebrate Children event at the mall and the Easter Egg Hunt at Munson Park. She alerted Patrick Lewis, Director of Engineering & Public Services that the sidewalk at Monroe and Noble is blocked and it is a safety issue for children who cross at that intersection.

Council Member Sisk thanked Mr. Brown, City Manager, Mr. Ready, Attorney and Carole Snider, Human Resources for their time and effort in providing him with information that he requested.

Council Member Iacoangeli recognized former Mayor Knabusch, the service that he provided to the City of Monroe and noted that he passed away last week.

Council Member Vining encouraged City of Monroe residents to attend Council meetings to voice their concerns and to learn about the process. She said that residents have a voice and that voice will compel Council to address their issues.

#### Mayor Comments.

Mayor Clark recognized the students who were in attendance from MCCC and gave them encouragement. He also commented about former Mayor Milton Knabusch. He announced Comcast Care Day on April 26<sup>th</sup> at the ALCC.

#### Citizen's Comments.

Ray Solo, former City of Monroe Fire Chief, served for 17 years and retired in 1997. He introduced his dad, Jim Solo who also served as City of Monroe Fire Chief beginning in 1947 and retired in 1980. He said that he is disappointed in what has happened to the Fire Department, how it's been reduced to one or two firemen on duty per shift. He said apparently fire protection is no longer a priority for the community and it saddens him.

Jim Solo, former City of Monroe Fire Chief said the hardest job he had as a Fire Chief was to establish the East Side Fire Station even though Mayor Mignano lived on the east side. He noted that the West Side Fire Station is now being manned with two men and he doesn't see how that can work. He noted that he regrets to see how the operation of the Fire Department has been reduced.

Richard Micka, 47 East Elm Avenue said on behalf of the applicant, The Lotus Garden Club and as a veteran he appreciates the opportunity to speak regarding the Blue Star Memorial honoring all veterans and the love of gardening. He thanked Dan Swallow, Jeff Green and Council for making considerable effort to get this request on the Council agenda and approved. He acknowledged the Lotus Garden Club for their efforts to bring another Blue Star Memorial to Monroe as he continued to read his statement.

Carolyn Harmon, 6100 North Dixie Highway said she's a member of the Lotus Garden Club but is not here to speak on behalf of the club; she is here to speak as a teacher, a mother and a grandparent. She said she is an advocate of veterans and spoke against the concern of having all memorials in just a few locations around town.

Rosalie Pasko, 508 East Front Street, member of the Lotus Club said she lives across from Soldiers and Sailors Park and one block from the Sawyer Homestead. She thanked Council Member Vining for her support to place the memorial at the Sawyer Homestead and said it will be much easier for the garden club to maintain in that location.

Adjournment.

It was moved by Council Member Iacoangeli and seconded by Council Member Hensley that the meeting adjourn at 9:53 p.m. until the Regular Meeting on Monday, April 21, 2014 at 7:30 p.m.

Ayes: 7 Nays: 0

Motion carried.

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Michelle J. LaVoy  
City Clerk-Treasurer

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Robert E. Clark  
Mayor