

CITY OF MONROE
REGULAR COUNCIL MEETING
MONDAY, JULY 21, 2014
AMENDED

Regular meeting of the City Council of the City of Monroe, Michigan held on Monday, July 21, 2014 at 7:30 p.m. in the City Hall Council Chambers.

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

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

Mayor Clark led the pledge of allegiance to the flag.

Consent Agenda.

- A. Approval of the Minutes of the Special Meeting held on July 7, 2014 and the Minutes of the Regular City Council Meeting held on Monday, July 7, 2014 and the Minutes of the Joint Work Session, held on Wednesday, July 9, 2014.
- B. Approval of payments to vendors in the amount of \$1,070,605.49.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

146 2014 Pavement Marking Program Bids.

- 1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the 2014 Pavement Marking Program, and recommending that Council award the above contract to R.S. Contracting in the amount of \$45,605.70, that a total of \$55,000 be encumbered to include a 20% project contingency, and that their bid irregularity of failing to acknowledge Addendum 1 be waived, and further recommending that the Mayor and Clerk-Treasurer be authorized to sign the contracts on behalf of the City of Monroe, and that the Finance Director be authorized to make any necessary funding transfers.
- 2. Supporting documents.
- 3. Action: Accept, place on file and the recommendation be carried out.

147 Scottwood Avenue Block Party.

- 1. Communication from the City Manager's Office, submitting a request from the residents and families of Scottwood Avenue for permission to hold their annual block party on July 26, 2014, specifically to close Scottwood Avenue between Hollywood Drive and Riverview Avenue from 2:00 p.m. – 10:00 p.m. for their annual party, 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**, 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.

148 Conant Avenue Block Party.

- 1. Communication from the City Manager's Office, submitting a request from Ms. Cheatham for permission to hold a block party on July 26, 2014, specifically to close Conant Avenue between East First and Oak Streets from 2:00 p.m. – 10:00 p.m. for their party, and recommending that Council approve the request as amended, closing Conant Avenue between East First and Third Streets, contingent upon items being met as

outlined by the administration, subject to emergency vehicle access being maintained and no additional overtime or other costs to the city, 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.

149 Leaf Bag Purchase Bids.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the purchase of biodegradable paper compost bags for distribution to City residents for fall leaf collection, and recommending that the award for 72,000 bags be awarded to Pabco Industries, LLC, and that the Director of Engineering & Public Services be authorized to execute a purchase order for the 2014-15 Fiscal Year in the amount of \$22,708.80.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

150 Roessler Street Bridge Rehabilitation – Design Contract Award.

1. Communication from the Director of Engineering & Public Services, reporting back on bids received for the Roessler Street Bridge Rehabilitation, and recommending that the City award a design contract for the rehabilitation of the Roessler Street bridge to Fishbeck, Thompson, Carr & Huber, Inc., in an amount “Not to Exceed” \$50,951, and that the Director of Engineering & Public Services be authorized to execute the agreement on behalf of the City, and further recommending that a total of \$60,000 be encumbered for this work, should the Engineering Department determine during the design process that additional work activities or environmental studies are necessary and/or desirable.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

151 Police Detective Bureau Sedan Purchases.

1. Communication from the Director of Engineering & Public Services, submitting a quote for the purchase of two (2) 2015 Ford Fusion SE sedans to be used by the Public Safety Department Detective Bureau, and recommending that Council award a contract to purchase two (2) 2015 Ford Fusion SE sedans for a total price of \$38,604 from Signature Ford of Owosso, Michigan, and further recommending that the Director of Engineering & Public Services be authorized to prepare a purchase order for the above amount.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

152 Great Lakes Commission – Grant Agreement Acceptance.

1. Communication from the Director of Water & Wastewater Utilities, submitting the Great Lakes Commission Grant Agreement, 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 \$11,000 and for the City Manager, COTE Chairman, or their 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.

153 Purchase of 207 E Second Street from the Federal National Mortgage Association (Fannie Mae).

1. Communication from the Director of Economic & Community Development, submitting a purchase agreement for the purchase of property located at 207 East Second Street, and recommending that Council approve the purchase of 207 E. Second Street (Parcel ID #39-00260-000) from Fannie Mae and authorize the City Manager to execute the requisite purchase agreements, contracts, addendums and closing documents to purchase the property, subject to review by the City Attorney, and further recommending that Council authorize the expenditure of the purchase price of \$41,900, plus a contingency of \$3,100 to cover any closing costs incurred by the City, for a total amount not-to-exceed \$45,000.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

It was moved by Council Member Iacoangeli and seconded by Council Member Rafko that items 146, 147, 148, 149, 150, 151 and 152 of the Consent Agenda be approved as presented and that item 153 be removed and considered separately.

Ayes: 7 Nays: 0

Motion carried.

153 The communication from the Director of Economic & Community Development, submitting a purchase agreement for the purchase of property located at 207 East Second Street, and recommending that Council approve the purchase of 207 E. Second Street (Parcel ID #39-00260-000) from Fannie Mae and authorize the City Manager to execute the requisite purchase agreements, contracts, addendums and closing documents to purchase the property, subject to review by the City Attorney, and further recommending that Council authorize the expenditure of the purchase price of \$41,900, plus a contingency of \$3,100 to cover any closing costs incurred by the City, for a total amount not-to-exceed \$45,000.

Adam Yeager, 1833 South Custer Road asked why we are purchasing this property.

George Brown, City Manager said that this property is a foreclosure and the price is about \$100,000 less than original purchase amount five or six years ago. He said that the property is located within a block where the city has current facilities and that the opportunity to control the property at the current price was favorable.

Adam Yeager, 1833 South Custer Road he said as far as he can tell it is no benefit to the city.

Council Member Iacoangeli said that since 2005 the city has conducted 2 or 3 feasibility studies on the structural condition of the central fire station and there was a presentation by the architect of the most recent study given to Council about 2 months ago and it was determined that the central fire station needs to be replaced. He further explained that it is too costly to renovate because of the design of the structure so it is beneficial to the city to buy property adjacent to that facility in the event the facility will be rebuilt.

It was moved by Council Member Iacoangeli and seconded by Council Member Sisk that item 153 be accepted, placed on file and the recommendation be carried out.

Ayes: 7 Nays: 0

Motion carried.

Council Comments.

Council Member Hensley noted that this Sunday is the Monroe County Fair Parade at 1:00 p.m.

Council Member Iacoangeli said that he would like to make a couple of motions regarding the Knights Inn property and a residential target market analysis.

It was moved by Council Member Iacoangeli and seconded by Council Member Sisk to declare the Knights Inn a Public Nuisance, under the provisions of §296.4, Declaration of Nuisance that the City Council schedule a public hearing on August 18th, 2014 to consider the declaration of the Knights Inn as a public nuisance under Article II, Drug Nuisance properties of the Codified Ordinances of the City of Monroe.

Ayes: 7 Nays: 0

Motion carried.

It was moved by Council Member Iacoangeli and seconded by Council Member Rafko to inquire if the DDA would consider a joint funding for residential target market analysis for the downtown and City of Monroe as identified in our CDBG program.

Ayes: 7 Nays: 0

Motion carried.

Council Member Vining said that she has received many calls about the closing of the railroad at Kentucky Avenue and East Third Street and asked under whose authority have the crossing been closed She also asked for an update on the section of roadway to be repaired on East Third Street between Railroad and Eastchester Street.

Patrick Lewis, Director of Engineering & Public Services said that the only entity with authority to request that a crossing be closed is the railroad and that the railroad has requested that the city close the crossing so they did. He noted that Cadillac Asphalt and their subcontractors plan to address the 100 feet area of asphalt pavement between the two sections of railroad tracks on East Third Street between Eastchester and Railroad Streets sometime this week and that hopefully it will only be closed for a couple of weeks. He gave an update on the tracks on First Street, Elm Avenue and Front Street.

Council Member Molenda announced the "Barks and Bubbles Dog and Car Wash" given by the Humane Society of Monroe County on Saturday, July 26, from 10:00 a.m. – 3:00 p.m. at the Thrift Store / Humane Society, 833 North Telegraph Road and the cost is \$5.00 per car wash or dog wash and said they will also have a bake sale.

Council Member Rafko commented on the Monroe Wine Crawl this past weekend and Council's goal regarding neighborhoods.

Council Member Sisk said that he has issues and lack of confidence in our City Administrator and that he has voiced his criticism repeatedly at Council meetings and he thinks we should be going in a different direction and that he is of the opinion that we should. He said he will make the following motion.

It was moved by Council Member Sisk and seconded by Council Member Rafko that effective July 25, 2014, the City of Monroe terminate its contract with City Manager, George Brown without cause.

Mayor Clark said that Council gives the City Manager direction to carry out the day-to-day operations so he would like to know why Council Member Sisk wants to terminate the City Manager's contract and what his dissatisfaction is with the City Manager. He said that he is not in favor of that motion.

Council Member Hensley said that he has worked with Mr. Brown for five (5) years and that so far he's been good at communicating with him. He noted that from what he has seen Mr. Brown has great respect from his staff and great respect for his staff and that he follows Council's direction.

Council Member Molenda said that over the years he was in on performance evaluations for Mr. Brown and his reviews have been consistently favorable. He said it's difficult for someone in the City Manager's position to make everybody happy and he thinks it may just be an issue of a personality clash but there is nothing that justifies dismissal, so he would not be inclined to support the motion.

Following discussion a vote was taken on the motion.

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

Motion failed.

City Manager's Comments.

George Brown, City Manager said that he has never been so humiliated in his professional career. He noted that the Charter calls for a super majority to release the City Manager and his employment agreement also calls for a vote of five (5).

Mayor Clark said that he will look into the question about the number of votes required to terminate the City Manager regarding the contract and the charter.

Mayor's Comments.

Mayor Clark commented about block parties and listed various community events that have taken place in the city and events that are scheduled to be held in the weeks ahead. He also commented on the exchange students that will be here on Saturday at 5:00 p.m., from our Sister City, Hofu, Japan. He commented on the SEMCOG meeting on August 21st in Dundee and the Primary on August 5th.

He said that Council will have disputes and disagreements at times, but that there are ways to handle those issues. He noted that the City Manager's evaluation usually comes due in July and that is an opportunity for Council to put on paper what their issues are if they haven't shared them personally.

Clerk-Treasurer's Comments.

Michelle J. LaVoy, Clerk-Treasurer noted that absentee ballots applied for and obtained from the Clerk's Office. She noted that the Clerk's Office will be open on Saturday, August 2nd to accept absentee ballots and to conduct Election Inspector training from 8:00 a.m. – 2:00 p.m. She explained that Clerk's Office personnel cannot give advice about how to vote but we encourage the voter to make use of the many ways to educate themselves on the proposal and the candidates, through the internet, the news media, and mailers that come to their residence. She also noted that if you missed the deadline to vote in the August Primary, please register by Monday, October 6, 2014 to be able to vote in the November General Election.

Citizen's Comments.

Ronnie Gibson, 1011 East Front Street and said that his sister lives next door at 1003 East Front Street and there is a small house in the back of her house and the address is 1003 ½ East Front Street. He said when he went to the Building Department to pay the fee for the house in the rear and was told that they were doing eliminating the rental status on that property. He said he asked why and was told that they were just eliminating places down there. He asked to speak with someone about that and Mr. Woodcock came out to speak to him. He said that Mr. Woodcock said that he could pay for the inspection but that it wouldn't do him any good and he also told him that he could go to the Council Meeting but that would not do him any good either. He said that Mr. Woodcock told him that there was no such address as 1003 ½ East Front Street and laughed at him. He said that Mr. Woodcock complained about various things about "that area" and treated him with disrespect by bringing up things about his deceased parents.

Mayor Clark said he understands that this took place at the building department counter and that Mr. Gibson would like to make a formal complaint, that he has spoken to his Council representative and to the City Manager and that he has received a call from the City Manager.

Ronnie Gibson, 1011 East Front Street said that he hasn't received a call from anyone but was told that someone would call him.

Mayor Clark explained the process and said once that is done Mr. Brown will see that process through.

Tara Essary, 1003 ½ East Front Street said she was told that as long as a family member lived there a rental inspection would not be required. She said now they have decided to rent it so they want to have an inspection but Mr. Woodcock said that it cannot be rented or inspected. She said that the more she tried to talk to Mr. Woodcock, the louder he became and she couldn't say anymore to him.

Mayor Clark said that there is an Ordinance that mandates stipulations for rentals and he said that until he gets the dates from her and checks into them he cannot speak to whether it is a rental or not. He said that process should be part of this complaint.

Council Member Vining explained that she suggested that Mr. Gibson and his sister, Ms. Essary bring their complaint to Council because she did not know the process to file a formal complaint. She said that one of the reasons she ran for City Council was to help create an atmosphere of transparency because there seems to be a perception that Council and some of the departments are not transparent. She said that she will see this process through and that hopefully we can provide better customer service while keeping up with the building zones and codes and that there will be no need to argue with the residents.

Adjournment.

It was moved by Council Member Hensley and seconded by Council Member Iacoangeli that the meeting adjourn at 8:25 p.m. until the Regular Meeting on Monday, August 4, 2014 at 7:30 p.m.

Council Member Iacoangeli said that he thinks that since the City Attorney is going to be asked to weigh in on the vote to terminate the City Manager, he thinks it is appropriate that Council have a written opinion from the Attorney for clarity purposes, for all parties involved.

A vote was taken on the motion.

Ayes: 7 Nays: 0

Motion carried.

Michelle J. LaVoy
City Clerk-Treasurer

Robert E. Clark
Mayor