



AGENDA

CITY COMMISSION MEETING

Monday, October 05, 2009

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcement, Acknowledgments, and Communications and Reports.

Presentation of Proclamation Honoring Sergeant Kevin Robertson.
5. Adoption of Agenda.
6. Public Comments.
7. Administrative Response to Issues or Questions Raised During Previous Meetings.
8. Approval of Minutes.
9. General Business
 - 9-A - First Public Hearing for the Downtown Maintenance Program.
 - 9-B - Introduction and First Reading of an Ordinance Creating a Gratiot Avenue Corridor Overlay Zone.
 - 9-C - Request for Approval of Draft Master Plan.
 - 9-D - Approve Purchases and Payment of Invoices.
10. Consent Agenda
 - 10-A - Request Approval for a Brick Breaking Demonstration in Front of Fritt's Pub.

11. City Manager's Report.
12. Commissioners' Comments.
13. Adjournment.

The City of Mount Clemens will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon one week-notice to the City of Mount Clemens. Individuals with disabilities requiring auxiliary aids should contact the City of Mount Clemens by writing or calling the following:

City Clerk's Office
One Crocker Boulevard
Mount Clemens, Michigan 48043
586.469.6818, Extension 310
911 - TDD

EXPLANATION OF AGENDA – October 5, 2009

Administrative Response to Issues or Questions Raised During Previous Meetings

1. A resident asked if the Dangerous Animals ordinance denies citizens of their due process.

No. The U.S. Supreme Court has long held that a property interest in dogs is limited and subject to police powers of the government and that there are no fundamental constitutional rights relating to the same.

2. A resident asked if the provisions of the Dangerous Animals ordinance exceed state law.

No. The provisions of the ordinance relating to destruction or confinement of a dangerous animal are identical to the provisions contained in MCL287.322, the State Dangerous Animal Statute.

3. A resident asked if a copy of the Draft Master Plan is on file at the City Clerk's Office and at the Mount Clemens Public Library.

Yes, it is available at both locations.

4. A resident asked if the City Commission presented a copy of the Draft Master Plan to the citizens.

A copy of the Draft Master Plan is available on the City's website. A public hearing will be held prior to formal adoption of the plan.

5. A resident asked when the 63 day review period of the Draft Master Plan expires.

If the Draft Master Plan is approved at the October 5, 2009, Regular City Commission meeting, the 63 days will expire on December 7, 2009. Thereafter, a public hearing will be held with regard to the adoption of the final document.

EXPLANATION OF AGENDA - October 5, 2009

First Public Hearing for the Downtown Maintenance Program

The enclosed map indicates primary and secondary streets. Also enclosed is a "Determination of Assessment" that was submitted by the Downtown Development Maintenance Committee when the program was first initiated. The projected 2009/2010 expense is \$47,000 (see attached estimated mall maintenance cost). A primary rate of \$6.00 and a secondary rate of \$3.00, which will generate a total assessment of approximately \$35,915.

SUBMITTED BY:

Marilyn J. Dluge, Finance Director/Treasurer

RECOMMENDED MOTION:

Close the first public hearing, adopt the rates, instruct the Assessor to prepare the Special Assessment Roll and set date of October 19, 2009, for the second public hearing.

EXPLANATION OF AGENDA – October 5, 2009

Introduction and First Reading of an Ordinance Creating a Gratiot Avenue Corridor Overlay Zone

The City of Mount Clemens has been working with the Macomb County Planning and Economic Development Department regarding access management along the Gratiot Avenue Corridor. As part of this project, the City entered into a Memorandum of Understanding with regard to the steps that would be taken to adopt an Access Management Plan. The attached Zoning ordinance sets forth the standards for the Mount Clemens Planning Commission to utilize when reviewing a site plan for a property along Gratiot Avenue.

A public hearing was held by the Planning Commission with regard to the suggested Ordinance on September 1, 2009. At that meeting, the Planning Commission approved the draft and recommended forwarding it to the City Commission for adoption.

SUBMITTED BY: Bonnie M. McInerney,
Community Development Director

RECOMMENDED MOTION: To approve the introduction and first reading of the ordinance creating the Gratiot Avenue Corridor Overlay Zone, section 15.066; and set the second reading and adoption for October 19, 2009.

EXPLANATION OF AGENDA – October 5, 2009

Request for Approval of Draft Master Plan

On August 5, 2009, the Mount Clemens Planning Commission approved the release of the Draft Master Plan for review. According to statute, the City Commission must also approve the release of this document. Once the draft is approved for release by the City Commission and all comments have been received, Hamilton Anderson will forward a final copy for adoption by the City Commission and Planning Commission. The Draft Master Plan has been supplied under separate cover.

SUBMITTED BY: Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION: Approve the Draft Master Plan for distribution and comment.

EXPLANATION OF AGENDA – October 5, 2009

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Pabco Industries, Inc. 166 Frelinghuysen Avenue Newark, NJ 07114	Estimated annual Requirement of Compost bags For purchase by City residents.	Sanitation Fund/ Compost Bags	596-52100-776001	\$8,964.00	*\$7,598.12
2.FJF Door Sales Company 43678 Gratiot Clinton Township, MI 48036	Automated Garage Door Safety Device and Close Timer for Fire Department.	General Fund/ Fire Department/ Building Maintenance	101-33600-931000	\$1,739.00	\$8,538.00
3. Airgas Great Lakes, Inc. 44350 Groesbeck Clinton Township, MI 48036	Estimated annual Requirement of Bulk Oxygen Needed by the Water Plant.	Water-Utilities Fund/ Operation of Plant/ Chemicals	591-53708-743000	\$0.38/100 Cubic feet x approximately 2,400,000 Cubic feet = \$9,120.00	\$111,211.73

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.Metro Auto Body 335 North Groesbeck Mount Clemens, MI 48043	Body repairs to Vehicle #115 (Cable Van) INSURANCE CLAIM	Motor Pool Fund/ Department of Public Services/ Vehicle Maintenance	661-44100-939000	\$4,107.90	\$25,520.20

*Budget amendment to be made at a later date.

SUBMITTED BY: Marilyn Dluge, Finance Director/Treasurer

RECOMMENDED MOTION: Approve purchases and payment of invoices as presented.

EXPLANATION OF CONSENT AGENDA – October 5, 2009

Request Approval for a Brick Breaking Demonstration in Front of Fritt's Pub

Kevin Taylor, President of the World Speed Brick Breaking Association, and Fritt's Pub are requesting the use of ten (10) parking spaces in front of Fritt's Pub for a brick breaking demonstration. In addition to the demonstration, they are proposing an outdoor band during the hours of 8:00 p.m. and 11:00 p.m., on October 10, 2009. Mr. Taylor and Fritt's Pub have both provided the required insurance naming the City of Mount Clemens as an additional insured. Mr. Taylor has committed to paying for the spaces used, as well as any overtime required by the Department of Public Services for the event.

SUBMITTED BY:

Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION:

Grant permission for a brick breaking demonstration and the use of ten (10) parking spaces outside of Fritt's Pub on October 10, 2009, as well as an outdoor band between the hours of 8:00 p.m. and 11:00 p.m.

EXPLANATION OF AGENDA – October 5, 2009

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: October 1, 2009

RE: Report from the City Manager's Office

1. City Commission Meeting: Please note there is not a Work Session scheduled before the next City Commission meeting. The Regular City Commission meeting will begin at 7 p.m.
2. Reminder: Garbage pickup will run *on schedule* during the entire month of October. This includes Columbus Day week – October 12th through 16th.
3. Leaf Pickup Policy: During the autumn months, the City is requesting that residents do not blow or rake leaves into the street. The City's contractor will continue to pick up leaves and yard waste in brown paper leaf bags or loose in a 25- to 32-gallon container marked "yard waste" or "compost" until December 4th. Leaf bags can be purchased year round at City Hall or at the Department of Public Services.
4. Code Enforcement Officer Position: We would like to welcome new employee James Graessle to our Department of Public Services. He will begin his position on October 5, 2009.
5. Tree Trimming: DTE Energy has recently notified us that their line clearance contractor will soon have trucks in our Community trimming and removing trees away from the power lines. For more information on the line clearance program, you can visit the DTE Energy website at www.dteenergy.com.
6. Audit Review: I have met with Plante & Moran to discuss the final audit review. I am happy to report that the General Fund will come out ahead by approximately \$348,000. I would like to recognize City staff for their cooperation and fine efforts throughout this process. A final presentation regarding the City's finances will be held for the City Commission and the public at the first meeting in November.

7. Mount Clemens Farmers Market: The Farmers Market Apple Festival is scheduled for Saturday, October 10, 2009 from 10 a.m. to 1 p.m. For more information, please contact 586.493.7600.
8. Fire Department Open House: The Fire Department will be hosting their annual Open House on Sunday, October 11th from 12:00 p.m. – 4:00 p.m. There will be live fire equipment demonstrations, an emergency medical helicopter, entertainment, a pumpkin carving station, and doughnuts and cider. For more information, please contact 586.469.6840.
9. Historical Homes Tour: The Mount Clemens Historical Commission will hold their 16th Annual Homes Tour on Saturday, October 10, 2009. Tickets are \$15.00 each and can be purchased at the Mount Clemens Public Library, 150 Cass Avenue. For more information, please contact Joan Foglyano at 586.465.1538.
10. Mount Clemens High School: The annual Homecoming Parade will begin at 5 p.m. on Friday, October 9, 2009. The Homecoming Game will begin at 7 p.m.
11. Film Mount Clemens: Some residents have had questions regarding the filming of Red Dawn. While the possibility remains that the production company may want to return to do a few short scenes, it appears that the portion of Red Dawn filmed in Mount Clemens is complete. The Production Company is currently completing all restoration work. It is important to note that Wolverine Productions will be invoiced for all expenses including police, fire, and public services as well as for the replacement of any damaged concrete and any other expenses incurred. While we realize that some residents and businesses were inconvenienced due to the filming, we want to thank everyone for their patience. We look forward to seeing the City of Mount Clemens on the big screen next September.

In light of the completion of the filming of Red Dawn, we wanted to remind the residents that the City has its own film website that can be viewed at www.filmmountclemens.com. In addition, if you would like additional information regarding the film industry and what is going on across the State, you can visit www.Michiganfilmoffice.org.

NOTICE TO RESIDENTS

CITY OF MOUNT CLEMENS

LEAF PICK UP POLICY

As provided for under the City of Mount Clemens Ordinance #30.018, Sec. 18, as amended, you are hereby notified of the following:

The City of Mount Clemens will again be enforcing its leaf pick up policy this fall. **RAKING AND BLOWING LEAVES INTO THE STREET IN THE CITY OF MOUNT CLEMENS IS PROHIBITED.** All leaves that do not fall into the street from the trees **MUST** be placed in 30-gallon brown waste bags or 25- to 35-gallon refuse containers.

ABSOLUTELY NO RAKING OR BLOWING LEAVES INTO THE STREET. IF YOU HAVE A LANDSCAPING COMPANY, PLEASE MAKE SURE THAT THEY ARE AWARE OF THIS POLICY. YOUR COMPLETE COOPERATION WILL BE APPRECIATED.

The City will schedule a clean-up crew to come down every street at least twice during this season to pick up the leaves that have fallen from the trees. The City will not release a schedule due to the uncertain weather conditions during the Fall season.

A City contracted yard waste collection truck will operate through December 4, 2009 only. No compost or yard waste will be picked up after December 4th. This truck will pick up only properly contained and bundled yard waste. **YARD WASTE IN PLASTIC BAGS WILL NOT BE PICKED UP.** Brush piles and yard waste must be placed in 30-gallon brown waste bags or 25- to 35-gallon refuse containers that weigh 50 pounds or less. Brush must be cut into four-foot lengths and tied in bundles. Bundles must not weigh more than 50 pounds or be over 18" in diameter. Large logs over 3" in diameter, as well as stumps or roots, will not be picked up for collection.

If you reside in or own a **Multi-Family Dwelling** and do not receive City services, please make arrangements with your Non-Municipal waste hauler, if necessary, to remove compost debris from your property.

Place all yard waste at the curbside no earlier than 6 p.m. the day before your scheduled pick up day and **NO LATER THAN 7:00 A.M.** of your scheduled pick up day.

Please remember that following City policy will not only be appreciated by the City of Mount Clemens, but also by your neighbor who has been taking the time to bag their leaves.

Any questions on this policy should be directed to the Department of Public Services at 586-469-6847, between the hours of 7:00 a.m. and 3:00 p.m., Monday through Friday or visit our website at www.cityofmountclemens.com.