



A G E N D A

CITY COMMISSION MEETING

Monday, October 19, 2009

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcement, Acknowledgments, and Communications and Reports.
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 - Second Public Hearing on Special Assessment for Downtown Maintenance Program.
 - 9-B - Second Reading and Adoption of an Ordinance Creating a Gratiot Avenue Corridor Overlay Zone.
 - 9-C - Request Approval to Enter into an Agreement with the Michigan Department of Transportation for the Main and Market Street Traffic Signal Replacement Project.
 - 9-D - Approval of Mount Clemens Volunteer Fire Department By-laws.
 - 9-E - Approve Purchases and Payment of Invoices.

10. Consent Agenda

10-A - Appointments to Boards, Committees and Commissions.

10-B - Support Submission of a Grant Application to the Michigan Department of Energy, Labor and Economic Growth to Reduce Energy Consumption and Fossil Fuels.

10-C - Request Approval to Hold a Harvest Party Fundraiser on Leonore and Dorothea Streets and for the Use of the Dorothea-Leonore Park.

10-D - Request Approval of a Resolution Opposing an Increase in Size and Weight of Trucks on Michigan Highways.

10-E - Grant Permission to Hold the Annual Santa Parade.

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 19, 2009

Administrative Response to Issues or Questions Raised During Previous Meetings

1. A Commissioner asked if the City should look into charging a fee for the dog park.

This option has been reviewed in the past. At that time, we found that enforcement along with the expense to put in place mechanisms for a prepaid entrance outweighs the benefits of charging a fee. Also, the dog park was initially established through a donation and, other than maintenance to the property itself, continues to operate through donations received at the park at no cost to the City.

EXPLANATION OF AGENDA - October 19, 2009

Second Public Hearing on Special Assessment for Downtown Maintenance Program

This date has been set for the Second Public Hearing for the Downtown Maintenance Program. The purpose of this Second Public Hearing is to review and confirm the Special Assessment Roll as prepared by the City Assessor.

SUBMITTED BY: Marilyn Dluge, Finance Director

RECOMMENDED MOTION: Close the Second Public Hearing and confirm Special Assessment Roll No. 10-01.

EXPLANATION OF AGENDA – October 19, 2009

Second Reading and Adoption 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.

Staff has been working with the Michigan Department of Transportation to obtain the requested letter of commitment regarding the access points during the M-3 Rehabilitation Project.

SUBMITTED BY:

Bonnie M. McInerney,
Community Development Director

Jeffery D. Wood
Director of Public Services

RECOMMENDED MOTION:

To table the second reading and adoption of the ordinance creating the Gratiot Avenue Corridor Overlay Zone, Section 15.066, until November 2, 2009, pending receipt of a commitment letter from the Michigan Department of Transportation.

EXPLANATION OF AGENDA - October 19, 2009

Request Approval to Enter into an Agreement with the Michigan Department of Transportation for the Main and Market Street Traffic Signal Replacement Project

Enclosed, for your review, is the Congestion Mitigation and Air Quality contract along with a municipal resolution for the replacement of the Main and Market Street Traffic Signal.

This is a contractual document between the Michigan Department of Transportation and the City of Mount Clemens, which outlines the performance of the project and the project costs. Federal Funds shall be applied to 100% of the applicable project costs up to \$150,000 with the City being responsible for any remaining balance above.

The City Attorney has reviewed the contract. This resolution is necessary in order to specifically name the officials who are authorized to sign the said contract.

SUBMITTED BY: Jeffrey D. Wood, Public Services Director

RECOMMENDED MOTION: To adopt the resolution approving the contract between the Michigan Department of Transportation and the City of Mount Clemens for the replacement of the Main and Market Street Traffic Signal, MDOT No. 09-5607, as presented; and to authorize the City Manager and the Public Services Director to sign and enter into the agreement.

EXPLANATION OF AGENDA – October 19, 2009

Approval of Mount Clemens Volunteer Fire Department By-laws

The Mount Clemens Volunteer Fire Department has requested that the City Commission approve the updated by-laws. Mount Clemens Ordinance, Section 40.020, states that the “volunteer fire companies of the City shall be governed by the by-laws approved by the City Commission and shall be under the complete authority of the City Commission.”

All changes have been reviewed by the City Attorney. The changes from the previous by-laws have been underlined and bolded to show additions or have a strikethrough to show deletions.

SUBMITTED BY: Verbon Yancy, Chief
Mount Clemens Volunteer Fire Department

RECOMMENDED MOTION: Approve the changes to the Mount Clemens Volunteer Fire Department By-laws.

EXPLANATION OF AGENDA – October 19, 2009

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. D.F.S. Construction 45521 Custer Avenue Utica, MI 48317	Memorial Field Diamond #4 Dugout Replacement Due to storm Damage. INSURANCE CLAIM	General Fund/ Parks/ Contractual Services	101-75130-818000	\$3,950.00	\$12,547.34
2. Mains Pebble Place, Inc. 21355 Telegraph Road Southfield, MI 48033	Estimated annual Requirement of De-Icer needed By the D.P.S.	Public Improvement Fund/ Downtown/ Road Maintenance & Supplies	245-44141-782000 (majority)	\$6.29/Bag	\$12,000.00
3. Ranco Security, Inc. 36809 Groesbeck Clinton Township, MI 48035	Estimated annual Requirement of Security Guard Services at The Wastewater And Water Treatment Plants	Sewer-Utilities Fund/ Operation of Plant/ Contractual Services Water-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000 591-53708-818000	\$888.00/week x 52 weeks = \$46,176.00/year \$616.00/week x 35 weeks = \$21,560.00/year	\$72,649.21 \$90,386.63

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
4. Motor City Electronics 9440 Grinnell Technology, Inc. Detroit, MI 48213	Estimated annual Requirement of Instrumentation Services at the Water and Wastewater Treatment Plants	Sewage-Utilities Fund/ Pump Stations/ Contractual Services Sewage-Utilities Fund/ Retention Basin/ Contractual Services	590-53706-818000 590-53707-818000 590-53708-818000	\$65.00/hour \$87.00/emergency \$68.00/programming \$55.00/travel	\$9,806.88 \$12,869.60 \$72,649.21 \$90,386.63
5. USA Mobility, Inc. P.O. Box 660770 Dallas, TX 75266	Estimated annual Requirement of Pager service For the Fire Department and Volunteer Fire Department STATE CONTRACT	General Fund/ Fire Department/ Radio Equipment General Fund/ Volunteer Fire/ Fire Equipment	101-33600-984000 101-34000-979000	\$80.75/month/ 14 pagers x 12 Months = \$969.00 \$115.50/month/ 21 pagers x 12 Months=\$1,386.00	\$6,641.16 \$9,879.18

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.Hach Company 2207 Collections Center Chicago, IL 60693	Field maintenance For two (2) Hach Brand CL17 Chlorine Analyzers	Water-Utilities Fund/ Operation of Plant/ Contractual Services	591-53708-818000	\$1,872.35	\$90,386.63
2. Kramer & Murray, P.C. Ruggirello, Velardo, Novara & Ver Beek, P.C. 65 Southbound Gratiot Mount Clemens, MI 48043	Legal Services For the month of September, 2009	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$9,906.40	\$105,941.33
		General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$1,478.00	\$16,491.75

SUBMITTED BY: Marilyn Dluge, Finance Director/Treasurer

RECOMMENDED MOTION: Approve purchases and payments as presented.

EXPLANATION OF CONSENT AGENDA – October 19, 2009

Appointments to Boards, Committees and Commissions

Beautification Advisory Committee

Mayor recommends reappointing James Taylor to the Beautification Advisory Committee. This is a 3-year term which will expire June 30, 2012.

Mayor recommends reappointing Junia Querio to the Beautification Advisory Committee. This is a 3-year term which will expire June 30, 2012.

Board of Zoning Appeals

Mayor recommends reappointing John Bruff to the Board of Zoning Appeals. This is a 3-year term which will expire September 30, 2012.

Mayor recommends reappointing Michael Bernier to the Board of Zoning Appeals. This is a 3-year term which will expire September 30, 2012.

Mayor recommends reappointing Chad Shoemaker as an alternate to the Board of Zoning Appeals. This is a 3-year term which will expire September 30, 2012.

Brownfield Redevelopment Authority

Mayor recommends reappointing Lawrence Moloney to the Brownfield Redevelopment Authority. This is a 3-year term which will expire June 30, 2012.

Downtown Development Authority

Mayor recommends reappointing David Gagnon to the Downtown Development Authority. This is a 4-year term which will expire March 31, 2013.

Municipal Building Authority

Mayor recommends reappointing Robert Randolph to the Municipal Building Authority. This is a 3-year term which will expire April 30, 2012.

Planning Commission

Mayor recommends reappointing David Springer to the Planning Commission. This is a 3-year term which will expire June 30, 2012.

Mayor recommends reappointing Robert Leslie to the Planning Commission. This is a 3-year term which will expire June 30, 2012.

Mayor recommends reappointing Jacob Femminineo Jr. to the Planning Commission. This is a 3-year term which will expire June 30, 2012.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: To approve appointments as presented.

EXPLANATION OF CONSENT AGENDA – October 19, 2009

Support Submission of a Grant Application to the Michigan Department of Energy, Labor and Economic Growth to Reduce Energy Consumption and Fossil Fuels

City staff is seeking approval to partner with Macomb County and DTE Energy in the submission of a grant application to the Michigan Department of Energy, Labor and Economic Growth. On September 28, 2009, the State announced they will use \$17.4 million from the American Recovery and Reinvestment Act to provide funding for a Multi-purpose Grant to improve energy efficiency and a LED Demonstration Grant to implement projects using Light Emitting Diode products. The LED Demonstration Grant will cover 90% of equipment costs; however, labor and educational costs will be covered by the grantee.

Upon City Commission approval, City staff will work with Macomb County and DTE Energy to finalize the grant application. The grant application deadline is October 22, 2009.

SUBMITTED BY:

Jeffrey D. Wood
Public Services Director

RECOMMENDED MOTION:

Authorize City staff to partner with DTE Energy and the Macomb County Department of Planning and Economic Development for the submission of a grant application to the Michigan Department of Energy, Labor and Economic Growth.

EXPLANATION OF CONSENT AGENDA – October 19, 2009

Request Approval to Hold a Harvest Party Fundraiser on Leonore and Dorothea Streets and for the Use of the Dorothea-Leonore Park

Members of the Kendrick Area Neighborhood Watch Association are asking for permission to close Leonore and Dorothea Streets on Saturday, October 24, 2009 to hold a Neighborhood Harvest Party as a fundraiser for the Neighborhood Watch Association. Proposed event hours are 2:00 p.m. to 7:00 p.m. As part of the request, they are asking for the use of barricades on Leonore and Dorothea streets, but plan to leave May Street open for traffic. The Department of Public Services can deliver the barricades on Friday and retrieve them on Monday so that no overtime is necessary. The residents will be required to place and remove the barricades at the approved times.

In addition to the use of the streets, the residents are requesting use of the park to place two tents and a bounce house. They also plan to have various vendors on site with safety information for residents. The group has committed to providing the required insurance.

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

RECOMMENDED MOTION: Grant permission to close Leonore and Dorothea Streets surrounding the Dorothea-Leonore Park on Saturday, October 24, 2009, from 2:00 p.m. to 7:00 p.m. for the Kendrick Area Neighborhood Watch Association Harvest Party Fundraiser and to allow for the use of the Dorothea-Leonore Park.

EXPLANATION OF CONSENT AGENDA – October 19, 2009

Request Approval of a Resolution Opposing an Increase in Size and Weight of Trucks on Michigan Highways

The Michigan Alliance for Safe Highways is requesting that the City Commission adopt the attached resolution in support of opposing the increase of the size and weight limit of trucks that travel on Michigan highways.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: To approve the resolution opposing an increase in the size and weight limit of trucks for the Michigan Alliance for Safe Highways.

EXPLANATION OF CONSENT AGENDA – October 19, 2009

Grant Permission to Hold the Annual Santa Parade

The City of Mount Clemens is seeking permission to hold the annual Santa Parade on Friday, November 27, 2009. The parade route will remain the same as in past years: down Main Street beginning at Church Street and disbursing at Clinton Street. In addition, we are also requesting the closure of Main Street from Robertson to Church Streets to be used as the staging area for parade participants. The parade will commence at 10:00 a.m. The street will re-open to traffic at approximately 12 noon.

The Sheriff's Office has committed to the event. The Department of Public Services is prepared to support the event, but a nominal overtime expense is expected. Last year's parade had overtime of approximately \$432.

SUBMITTED BY: Douglas C. Anderson, City Manager

RECOMMENDED MOTION: Grant permission to hold the annual Santa Parade on Friday, November 27, 2009; and approve the street closures as requested.

EXPLANATION OF AGENDA – October 19, 2009

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: October 15, 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. Street Light Installation: The installation of a new street light in the Dorothea-Leonore Park has been completed by DTE Energy.
3. Southbound Gratiot Bridge: The Michigan Department of Transportation has scheduled a Public Hearing to vote on the aesthetic options of the Southbound Gratiot Avenue Bridge over the Clinton River. The Public Hearing will take place on Monday, October 26, 2009 from 3:30 p.m. to 6:30 p.m. at the Mount Clemens Public Library at 150 Cass Avenue.
4. Mount Clemens Farmers Market: The Farmers Market Pumpkin Party is scheduled for Saturday, October 24, 2009 from 10 a.m. to 1 p.m. For more information, please contact 586.493.7600.
5. Mount Clemens Halloween Party: The Downtown Development Authority will again hold a Halloween Spooktacular on Saturday, October 24th from 1 p.m. to 5 p.m. at the Fountain Stage in Downtown Mount Clemens. For more information, please contact 586.469.4168.