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# A G E N D A

## CITY COMMISSION MEETING

Tuesday, January 19, 2016

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcements, Acknowledgments and Communications and Reports, including Quarterly Department Head Reports.
5. Adoption of Agenda.
6. Public Participation.
7. Administrative Response to Issues or Questions Raised During Previous Meetings.
8. Approval of Minutes.
9. General Business.
  - 9-A - Request Formation of a Committee to Review the City Code of Ordinances.
  - 9-B - Request that the City Manager Give Quarterly Reports on the Charter Amendment.
  - 9-C - Approve Purchases and Payment of Invoices.
10. Consent Agenda.

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

- Reappointment of David Rivard as Alternate to the Board of Zoning Appeals.
- Reappointment of Lawrence Moloney to the Brownfield Redevelopment Authority.
- Reappointment of Carl Harlow to the Brownfield Redevelopment Authority.
- Reappointment of David Sutton to the Harbor Commission.
- Reappointment of Mickey McGee to the Historic District Commission.
- Reappointment of Martha Ellyson to the Historic District Commission.

10-B - Request Approval of the Clinton River Canoe Classic on June 25, 2016.

11. City Manager's Report.

12. Commissioners' Comments.

13. Executive Session

To Discuss Pending Litigation.

14. 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 – January 19, 2016**

### **Administrative Response to Issues or Questions Raised During Previous Meetings**

1. UPDATE - Blighted Property at Northbound Gratiot and Robertson

City Administration did hold a meeting with the representatives of the property owner. Their plans for the property are still to be determined. They have evaluated the property's condition previously but have plans to get that information updated/solidified. After that is accomplished, discussions will continue and we have agreed to stay in touch on the issues this property presents.

2. Traffic Control Measures

Regarding discussion of speed bumps, etc., Administration has had communication on these matters and specifically in relation to the area near Shadyside Park. These concerns have been communicated in the not so recent past to appropriate agencies. This area and the communicated concerns will be discussed again via the Traffic Safety Committee for physical control measures and the Sheriff on enforcement as well.

3. Refuse Collection Concerns

The City is in regular contact with our contractor, Rizzo Environmental. The concerns mentioned at the meeting have been raised. Regarding the use of cans, this issue has been addressed during contract expiration/solicitation/renewal periods and can, of course, be addressed again by Administration and the Commission.

**CITY COMMISSION MEETING**

**County of Macomb  
State of Michigan**

**January 4, 2016  
Commission Chambers**

A regular meeting of the Mount Clemens City Commission was held on Monday, January 4, 2016, at 7:00 p.m. The meeting was held in the Commission Chambers of the Municipal Building, One Crocker Boulevard, Mount Clemens, Michigan. Present at this meeting were Mayor Barb Dempsey and Commissioners Roger Bunton, Ronald Campbell, Lois Hill, Laura Kropp and Denise Mentzer. Also in attendance were Steven Brown, City Manager, Michael Murray, City Attorney and Lisa Borgacz, City Clerk.

The meeting was called to order at 7:00 p.m.

**ANNOUNCEMENTS, ACKNOWLEDGEMENTS, COMMUNICATIONS AND REPORTS WERE ADDRESSED, ITEM 4.**

Members of the Beautification Commission presented the Mount Clemens Beautification Snowflake Awards.

**THE ADOPTION OF THE AGENDA WAS CONSIDERED, ITEM 5.**

Commissioner Hill made a motion, supported by Commissioner Bunton, to approve the agenda as amended:

1. Consent Agenda Item 10-B – Request Approval of Agreement with AKT Peerless for Environmental Consulting Services was moved to General Business Item 9-D.

The motion passed unanimously.

**PUBLIC PARTICIPATION WAS CONDUCTED, ITEM 6.**

**ADMINISTRATIVE RESPONSE TO ISSUES OR QUESTIONS RAISED DURING PREVIOUS MEETINGS WERE RECEIVED, ITEM 7.**

**APPROVAL OF MINUTES WAS CONSIDERED, ITEM 8.**

Commissioner Bunton made a motion, supported by Commissioner Hill, to approve the minutes of the City Commission work session of December 21, 2015 and the regular meeting of December 21, 2015 as presented. The motion passed unanimously.

**PUBLIC HEARING AND ACTION ON A REQUEST TO VACATE A PORTION OF A PUBLIC ALLEY WAS CONSIDERED, ITEM 9-A.**

Commissioner Mentzer made a motion, supported by Commissioner Campbell to open the public hearing for the request to consider a request to vacate portions of a public alley south of Cass Avenue between South Wilson and Moross.

The public hearing opened at 7:31 p.m.

Comments were received from the following residents:

Wes Hellner, 126 S. Highland  
Gloria Haller, 260 Cass Avenue  
George Gemmer, 132 High Street

Commission Mentzer made a motion, supported by Commissioner Campbell, to close the public hearing and adopt the resolution vacating portions of a public alley south of Cass Avenue between South Wilson and Moross. The motion passed unanimously.

**COMMISSION APPOINTMENT OF A CITY COMMISSIONER WAS CONDUCTED, ITEM 9-B.**

Ballots were distributed to members of the Commission to conduct the vote to appoint a City Commissioner. The votes were as follows:

Ballot 1:

Commissioner Bunton voted for William Ford  
Commissioner Campbell voted for Laura Fournier  
Mayor Dempsey voted for William Ford  
Commissioner Hill voted for William Ford  
Commissioner Kropp voted for Laura Fournier  
Commissioner Mentzer voted for Laura Fournier

Ballot 2:

Commissioner Bunton voted for William Ford  
Commissioner Campbell voted for Laura Fournier  
Mayor Dempsey voted for William Ford  
Commissioner Hill voted for William Ford  
Commissioner Kropp voted for Laura Fournier  
Commissioner Mentzer voted for Laura Fournier

It was the consensus of the Commission to suspend voting and call for the vacancy to be filled by special election, which will be held at the August 2, 2016 Primary election.

**APPROVAL OF PURCHASES AND PAYMENT OF INVOICES WAS CONSIDERED, ITEM 9-C.**

Commissioner Hill made a motion, supported by Commissioner Bunton, to approve purchases and payment of invoices as presented. The motion passed unanimously.

**APPROVAL OF AGREEMENT WITH AKT PEERLESS FOR ENVIRONMENTAL CONSULTING SERVICES WAS CONSIDERED, ITEM 9-D.**

Commissioner Hill made a motion, supported by Commissioner Bunton, to approve Dickinson Wright PLLC retaining of AKT Peerless to provide professional consulting services on the City's behalf for calendar year 2016, pursuant to the attached Environmental Services Agreement. The motion passed unanimously.

**THE CONSENT AGENDA WAS CONSIDERED, ITEM 10.**

Commissioner Mentzer made a motion, supported by Commissioner Bunton, to approve the Consent Agenda as amended:

In Item 10-A, the appointment of Commissioner Laura Kropp as Delegate to the Southeast Michigan Council of Governments, and the appointment of Commissioner Denise Mentzer as Alternate Delegate to the Southeast Michigan Council of Governments was approved.

In Item 10-C, the Fiscal Year 2016 Specialized Services Operating Assistance Program Third-Party contract between Suburban Mobility Authority for Regional Transportation (SMART) and the City of Mount Clemens as presented; and to authorize the execution of the Contract by the appropriate City officials, was approved.

The motion passed unanimously.

**THE CITY MANAGER'S REPORT WAS GIVEN, ITEM 11.**

**COMMISSIONERS' COMMENTS WERE RECEIVED, ITEM 12.**

Commissioner Mentzer made a motion, supported by Commissioner Bunton, to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

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Barb Dempsey, Mayor

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Lisa Borgacz, City Clerk

## EXPLANATION OF AGENDA – January 19, 2016

### Agenda Item No. 9-A

#### **Request Formation of a Committee to Review the City Code of Ordinances**

The request from the Commissioners is attached and the following is copied from the request:

A committee will be formed to review the City Code of Ordinances for necessary updates and modifications.

For example:

Ordinance 35.270 Dangerous Animals; was determined to be expired yet no notification, sunset date or amendment date is noted.

Ordinance 20.070 (ADMINISTRATION CORRECTION – 20.060) Marijuana Ordinance; there was a moratorium on medical marijuana voted on by Commission yet there is no notification or amendment date.

Ordinance 14.209 Section 9 Macomb Place Mall; number B states “The riding of bicycles, tricycles or other pedal powered contrivances and devices in the mall is prohibited” yet Commission just approved the use of Pedi-Cabs and our attorney wrote a new ordinance to cover that.

Ordinance 17.100 Recreational Equipment; does not allow the parking of recreational vehicles, campers in driveways or on any street, alley etc. Perhaps we would want to amend that for parking a certain number of days prior to a holiday for packing up the vehicle and after for unloading the vehicle. This could be achieved by a no-cost, or low-cost (\$10.00) permit from the city.

**SUBMITTED BY:** Denise Mentzer, City Commissioner  
Ron Campbell, City Commissioner

**RECOMMENDED MOTION:** To form a committee to review the City Code of Ordinances for necessary updates and modifications.

**EXPLANATION OF AGENDA – January 19, 2016**

**Agenda Item No. 9-B**

**Request that the City Manager Give Quarterly Reports on the Charter Amendment**

The request from the Commissioners is attached and the following is copied from the request:

All department heads give a quarterly report about the events and happenings in their department with many including statistics. We propose that the City Manager also give quarterly reports about what the City is accomplishing with the tax dollars gained from the Charter Amendment. We need to show our residents that something tangible has come from this tax increase. Items to be covered should include what equipment we've purchased, what positions we've filled, what capital improvements have been made and what need to be made, where we are with bond payments and the payment or pay down of our debts. What are the increases in City Services and what City services have been maintained because of the Charter Amendment? These would be separate items from the regular City Manager's Report.

**SUBMITTED BY:**

Denise Mentzer, City Commissioner  
Ron Campbell, City Commissioner

**RECOMMENDED MOTION:**

That the City Manager give quarterly reports about what the City is accomplishing with the tax dollars gained from the Charter Amendment.

**EXPLANATION OF AGENDA – January 19, 2016**

**Agenda Item No. 9-C**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

No purchases at this time.

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.AMT Welding, Inc. 21446 Carlo Drive Clinton Township, MI 48038	Emergency seal clamp Assembly; clarifiers Not working.	Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000	\$1,740.00	\$38,413.76
2.Stark's Service & Hardware 328 Cass Avenue Mount Clemens, MI 48043	Miscellaneous hardware And supplies picked Up during the month of December, 2015.	Various	Various	\$1,520.56	Various

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
3.Kramer & Murray, P.C. Ruggirello, Velardo, Novara, and Ver Beek, P.C. 65 Southbound Gratiot Mount Clemens, MI 48043	Legal Services For the month of December, 2015.	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$7,669.07	\$80,626.38
		General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$2,837.25	*
		Dial-A-Ride Fund/ Legal Fees	211-29000-826000	\$121.25	*
		Downtown Development Authority Fund/ Legal Fees	248-69200-826000	\$60.62	\$451.50
		Automobile Parking System Fund/ Legal Fees	585-54600-826000	\$78.81	\$200.00
		Water-Utilities Fund/ Commercial Activities/ Legal Fees	591-53703-826000	\$309.19	*
		Sanitation Fund/ Legal Fees	596-52100-826000	\$103.06	\$7,393.48

\*Budget amendment to be made at a later date.

**SUBMITTED BY:** Linda A. Kunath, Finance Director/Treasurer

**RECOMMENDED MOTION:** Approve payment of invoices as presented.

**EXPLANATION OF CONSENT AGENDA – January 19, 2016**

**Agenda Item No. 10-A**

**Appointments to Boards, Committees and Commissions**

Board of Zoning Appeals

Mayor recommends reappointing David Rivard as Alternate to the Board of Zoning Appeals. This is for a 3-year term, which expires June 30, 2018.

Brownfield Redevelopment Authority

Mayor recommends reappointing Lawrence Moloney to the Brownfield Redevelopment Authority. This is for a 3-year term, which expires June 30, 2018.

Mayor recommends reappointing Carl Harlow to the Brownfield Redevelopment Authority. This is for a 3-year term, which expires June 30, 2019.

Harbor Commission

Mayor recommends reappointing David Sutton to the Harbor Commission. This is for a 3-year term, which expires December 31, 2018.

Historic District Commission

Mayor recommends reappointing Mickey McGee to the Historic District Commission. This for a 3-year term, which expires January 31, 2019.

Mayor recommends reappointing Martha Ellyson to the Historic District Commission. This is for a 3-year term, which expires January 31, 2019.

**SUBMITTED BY:** Barb Dempsey  
Mayor

**RECOMMENDED MOTION:** To approve appointments as presented.

**EXPLANATION OF CONSENT AGENDA – January 19, 2016**

**Agenda Item No. 10-B**

**Request Approval of the Clinton River Canoe Classic on June 25, 2016**

Anthony V. Marroco’s Clinton River Canoe Classic, Inc., is requesting City Commission approval to hold the 4<sup>th</sup> annual Clinton River Canoe Classic on Saturday, June 25, 2016, from 12:00 p.m. to 9:00 p.m. This event is a sanctioned professional canoe race with four separate courses. The Gazebo will serve as the start and finish for all four courses. The event sponsor is requesting use of both sides of the Clinton River Park, including the Gazebo and closure of the City Hall parking lot. There will be vendors and paddle demonstrations on site.

The Public Services Department would assist with barricades within the City Hall parking lot.

A Certificate of Liability Insurance naming the City as an additional insured will be required as a condition of approval.

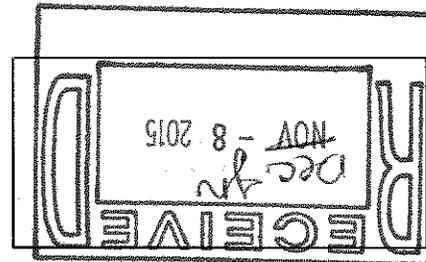
**SUBMITTED BY:** Brian L. Tingley  
Community Development Director

**RECOMMENDED MOTION:** Move to approve the 4<sup>th</sup> annual Clinton River Canoe Classic on June 25, 2016, from 12:00 p.m. to 9:00 p.m., including the use of Clinton River Park, the Gazebo and the City Hall Parking Lot.



**CITY OF MOUNT CLEMENS  
APPLICATION FOR SPECIAL EVENT APPROVAL**

ONE CROCKER BLVD., MOUNT CLEMENS, MI 48043  
(586) 469-6818 EXT. 901 FAX (586) 469-7695  
[www.cityofmountclemens.com](http://www.cityofmountclemens.com)



**NOTE: A COMPLETE AND DETAILED SITE PLAN/SITE MAP OF THE PROPERTY SHOWING THE EVENT AREA IS REQUIRED. PLAN MUST SHOW LOCATIONS OF SIGNS, TENTS OR ANY STRUCTURES, AMUSEMENT RIDES, FOOD SERVICES, PARKING AREA, THE LOCATION OF EXISTING BUILDINGS, ETC. REQUEST WILL NOT BE REVIEWED UNTIL THIS PLAN IS RECEIVED.  
IF A TENT IS TO BE ERECTED, SPECIFICATIONS ARE REQUIRED  
ADDITIONAL PERMITS MAY BE REQUIRED FOR BUILDING, ELECTRICAL AND MECHANICAL, IF APPLICABLE.**

**Sponsoring Organization's Legal Name:** Anthony V. Marrocco's Clinton River Canoe Classic, Inc.

**Address:** P.O. Box 271 City Mt. Clemens State MI Zip 48046

**Phone:** Office: 586-307-8229 Cell: 586-610-5701 Email: lynne.seymour@macombgov.org

**Sponsoring Organization's Agent's Name:** Lynne Seymour, Macomb County Public Works Office

**Address:** 21777 Dunham Road City Clinton Township State MI Zip 48036

**Phone:** Office: 586-307-8229 Cell: 586-610-5701 Email: lynne.seymour@macombgov.org

**Event Name:** Clinton River Canoe Classic

**Event Purpose:** To promote awareness, stewardship, improvement and beautification of the Clinton River Watershed.

**Event Location:** City Hall and Gazebo Park

**Event Date:** Saturday, June 25, 2016

**Event Time(s):** 12 PM - 9 PM (set up begins at noon)

**GIVE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL EVENT:** (use back or attach additional sheets if necessary)

The Clinton River Canoe Classic consists of 3 professional canoe races and 1 recreational kayak race on the Clinton River, starting in downtown Mt. Clemens and traversing through Clinton Township and Harrison Townships. This is the event's fourth year and is cohosted by the Mt. Clemens DDA, Charter Township of Harrison, the Clinton River Watershed Council, the YMCA-Macomb and the Macomb County Public Works Office. There will be vendors and paddle demonstrations on-site.

IS THE EVENT OPEN TO THE GENERAL PUBLIC  YES  NO  
NUMBER OF PEOPLE PROPOSED TO ATTEND OR PARTICIPATE EACH DAY: \_\_\_\_\_

WILL ELECTRIC EQUIPMENT BE USED AND/OR WILL WATER HOOK-UPS BE REQUIRED  YES  NO  
IF YES, PLEASE DESCRIBE THE PROPOSED LOCATION(S):

Electricity will be used at the Gazebo for a computer/printer and microphone \_\_\_\_\_

WILL TENTS BE USED DURING THE EVENT?  YES  NO

WILL THE EVENT HAVE FOOD OR OTHER VENDORS?  YES  NO

\*\*\* ALL FOOD VENDORS MUST BE APPROVED BY THE MACOMB COUNTY HEALTH DEPARTMENT.

WILL ALCOHOL BE SERVED OR SOLD AT THE EVENT?  YES  NO

\*\*\*IF YES, PLEASE PROVIDE PROOF OF LIQUOR LIABILITY INSURANCE AND APPROVAL BY THE LCC

WILL ANY CITY SERVICES BE REQUIRED FOR THIS EVENT?  YES  NO

IF YES, DESCRIBE IN DETAIL THE TYPE OF SERVICES REQUESTED:

\*\*\*THE CITY MAY CHARGE THE ACUTAL COST OF PROVIDING THESE SERVICES FOR THE EVENT.

IS ANY SIGNAGE PROPOSED?  YES  NO

IF YES, NOTE LOCATIONS OF ANY SIGNS PROPOSED ON THE MAP PROVIDED WITH THIS APPLICATION.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that

- a) A Certificate of Insurance must be provided which names the City of Mount Clemens as an additional insured party on the policy.
- b) All food vendors must be approved by the Macomb County Health Department
- c) The approval of this Special Event may include additional requirements and/or limitations, based on the City's review of this application. The event will be operated in conformance with the approved guidelines from the City Commission. Such additional requirements may include but are not limited to the procurement of permits and/or inspections in regards to health services, electric or water services, fire issues, or a certificate of use from the building department. Please note: You should contact the Mount Clemens Fire Inspector regarding specific tent requirements well in advance of your event. A certificate of Flame Resistance for the Tent needs to be provided 10 days prior to the date of event/sales.

As the duly authorized agent of the sponsoring organization, I herby apply for the approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the City's Special Event Policy, the terms of the approval as given by the City Commission, all other City requirements, ordinances and other laws which apply to this Special Event.

Lynne M. Seymour  
Applicant's Signature

12/7/15  
Date

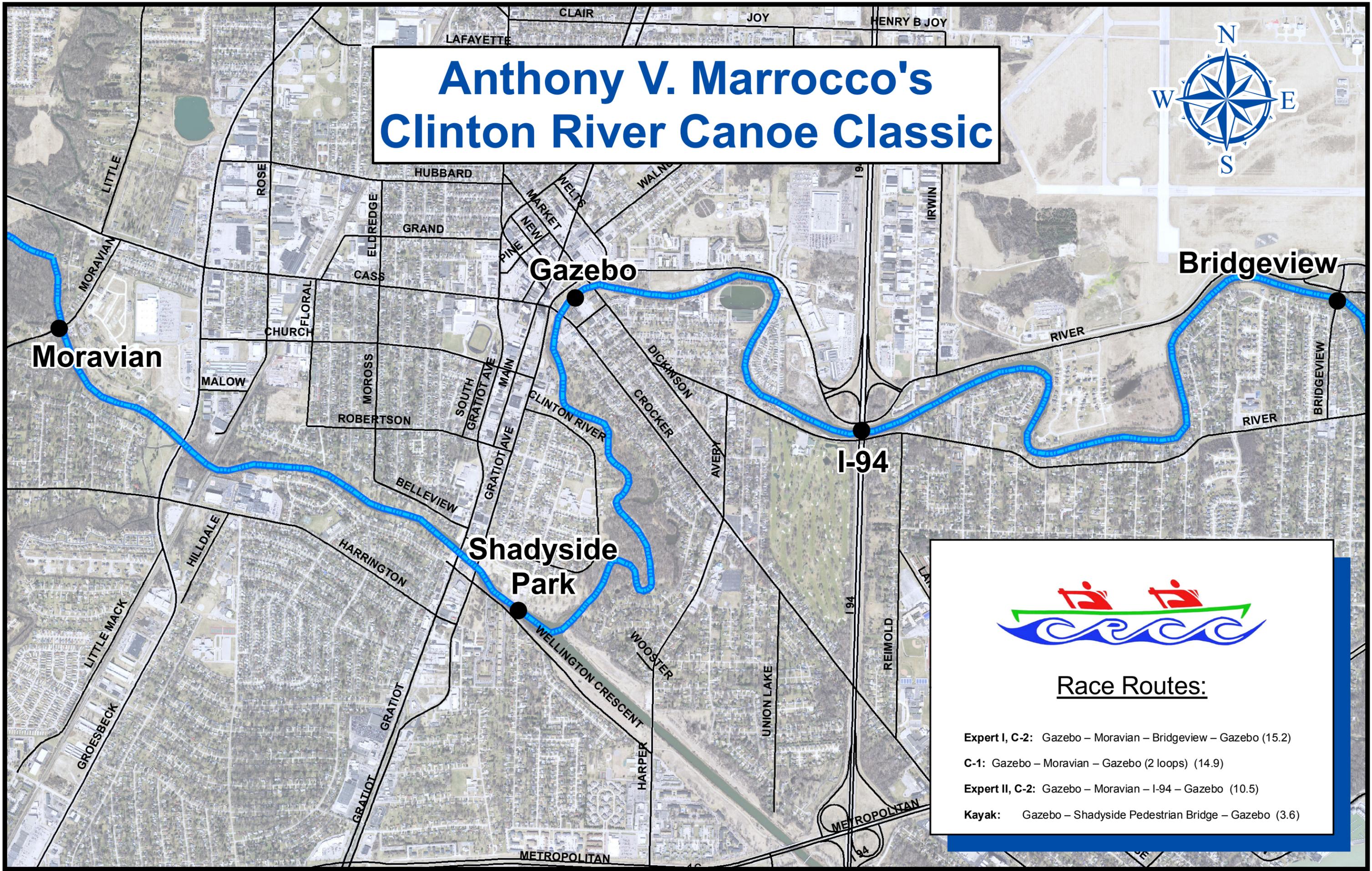
Lynne M. Seymour, Event Co-chairperson

Printed Name of Applicant

**For City Use Only:**

Approved _____
Approved, with Conditions _____
Denied _____
Date of City Commission Decision _____

# Anthony V. Marrocco's Clinton River Canoe Classic



**Race Routes:**

- Expert I, C-2:** Gazebo – Moravian – Bridgeview – Gazebo (15.2)
- C-1:** Gazebo – Moravian – Gazebo (2 loops) (14.9)
- Expert II, C-2:** Gazebo – Moravian – I-94 – Gazebo (10.5)
- Kayak:** Gazebo – Shadyside Pedestrian Bridge – Gazebo (3.6)

## EXPLANATION OF AGENDA – January 19, 2016

**TO:** The Honorable Mayor Barb Dempsey and  
All City Commissioners

**FROM:** Steven M. Brown, City Manager

**DATE:** January 14, 2016

**RE:** Report from the City Manager’s Office

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1. Update on 35 S. Groesbeck: This exciting new rental complex development has recently changed ownership. Representatives of the new ownership have been in close contact with the City’s Community Development Department and a lot of wrap up activity has taken place. We expect that all remaining issues will be handled in the near future. A full Certificate of Occupancy would follow as would residents occupying the units.
2. Update on Redevelopment Ready Community (RRC) Certification: The City recently committed to achieving the RRC certification. This program/certification is now a process of the Michigan Economic Development Corporation (MEDC). The intent of this process is for participating communities to make themselves more attractive for investment and development by evaluating and updating their development processes to be more deliberate, fair and consistent. City Administration is committed to improving our processes to attract both reinvestment by existing businesses and new investments.

The MEDC recently delivered a presentation to the Commission and the Commission, in turn, passed a resolution of commitment to the RRC process. Preceding even that activity, the City had proactively included specific requirements of the RRC process (such as a Downtown Development Plan) in our Master Plan Update process, which is ongoing. We have also submitted our process summaries in order for the MEDC to complete a preliminary evaluation of City processes.

As you may know, the MEDC was recently heavily impacted by a reprioritization process within State government and this has had a big impact on the staffing and processes associated with the RRC program. City Administration remains committed to achieving RRC Certification and we await MEDC feedback on next steps.

3. Sheriff Department Cooperation: City Administration has been working with Sgt. McFadden on revisiting our Cost Recovery Ordinance (31.001). This ordinance was established to address the issue of individual locations becoming excessive consumers of public safety resources. We have met and discussed this several times and have prepared new processes and procedures to enforce the provisions of this ordinance as necessary.