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A G E N D A

CITY COMMISSION MEETING

Monday, February 1, 2016

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcements, Acknowledgments and Communications and 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 - Public Hearing for the Allocation of Community Development Block Grant (CDBG) Funding for Fiscal Year 2016.
 - 9-B - Introduction and First Reading of an Amendment to Macomb Place Mall Ordinance 14.200.
 - 9-C - Adoption of Resolution in Opposition to Public Act 269 of 2015.
 - 9-D - Approval of a Resolution Establishing Fees for the Pedicab Transportation Ordinance.
 - 9-E - Approve Purchases and Payment of Invoices.

10. Consent Agenda.

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

- Reappointment of Lois Ulintz to the Historic District Commission.
- Reappointment of Tony Bursey to the Traffic Safety Committee.
- Reappointment of Brian Miller to the Traffic Safety Committee.

10-B - Request Approval to Hold the Ashes-to-Go Event on Wednesday, February 10, 2016.

10-C - Request to Allow the Knights of Columbus to Conduct Charitable Solicitations for their 2016 Tootsie Roll Drive on March 18-20, 2016.

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 – February 1, 2016

Administrative Response to Issues or Questions Raised During Previous Meetings

1. Blight/Demolition Questions

For properties not owned by the City, Administration continues to review blighted properties for possible action in terms of forcing and/or otherwise bringing about demolition. The previously discussed properties at Northbound Gratiot/Robertson and Court/Park are examples of this type of property (nothing new to report on these specific properties). The City can potentially “front” the cost of demolition in these cases but we are then exposed to cost recovery risk and/or delay. The question of improving a property for a private owner at public expense is a very real issue as well. Public health and safety concerns would be the best justification of action on these properties.

The City continues to evaluate these properties as well as sources of funds (grants, the General Fund, etc.) to accomplish demolition when it is appropriate. Grant applications will further delay action while potentially minimizing the impact on our cash reserves and cash flow while use of the General Fund removes blight more quickly but does negatively impact our financial position.

2. Hypothetical Costs of Adding Additional Positions

This question came up in relation to the potential separation of the Mount Clemens Housing Commission (MCHC) from the City. If the separation vacancy for such an employee to fill, the possibility exists for such an employee to either bump a lower-seniority City employee to unemployment or for the City to create another position.

The exact costs will vary depending on salary; however, a recent budgetary estimate for the 4 specific positions, updated for inflationary estimates, results in a rough estimate of \$318,000 per year for Fiscal Year 2017. This would be the cost estimate if all 4 MCHC placed employees were absorbed by the City via new positions. Current vacancies, if not filled in the interim, and potential retirements could impact this cost estimate because these employees could then fill vacancies to the extent they exist and avoid a layoff of another, lower-seniority employee.

CITY COMMISSION WORK SESSION

**County of Macomb
State of Michigan**

**January 19, 2016
Conference Room**

A work session of the Mount Clemens City Commission was held on Tuesday, January 19, 2016, at 6:00 p.m. The meeting was held in the Conference Room 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 6:00 p.m.

PUBLIC PARTICIPATION WAS CONDUCTED.

DISCUSSION REGARDING HOUSING COMMISSION SEPARATION WAS CONDUCTED.

Commissioner Bunton made a motion, supported by Commissioner Hill, to adjourn the meeting.

The meeting adjourned at 6:32 p.m.

Respectfully submitted,

Barb Dempsey, Mayor

Lisa Borgacz, City Clerk

CITY COMMISSION MEETING

County of Macomb
State of Michigan

January 19, 2016
Commission Chambers

A regular meeting of the Mount Clemens City Commission was held on Tuesday, January 19, 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, INCLUDING QUARTERLY DEPARTMENT HEAD REPORTS WERE ADDRESSED, ITEM 4.

THE ADOPTION OF THE AGENDA WAS CONSIDERED, ITEM 5.

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

1. Consent Agenda Item 10-A – Appointments to Boards, Committees and Commissions, 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 Hill made a motion, supported by Commissioner Bunton, to approve the minutes of the City Commission regular meeting of January 4, 2016, as presented. The motion passed.

REQUEST FORMATION OF A COMMITTEE TO REVIEW THE CITY CODE OF ORDINANCES WAS CONSIDERED, ITEM 9-A.

Commissioner Mentzer made a motion, supported by Commissioner Campbell, to form a committee to review the City Code of Ordinances for necessary updates and modifications.

Commissioner Mentzer rescinded the motion.

REQUEST THAT THE CITY MANAGER GIVE QUARTERLY REPORTS ON THE CHARTER AMENDMENT WAS CONSIDERED, ITEM 9-B.

January 19, 2016

Commissioner Mentzer made a motion, supported by Commissioner Campbell, to request that the City Manager give quarterly reports about what the City is accomplishing with the tax dollars gained from the Charter Amendment.

Commissioner Mentzer rescinded the motion.

It was the consensus of the Commission to direct the City Manager to provide a Budget update twice per year in the *Clementimes* newsletter which is distributed to all residents in the City.

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

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

APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS WAS CONSIDERED, ITEM 9-D.

Commissioner Hill made a motion, supported by Commissioner Bunton, to approve the following appointments:

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

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

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

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

Mickey McGee was reappointed to the Historic District Commission. This is for a 3-year term, which expires January 31, 2019.

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

The motion passed unanimously.

THE CONSENT AGENDA WAS CONSIDERED, ITEM 10.

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

In Item 10-B, the request to approve the 4th 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 was approved.

The motion passed unanimously.

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

COMMISSIONERS' COMMENTS WERE RECEIVED, ITEM 12.

EXECUTIVE SESSION WAS CONSIDERED, ITEM 13.

Commissioner Kropp made a motion, supported by Commissioner Hill, to enter Executive Session to discuss pending litigation at 8:28 p.m. The motion passed unanimously.

Commissioner Bunton made a motion, supported by Commissioner Mentzer, to adjourn Executive Session and return to the regular meeting at 9:22 p.m. The motion passed unanimously.

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

The meeting was adjourned at 9:23 p.m.

Respectfully submitted,

Barb Dempsey, Mayor

Lisa Borgacz, City Clerk

EXPLANATION OF AGENDA – February 1, 2016

Agenda Item No. 9-A

Public Hearing for the Allocation of Community Development Block Grant (CDBG) Funding for Fiscal Year 2016

It is expected that the City of Mount Clemens will receive an allocation of \$62,133 in CDBG funding for the 2016 fiscal year - \$2,500 of which will be reserved for the Macomb County Senior Chore Program. Prior to the Regular meeting of February 1, 2016, a work session has been scheduled with the City Commission to discuss allocations and applications from various non-profit entities.

The purpose of this agenda item is to elicit public input on how these dollars should be spent within the City. Notice of the public hearing was published in The Macomb Daily.

The City Commission will approve the final allocations at its February 16, 2016, meeting.

SUBMITTED BY:

Brian L. Tingley
Community Development Director

RECOMMENDED MOTION:

Motion to open the public hearing for the allocation of Community Development Block Grant funding for fiscal year 2016.

Motion to close the public hearing for the allocation of Community Development Block Grant funding for fiscal year 2016.

EXPLANATION OF AGENDA – February 1, 2016

Agenda Item No. 9-B

Introduction and First Reading of an Amendment to Macomb Place Mall Ordinance 14.200

At recent City, County and Downtown Development Authority meetings, the issues of bike path completion, walkability and quality of life have led to a request that the section of the Macomb Place Mall Ordinance prohibiting the riding of bicycles and other pedal powered contrivances be repealed. Therefore, the City Attorney has drafted the attached Amendment to repeal Section 14.209 – Sec. 9(b) of said ordinance.

SUBMITTED BY: Michael J. Murray, City Attorney

RECOMMENDED MOTION: Approve the introduction and first reading of Amendment to the Macomb Place Mall Ordinance 14.200; and set February 16, 2016 as the date for the second reading and adoption.

**AMENDMENT TO 14.200 - MACOMB PLACE MALL
CITY OF MOUNT CLEMENS, MICHIGAN ord. Eff. _____, 20____**

REPEALS. Section 14.209 – Sec. 9(b) is hereby repealed.

An ordinance to implement the provisions of Act 120 of the Public Acts of 1961, establishing the Macomb Place Mall and providing for the regulation and use of the mall area.

THE CITY OF MOUNT CLEMENS ORDAINS:

14.201 - Sec. 1.

TITLE.

This ordinance shall be known as the Macomb Place Mall Ordinance.

(ord. eff. March 27, 1980)

14.202 - Sec. 2.

DEFINITIONS.

As used in this chapter, the term "mall" shall mean the Macomb Place Mall, as established in Section 4.

(ord. eff. March 27, 1980)

14.203 - Sec. 3.

FINDINGS OF FACT.

The City of Mount Clemens has since 1960, been carrying out the redevelopment and revitalization of its Central Business District in accordance with the general features of the 1958 General Development Plan, the 1970 General Development Plan and the 1974 West Side Downtown Plan all prepared and adopted by the City Planning Commission pursuant to Act 285, P.A. 1931. The 1979 Mount Clemens Urban Design Phase I has been approved by the City Planning Commission as a particular project to carry out general goals and objectives of the aforementioned plans. Said Mount Clemens Urban Design Phase I, supported by detailed plans and specifications, proposes the construction of a pedestrian mall on Macomb Street and surrounding areas. Taking into account all of these reports and its own observations, the City Commission finds that:

- 1) The Macomb Street area between South Walnut Street and Pine Street; Cherry Street from New Street south through Macomb Street; and the alley lying between Walnut Street and Cherry Street from Macomb Street to New Street is a principal commercial area in the Central Business District and has significant problems of deterioration and obsolescence;

- 2) That such deterioration, if permitted to continue, will adversely affect the tax structure, health, law abiding conduct, morals and general welfare of this community and its citizens; and that it is a reasonable and proper exercise of its police powers of this city to take measures designed to correct this trend, by maintaining and improving such Central Business District so that it may retain its position as a mercantile and service center for Macomb County, and as the core of business, professional, social, religious and cultural life for this community;
- 3) The construction of the Macomb Place Mall will significantly improve the physical environment and provide strong incentives for the rehabilitation and redevelopment of private properties, in accordance with the city's powers under Act 120, P.A. 1961, and under Chapter 2 of the City Charter.

(ord. eff. March 27, 1980; amend. eff. May 15, 1986)

14.204 - Sec. 4.

ESTABLISHMENT OF MALL.

The following streets and alley in the City of Mount Clemens are hereby declared and established as the Macomb Place Mall:

Macomb Street between South Walnut and Pine Streets.

Cherry Street from Macomb Street north to New Street.

Cherry Street from Macomb Street south to a point 90 feet from Macomb Street.

Alley Lying east of Cherry Street and west of Walnut Street from Macomb Street north to New Street.

For purposes of street addresses, Macomb Street shall be identified as Macomb Place and Cherry Street shall continue to be identified as Cherry Street.

(ord. eff. March 27, 1980; amend. eff. May 15, 1986)

14.205 - Sec. 5.

CONTROLLING EFFECT OF CHAPTER.

To the extent, but only to the extent, that this chapter, as to the mall area, may be inconsistent with other ordinances of this city, including the Traffic and Building Codes, among others, this chapter shall be deemed to control.

(ord. eff. March 27, 1980)

14.206 - Sec. 6.

COMPLIANCE.

All persons shall comply with the provisions of this chapter and the rules and regulations established by the City Commission regarding the use of the mall area, including appurtenances and facilities.

(ord. eff. Mar. 27, 1980)

14.207 - Sec. 7.

MAINTENANCE OF IMPROVEMENTS.

The Department of Public Works is hereby authorized and directed to maintain the mall and its appurtenances and facilities.

(ord. eff. Mar. 27, 1980)

14.208 - Sec. 8.

APPROVALS REQUIRED.

- (a) Any of the following are prohibited without official approval by the City Commission:
 - (1) Any sign, building appurtenance, merchandise, display, decoration, furniture, fixtures, or pole placed in the mall right-of-way, except as provided in (b) below.
 - (2) Any sign projecting into the right-of-way more than 12".
 - (3) Any marquee, awning, or other building appurtenance or decoration projecting into the mall right-of-way.
 - (4) Any loudspeaker or other amplification of sound in or into the mall right-of-way.
- (b) The city may install kiosks or other places specifically designated for the posting of paper temporary signs, which shall be subject to regulations approved by the City Commission.
- (c) Any of the following are prohibited without official written permission by the City Manager:
 - (1) Any vending of goods or services or solicitations of funds.

- (2) Any parade, rally, demonstration, meeting, concert, or similar prearranged gathering. In making his determination, the City Manager shall be guided by considerations of:

Public Safety;

Interference with legitimate use of land and buildings in the mall and environs;

Traffic and parking;

Damage to mall appointments and landscaping;

Freedom of speech and assembly.

(ord. eff. Mar. 27, 1980)

14.209 - Sec. 9.

VEHICLE RESTRICTIONS.

(a) Commercial vehicles are prohibited in the mall.

~~(b) The riding of bicycles, tricycles or other pedal-powered contrivances and devices, scooters, roller skates, rollerblades or skate boards in the mall is prohibited.~~

(b) The Traffic engineer is hereby authorized and directed to install such signs and other devices in the mall as may be necessary, and to promulgate rules and regulations regarding the use thereof by all self-propelled vehicles. Such regulations may be more restrictive but not less restrictive than the regulations of this chapter.

(ord. eff. Mar. 27, 1980; ord. eff. Aug. 13, 1992)

14.210 - Sec. 10.

SNOW AND ICE REMOVAL.

The occupant of any premises, or the owner of any unoccupied premises in the mall is required to keep the mall area adjoining the premises cleared, so far as is practicable and reasonable, from snow and ice to facilitate pedestrian use. The area to be cleared shall be 5 feet from the property. The snow or ice shall be deposited in windrows between 5 and 9 feet from and parallel to the property line, and shall not obstruct storm catch basins or fire hydrants; the windrows shall be not greater than 2 feet in height. Whenever any snow or ice has fallen or accumulated, it shall be cleared within 12 hours after it has fallen or accumulated.

(ord. eff. Mar. 27, 1980)

14.211 - Sec. 11.

SEVERABILITY.

If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the within ordinance.

(ord. eff. Mar. 27, 1980)

14.212 - Sec. 12.

RESERVED.

This ordinance shall take effect on its publication as required by law.

INTRODUCTION AND FIRST READING:

SECOND READING AND ADOPTION:

EFFECTIVE DATE:

CITY OF MOUNT CLEMENS,
a Michigan Municipal Corporation

By: _____
Barb Dempsey, Mayor

By: _____
Lisa Borgacz, City Clerk

EXPLANATION OF AGENDA – February 1, 2016

Agenda Item No. 9-C

Adoption of Resolution in Opposition to Public Act 269 of 2015

Attached is a resolution opposing Public Act 269 of 2015 wherein local governments and their respective officials are prohibited from communicating about ballot questions 60 days before an election. This prohibition is limited to local ballot issues and deprives a county, municipality or school district the ability to keep its residents fully informed on election questions that directly affect them.

City Administration is recommending that the City Commission take a formal position and adopt the attached resolution.

SUBMITTED BY: Steven M. Brown, City Manager

RECOMMENDED MOTION: Move to adopt the attached resolution in opposition to Public Act 269 of 2015 as presented.

RESOLUTION IN OPPOSITION TO PUBLIC ACT 269 OF 2015

WHEREAS, the following preamble and resolution was offered by Commissioner _____ and supported by Commissioner _____ at a regular meeting of the Mount Clemens City Commission on the 1st day of February, 2016.

Members Present:

Members Absent:

WHEREAS, Governor Snyder signed into law, with immediate effect, Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill, including from members of his own party; and

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and

WHEREAS, one of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organizations, and approved without any public testimony or awareness, was the new language inserted into Section 57, subsection (3); and

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election; and

WHEREAS, this law places an immediate gag order on entities with ballot questions on the March 8th ballot and every election thereafter; and

WHEREAS, municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

WHEREAS, because the new law bans only communication on local ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Mount Clemens calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2015.

BE IT FURTHER RESOLVED that this Resolution, having been adopted by the Mount Clemens City Commission, will be made a permanent part of the records of the City of Mount Clemens and signed copies will be forwarded to the Governor of the State of Michigan and to the City's State representatives in the Michigan House of Representatives and the Michigan Senate.

Adopted: February 1, 2016

CITY OF MOUNT CLEMENS,
a Michigan Municipal Corporation

By: _____
Barb Dempsey, Mayor

By: _____
Lisa Borgacz, City Clerk

EXPLANATION OF AGENDA – February 1, 2016

Agenda Item No. 9-D

Approval of a Resolution Establishing Fees for the Pedicab Transportation Ordinance

At its meeting of December 21, 2015, the City Commission approved the second reading and adoption of the Pedicab Public Transportation Ordinance, #46.400.

Attached, for your consideration, is the recommended resolution and fee schedule for Pedicab Transportation Licensing. All licenses will expire on December 31st of each year.

It is my recommendation that the fee schedule follow the same fee structure set by the City Commission for other similar ordinances already in place.

SUBMITTED BY: Lisa Borgacz, City Clerk

RECOMMENDED MOTION: To approve the resolution establishing fees for the Pedicab Transportation Ordinance as presented.

**RESOLUTION ESTABLISHING FEES
FOR VARIOUS SERVICES**

WHEREAS, various ordinances of the City of Mount Clemens permit fees and other charges to be established by resolution of the City Commission; and

WHEREAS, it is the desire of the City Commission to update fees for various services performed and licenses issued by the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the following fees and charges are established for the licenses and services listed below:

Pursuant to Section 46.400 of the Code of Ordinances, the following fees are hereby established:

1. Pedicab Public Transportation License

Per day	\$ 5.00
3 months	50.00
6 months	100.00
9 months	150.00
12 months	200.00 (January 1-December 31)
Operator	\$ 5.00 per person

This resolution shall become effective February 11, 2016.

ADOPTED: February 1, 2016

CITY OF MOUNT CLEMENS,
a Michigan Municipal Corporation

Barb Dempsey, Mayor

Lisa Borgacz, City Clerk

EXPLANATION OF AGENDA – February 1, 2016

Agenda Item No. 9-E

APPROVE PURCHASES AND PAYMENT OF INVOICES

No purchases at this time.

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.HydroDynamics, Inc. 6200 Delfield Industrial Drive Waterford, MI 48329	Emergency purchase Of a cast iron suction Elbow, cast iron hand hole cover, and gasket.	Sewer-Utilities Fund/ Operation of Plant/ Repair and Replacement Parts	590-53708-779000	\$2,316.12	\$6,066.60
2.MacKay Meters, Inc. P.O. Box 338, 1342 Abercrombie New Glasgow, NS B2H5E3 Canada	Parking Meter Supplies	Parking System Fund/ Meter Parts	585-54600-791000	\$1,828.68	\$1,308.20*

*Budget amendment to be made at a later date.

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

RECOMMENDED MOTION: Approve invoices as presented.

EXPLANATION OF CONSENT AGENDA – February 1, 2016

Agenda Item No. 10-A

Appointments to Boards, Committees and Commissions

Historic District Commission

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

Traffic Safety Committee

Mayor recommends reappointing Tony Bursey to the Traffic Safety Committee. This is for a 3-year term, which expires January 31, 2019.

Mayor recommends reappointing Brian Miller to the Traffic Safety Committee. 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 – February 1, 2016

Agenda Item No. 10-B

Request Approval to Hold the Ashes-to-Go Event on Wednesday, February 10, 2016

On behalf of five Mount Clemens churches, Grace Episcopal Church is seeking permission to have five Clergy assemble on Main Street between Market Street and Macomb Place on February 10, 2016, from 12:00 p.m. to 1:00 p.m. to offer ashes to the public for Ash Wednesday. No road closures or City services are being requested. If approved, all public sidewalks would have to remain passable at all times.

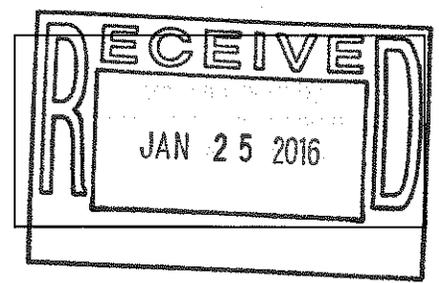
A Certificate of Liability Insurance naming the City as an additional insured has been submitted.

SUBMITTED BY: Brian L. Tingley
Community Development Director

RECOMMENDED MOTION: Move to grant approval to Grace Episcopal Church to hold the Ashes-to-Go event on Wednesday, February 10, 2016, and to allow five clergy to assemble on Main Street, between Market Street and Macomb Place from 12:00 p.m. to 1:00 p.m.



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



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: Grace Episcopal church of Mount Clemens

Address: 115 S. main ST City Mount Clemens State MI Zip 48043

Phone: Office: 586 465 4573 Cell: 586 872 7883 Email: gracemtcllemens@yahoo.com

Sponsoring Organization's Agent's Name: Pastor Susan Bock

Address: _____ City _____ State _____ Zip _____

Phone: Office: 586 465 4573 Cell: 586 872 7883 Email: gracemtcllemens@yahoo.com

Event Name: Ashes - to - Go

Event Purpose: Providing Ashes to anyone who cannot make a church service on this Ash Wednesday

Event Location: MAIN STREET, between Market Street and Macomb Place.

Event Date: Wednesday, February 10th 2016

Event Time(s): 12:00 pm - 1:00 pm

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

FIVE Mount Clemens CHURCHES seek A Permit TO Allow their clergy to offer "ASHES TO GO" on WEDNESDAY, FEBRUAR 10th ASH WEDNESDAY, from noon until 1:00pm. This would mean five clergy, at the most, with one sandwich board, on Main Street, between Market and Macomb Place, most likely closest to the Courthouse, and just placing ashes on passers-by who want them. This is a still growing trend in the church, because so few people can get to church that day, but still want ashes.

IS THE EVENT OPEN TO THE GENERAL PUBLIC YES NO
 NUMBER OF PEOPLE PROPOSED TO ATTEND OR PARTICIPATE EACH DAY: 25-50

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

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 Portable sandwich board
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.

Susan Bock / TUP
Applicant's Signature

22 January 2016
Date

Susan Bock
Printed Name of Applicant

For City Use Only:
Approved _____
Approved, with Conditions _____
Denied _____
Date of City Commission Decision _____

EXPLANATION OF CONSENT AGENDA – February 1, 2016

Agenda Item No. 10-C

Request to Allow the Knights of Columbus to Conduct Charitable Solicitations for their 2016 Tootsie Roll Drive on March 18-20, 2016

The Knights of Columbus Council #744 is seeking permission to hold its annual “Tootsie Roll” Drive from 8:00 a.m. to 7:00 p.m. on March 18 – 20, 2016, with proceeds being given to organizations that assist the mentally impaired. The locations proposed are Northbound Gratiot Avenue/Cass Avenue, Southbound Gratiot Avenue/Cass Avenue, Cass Avenue/Main Street, Groesbeck/Cass Avenue and Market/Southbound Gratiot Avenue.

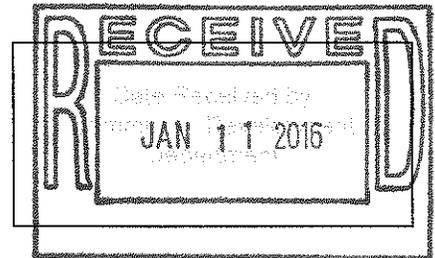
The organization has committed to submitting a Certificate of Insurance naming the City as an additional insured. Solicitors will be wearing bright vests clearly identifying them as Knights of Columbus. No additional City services are required.

SUBMITTED BY: Brian L. Tingley
Community Development Director

RECOMMENDED MOTION: Move to allow the Knights of Columbus Council #744 to conduct charitable solicitations for their 2016 “Tootsie Roll” Drive at the designated locations on March 18-20, 2016, from 8:00 a.m. to 7:00 p.m.



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



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: Knights of Columbus Council #744
 Address: 101 New St City Mt Clemens State MI Zip 48043
 Phone: Office: — Cell: — Email: —

Sponsoring Organization's Agent's Name: Thomas Schmidt
 Address: 48638 Wheatfield St City Chesterfield State MI Zip 48051
 Phone: Office: 586-949-8148 Cell: — Email: TMSchmidt2@yahoo.com
 home

Event Name: Mentally Impaired Fund Drive (Tootsie Roll)
 Event Purpose: Collect donations To support mentally impaired programs
 Event Location: Various street intersections in Mt Clemens
 Event Date: MARCH 18-20, 2016
 Event Time(s): 8a.m - 7 p.m.

GIVE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL EVENT: (use back or attach additional sheets if necessary)
Council members will solicit monetary donations at the following street intersections: NB Gratiot/Cass; SB Gratiot/Cass; Cass/WALKER; SB Gratiot/MARKET ST; SB Gratiot/New St Cass/Groesbeck; Cass/Main St

IS THE EVENT OPEN TO THE GENERAL PUBLIC YES NO
 NUMBER OF PEOPLE PROPOSED TO ATTEND OR PARTICIPATE EACH DAY: 10

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

WILL TENTS BE USED DURING THE EVENT? _____ YES X NO

WILL THE EVENT HAVE FOOD OR OTHER VENDORS? _____ YES X NO
*** ALL FOOD VENDORS MUST BE APPROVED BY THE MACOMB COUNTY HEALTH DEPARTMENT.

WILL ALCOHOL BE SERVED OR SOLD AT THE EVENT? _____ YES X 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 X 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 X 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.

Thomas Schmidt
Applicant's Signature

1/8/16
Date

Thomas Schmidt
Printed Name of Applicant

For City Use Only:
Approved _____
Approved, with Conditions _____
Denied _____
Date of City Commission Decision _____

EXPLANATION OF AGENDA – February 1, 2016

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Steven M. Brown, City Manager

DATE: January 28, 2016

RE: Report from the City Manager’s Office

1. Personal Property Tax Revenue Issue: As you may recall, the State did away with the Personal Property Tax. This affects businesses that had paid this tax in the past and will, by extension, affect communities that had collected that revenue.

Mount Clemens is affected by this tax break. We have calculated the high end of the revenue loss (considering our 20 mill tax rate) as approximately \$430,000. I have heard a variety of understandings as to the revenue makeup we may/may not receive to offset this loss. My discussion with State Representative Lane was that the initial makeup was to be 80%. Under that scenario, the revenue makeup would be \$344,000. However, this revenue makeup does not appear likely to occur for reasons discussed below.

The only revenue source promised to date is via a mechanism called the Essential Services Assessment. Basically, a statewide millage would be collected on eligible personal property which would vary from 2.4 to 1.25 to 0.9 mills, based on acquisition date of the property. Using the middle millage rate as an average and assuming that we would get a corresponding allocation based on our revenue loss yields revenue recovery of \$27,000 (this figure is likely to be reduced due to administrative fees charged by the State) and no other revenue sources have been identified by the State. State leaders have referenced other State funding issues (Detroit Public Schools, Flint water crisis, road funding plans, etc.) which likely will impact local community revenues. This potential \$400,000 plus loss of revenue will be a major concern in the upcoming Fiscal Year 2017 Budget process.

2. IT Update: Administration continues to collect information on how to deal with various IT issues such as how to address our IT function in the future, how to improve data capabilities for our buildings and employees and our outdated telephone system. Communications have occurred and/or are planned with our existing IT partner Hi-Tech, potential bandwidth/network partners like the County and private providers, etc. Our IT plan is a major focus and action will be forthcoming.

3. Fire Department Staffing Update: Administration is in the midst of the process to fill a set of positions due to a recent retirement within our rank of Captain. The initial vacancy will be need to be filled which leads to a need to backfill a Lieutenant and Firefighter position. We have worked with our Civil Service Commission in setting requirements and we have also established an oral board to handle the in-person interviews. This oral board has specific requirements as established by the Civil Service Commission and we have secured the participation of a combination of appropriate internal personnel (1) and external personnel from other Fire Departments (3). Interviews are either scheduled or in the process of being scheduled. These vacancies do not occur often so this has been an interesting process. The intent is to complete these processes as soon as possible.
4. Other Human Resources Updates: As covered in the Administrative Responses, we have been working through the possible personnel impacts associated with a potential separation of the Mount Clemens Housing Commission (MCHC). This unknown affects our Human Resources planning and actions in the meanwhile. The timing of any separation as well as upcoming retirements will be important factors as well.

In the meanwhile, we continue to evaluate next steps relating to an Economic Development Specialist as well staffing in our Human Resources function. As indicated previously and as planned, we have added a temporary employee in the Human Resources function to assist with project work as well as some day-to-day functions for a short term period of time. Development of longer run plans is a next step.