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A G E N D A

CITY COMMISSION MEETING

Monday, March 21, 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 - Approve Purchases and Payment of Invoices.
10. Consent Agenda.
 - 10-A - Appointments to Boards, Committees and Commissions.
 - Appointment of Carl Hikade to the Harbor Commission
 - 10-B - Request Approval of an Amended 2016 Downtown Development Authority Calendar of Events.
 - 10-C - Request Approval of Amended Roskopp Parking Lot Farmer's Market Agreement.

11. City Manager's Report.

12. Commissioners' Comments.

13. Executive Session

13-A – To Discuss Negotiations Regarding Collective Bargaining Agreements.

13-B – To Discuss Attorney/Client Privileged Correspondence.

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 – March 21, 2016

Administrative Response to Issues or Questions Raised During Previous Meetings

1. Pump Purchase – Warranty and Preventive Maintenance

Commissioner Mentzer inquired about a pump purchase on the Purchases and Payments of Invoices Agenda Item at the 03/07/16 Commission Meeting. The questions were whether the City received a warranty and whether preventive maintenance was included.

Both the pump and the motor have a one-year warranty.

Our Utilities professionals indicate that, in their experience, basic preventive maintenance is rarely purchased from vendors by operators in this industry. This is due to a variety of factors, including the cost as well as the large number of pieces of equipment and the administrative issues that would come with individual preventive maintenance arrangements with multiple vendors. The City instead chooses to handle basic preventive maintenance with its internal staff, utilizing a software program to track and schedule that work. This approach is deemed best when considering cost, consistency and administration. The City supplements that work with high technology support such as vibration analysis, infrared analysis and electrician services from third-party providers.

CITY COMMISSION MEETING

**County of Macomb
State of Michigan**

**March 7, 2016
Commission Chambers**

A regular meeting of the Mount Clemens City Commission was held on Monday, March 7, 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 Ronald Campbell, Lois Hill, Laura Kropp and Denise Mentzer. Commissioner Roger Bunton was absent. 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.

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

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

Dr. William A. Pearson, Interim Superintendent of Mount Clemens Community Schools, made a presentation to the Commission.

THE ADOPTION OF THE AGENDA WAS CONSIDERED, ITEM 5.

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

Consent Agenda Item 10-A – Request from the Second Chance Network to Conduct Charitable Solicitations within Public Rights-of-Way on March 10 and March 11, 2016 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 Campbell, to approve the minutes of the City Commission Regular Meeting of February 16, 2016, as presented. The motion passed unanimously.

APPROVE AMENDED AGREEMENT FOR LAW ENFORCEMENT SERVICES ORIGINALLY APPROVED ON DECEMBER 7, 2015, WAS CONSIDERED, ITEM 9-A.

March 7, 2016

Commissioner Mentzer made a motion, supported by Commissioner Campbell, to approve the amended agreement for law enforcement services between Macomb County and the Macomb County Sheriff's Office and the City of Mount Clemens beginning January 1, 2016 and running through December 31, 2018 for annual amounts of \$2,476,015, \$2,522,629 and \$2,564,343. The motion passed unanimously.

APPROVE UPGRADE TO HI-TECH NETWORK SUPPORT SERVICES CONTRACT ORIGINALLY APPROVED ON JUNE 4, 2012, WAS CONSIDERED, ITEM 9-B.

Commissioner Hill made a motion, supported by Commissioner Campbell, to approve a premium level upgrade to the existing Hi-Tech contract for Network Support Services from April 1, 2016 through June 30, 2017 at an added cost of \$6,776.25.

The vote on the motion was:

Ayes: Dempsey, Hill

Nays: Mentzer, Campbell, Kropp

The motion failed.

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

Commissioner Campbell made a motion, supported by Commissioner Hill, to approve purchases and payment of invoices, as amended, to include the following: to accept the proposal for engineering services (SAW Grant Program) submitted by Anderson, Eckstein and Westrick, Inc., subject to execution. The motion passed unanimously.

REQUEST FROM THE SECOND CHANCE NETWORK TO CONDUCT CHARITABLE SOLICITATIONS WITHIN PUBLIC RIGHTS-OF-WAY ON MARCH 10 AND MARCH 11, 2016, WAS CONSIDERED, ITEM 9-D.

The request failed for lack of motion.

THE CONSENT AGENDA WAS CONSIDERED, ITEM 10.

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

In Item 10-B, the request to approve the 2016 Calendar of Events for Downtown Mount Clemens, as presented by the Mount Clemens Downtown Development Authority, with final street closures to be coordinated with the Department of Public Services and the City Manager, was approved.

In Item 10-C, the request to hold the 2016 American Cancer Society Making Strides Against Breast Cancer Macomb County Community Event on Saturday, October 15, 2016; and to approve the closure and use of the City Hall Parking Lot from 5:00 p.m. on October 14, 2016 through October 15, 2016 was approved.

March 7, 2016

In Item 10-D, the request to approve the attached Roskopp Parking Lot Farmer's Market Agreement between the City of Mount Clemens, the Mount Clemens Downtown Development Authority and the Mount Clemens Farmer's Market was approved.

The motion passed unanimously.

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

COMMISSIONERS' COMMENTS WERE RECEIVED, ITEM 12.

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

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Barb Dempsey, Mayor

Lisa Borgacz, City Clerk

EXPLANATION OF AGENDA – March 21, 2016

Agenda Item No. 9-A

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.B & W Landscape Supply, Inc. 43291 North Avenue Clinton Township, MI 48036	Estimated annual Requirement (2-years) of Aggregate Materials Needed by various Departments.	Various	Various	\$29,376.50	Various
2.HP Products 8652 Haggerty Road Belleville, MI 48111	Estimated annual Requirement (3-years) Of Janitorial Supplies	General Fund/ Building Maintenance/ Janitorial Supplies	101-26500-777000 (majority)	\$6,412.17 (as needed Throughout The year)	\$4,123.66
3.Apollo Fire Equipment 12584 Lakeshore Drive Romeo, MI 48065	Turnout Gear One (1) Set and Boots for the Volunteer Firefighters	General Fund/ Volunteer Firefighters/ Fire Equipment	101-34000-979000	\$2,345.00	\$8,969.07
4.Hi-Tech Systems 3070 Palms Road Casco, MI 48064	IT Service time block (100 hours) For projects and Additional on-site Assistance.	General Fund/ Information Technology/ Contractual Services	101-22800-818000	\$6,500.00	\$14,946.81
5.HydroDynamics 6200 Delfield Industrial Drive Waterford, MI 48329	Repair of a Fairbanks-Morse Dewatering Pump For the Wastewater Treatment Plant	Sewer-Utilities Fund/Retention Basin/Machinery And Equipment	590-53707-982000	\$13,216.40	*

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.Hamlett Engineering Sales Company 28828 Van Dyke Warren, MI 48093	Emergency purchase Of a pump rebuild Kit for the Retention Basin	Sewer-Utilities Fund/ Retention Basin/ Repair and Replacement Parts	590-53707-779000	\$2,866.61	*
2.State of Michigan Department of Environmental Quality Cashiers Office-DWLC P.O. Box 30657 Lansing, MI 48909	Drinking Water Lab Certification Microbiology	Water-Utilities Fund/ Operation of Plant/ Testing Fee-State of Michigan	591-53708-831000	\$2,551.87	\$5,273.20
3.Kramer & Murray, P.C. Ruggirello, Velardo, Novara & Ver Beek, P.C. 65 Southbound Gratiot Mount Clemens, MI 48043	Legal Services for The month of February, 2016	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$8,857.31	\$62,101.81
		General Fund/ Legal Services/ Legal Services-Labor	101-26600-826001	\$3,110.06	*
		Automobile Parking Fund/ Legal Fees	585-54600-826000	\$72.75	\$121.19
		Water-Utilities Fund/ Commercial Activities/ Legal Fees	591-53703-826000	\$24.25	*

*Budget amendment to be made at a later date.

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

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

CITY OF MOUNT CLEMENS

Tabulation of sealed bids received and opened on Tuesday, March 8, 2016, for our estimated annual requirement (2-year contract) of aggregate materials needed by various City Departments:

BIDDER	21A GRAVEL 50 TONS	21AA GRAVEL 50 TONS	FILL SAND 2,500 TONS	NATURAL SAND 2NS 50 TONS	CRUSHED LIMESTONE NATURAL (6-A GRAY) 200 TONS	SCREENED TOP SOIL 100 YARDS	CRUSHED CONCRETE (1-3") 50 TONS	DIAMOND DUST (ATHLETIC MEAL) 150 TONS	TOTAL
1.B & W Landscape Supply, Inc. 43291 North Avenue Clinton Twp., MI 48036	\$13.75 \$687.50	\$16.49 \$824.50	\$6.99 \$17,475.00	\$13.49 \$674.50	\$19.75 \$3,950.00	\$13.40 \$1,340.00	\$14.25 \$712.50	\$24.75 \$3,712.50	\$29,376.50
2.Dale's Landscape Supply, Inc. 31475 Utica Road Fraser, MI 48026	\$12.00 \$600.00	\$17.75 \$887.50	\$9.00 \$22,500.00	\$14.25 \$712.50	\$17.95 \$3,590.00	\$14.00 \$1,400.00	\$15.00 \$750.00	\$27.95 \$4,192.50	\$34,632.50
3.Fiore's Crushed Concrete, Inc. 33200 Mound Road Sterling Hts., MI 48310	\$12.00 \$600.00	No Bid	No Bid	No Bid	No Bid	No Bid	\$14.00 \$700.00	No Bid	\$1,300.00*
4. Gary's Transport, Inc. 54255 Card Road Macomb, MI 48042	\$14.05 \$702.50	No Bid	\$6.95 \$17,375.00	\$13.50 \$675.00	\$18.50 \$3,700.00	No Bid	\$16.05 \$802.50	\$24.95 \$3,742.50	\$26,997.50*
5. Richmond Transport 4020 County Line Lenox, MI 48050	\$11.50 \$575.00	\$18.50 \$925.00	\$8.00 \$20,000.00	\$12.45 \$622.50	\$17.05 \$3,410.00	\$14.75 \$1,475.00	\$13.50 \$675.00	No Bid	\$27,682.50*

*Partial Bid

Linda A. Kunath
Finance Director/Treasurer

CITY OF MOUNT CLEMENS

Tabulation of sealed bids received and opened on Tuesday, February 23, 2016, for our estimated annual requirement of Janitorial Supplies for a 3-year agreement:

BIDDER	TOTAL COST
1.All American Poly 40 Turner Place Piscataway, NJ 08854	\$1,207.30*
2.AVE Office Supplies 333 West Fort Street Detroit, MI 48226	\$9,548.40
3.Central Poly-Bag Corporation 2400 Bedle Place Linden, NJ 07036	\$3,203.60**
4.HP Products 8652 Haggerty Belleville, MI 48111	\$6,412.17
5.Interboro Packaging 114 Bracken Montgomery, NY 12549	\$1,692.40 (a)* \$1,535.20 (b)* \$1,325.00 (c)* \$724.80 (d)* \$684.00 (e)*
6.Nichols 1391 Judson Road Norton Shores, MI 49456	\$8,074.70
7.Staples Contract and Commercial 500 Staples Drive Framingham, MA 01702	\$17,558.76
8. United Facility Supplies, Inc. 1250 Souter Drive Troy, MI 48083	\$8,318.68

*Bags Only

**Partial Bid

Linda A. Kunath
Finance Director/Treasurer

CITY OF MOUNT CLEMENS

Tabulation of quotations opened and received on Friday, March 11, 2016, for one (1) set of Fire Dex Turnout Gear and Boots for the Volunteer Firefighters:

BIDDER	COST	PANT with SUSPENDERS	BOOT	TOTAL
1. Apollo Fire Equipment Company 12584 Lakeshore Drive Romeo, MI 48065	\$1,261.00	\$927.00	\$157.00	\$2,345.00
2. West Shore Fire, Inc. 6620 Lake Michigan Drive Allendale, MI 49401	\$1,496.00	\$1,076.00	\$145.00	\$2,717.00

Linda A. Kunath
Finance Director/Treasurer



City of Mount Clemens
Finance Department
MEMORANDUM

DATE: March 14, 2016
TO: Steve Brown, City Manager
FROM: Linda A. Kunath, Finance Director/Treasurer
SUBJECT: Budgeted time block purchase

The approved 2015-16 IT budget for contractual services, account 10122800 818000, totals \$85,500, of which \$38,321 is with Hi-Tech. Hi-Tech provides IT services for monitoring servers and workstations, see attached list, anti-virus, anti-spam, and web content filtering, on-site staffing, maintenance for printer/equipment and reduced rate time blocks for project and additional on-site assistance. To date, \$30,370 has been spent with Hi-Tech for these services.

As is typically requested in the Spring, the City needs to purchase a time block of service hours. The reduced rate is \$65/hour, see attached quote, and I am requesting 100 hours, which totals \$6,500, budget account 10122800 818000. Any hours remaining at June 30, 2016 will be carried over to FY 2017.

The City has been aggressively replacing older model computers with new and repurposing those computers in areas of less intense usage. This upgrade process has been completed by Hi-Tech and affected every department. On-site assistance also includes addressing printer issues, software glitches, email access, and server performance, which every business requires to run efficiently. Hi-Tech has been working with the City for over 10 years and has a current contract that expires June, 2017.

If you have any questions or additional information is needed, please let me know.

Attachments:
Hi-Tech Service Time Block proposal
Computer and Server listing



3070 Palms Road, Casco 48064
 Phone (810) 326-9000 Fax (810) 326-9100
www.hitech.net

Quote

Date	Quote No.
03-08-16	HTSQ5969

SOLD TO: MOUNT CLEMENS CITY OF Linda Kunath ONE CROCKER BOULEVARD MOUNT CLEMENS, MI 48043 United States Phone (586) 469-6838 Fax Email lkunath@cityofmountclemens.com	SHIP TO: MOUNT CLEMENS CITY OF Linda Kunath ONE CROCKER BOULEVARD MOUNT CLEMENS, MI 48043 United States Phone (586) 469-6838 Fax Email lkunath@cityofmountclemens.com
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SALES REP.	SALES REP. PHONE	SALES REP. EMAIL	PAYMENT TERMS
Jim St.James	(810) 326-9000 x207	jstjames@hitech.net	Net 30 days

QTY	MANUFACTURER	ITEM DESCRIPTION	UNIT PRICE	EXT. PRICE
1	Hi-Tech	TechCare Time Block 100 Hours	\$6,500.00	\$6,500.00

SubTotal	\$6,500.00
Tax	\$0.00
Shipping	\$0.00
Total	\$6,500.00

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOR FOR HARDWARE ONLY AND ON A DEPOT BASIS - WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 25% RESTOCKING FEE WITH ORIGINAL PACKAGING.

City of Mount Clemens

IT Equipment List

as of: 3/14/2016

COMPUTER				
Dept	Location	Total amount of ram	OS	In Service Date
Dial A Ride	Dial a Ride	3GB	Vista x86	Nov-08
Dial A.Ride	Dial a Ride	4GB	Windows 7 x86	Feb-11
Fire	Fire Department	768MB	XP x86	Jul-05
Fire	Fire Department	3.5GB	Vista x86	Jan-09
Fire	Fire Department	4GB	Windows 10 x64	Feb-16
Fire	Fire Department	8GB	Windows 7 x64	Feb-13
Accounting	Main Office	8GB	Windows 7 x64	Oct-15
Admin	Main Office	4GB	Windows 7 x64	Sep-11
Assessing-Counter	Main Office	2GB	Vista x86	Nov-08
Assessing	Main Office	8GB	Windows 7 x64	Dec-14
Assessing	Main Office	8GB	Windows 7 x64	Oct-15
City Manager	Main Office	8GB	Windows 7 x64	May-14
City Manager	Main Office	8GB	Windows 7 x64	Aug-14
Clerk	Main Office	8GB	Windows 7 x64	Nov-15
Clerk	Main Office	8GB	Windows 7 x64	Nov-15
Community Dev-Counter	Main Office	4GB	Windows 7 x64	Sep-11
Community Dev	Main Office	2GB	Vista x86	Nov-08
Community Dev	Main Office	2GB	Vista x86	Nov-08
Community Dev	Main Office	3GB	Vista x86	Nov-08
Community Dev	Main Office	8GB	Windows 7 x64	Nov-15
Community Dev	Main Office	8GB	Windows 7 x64	Dec-14
Community Dev	Main Office	8GB	Windows 7 x64	Dec-14
Community Dev	Main Office	8GB	Windows 7 x64	Dec-14
Community Dev	Main Office	8GB	Windows 7 x64	Nov-15
Community Dev	Main Office	2GB	Vista x86	Aug-12
Community Dev	Main Office	8GB	Windows 10 x64	Feb-16
Community Dev	Main Office	8GB	Windows 10 x64	Feb-16
Treasury-Counter	Main Office	4GB	Windows 7 x64	Nov-11
Treasury-Counter	Main Office	4GB	Windows 7 x64	Dec-14
Finance	Main Office	8GB	Windows 10 x64	Jan-16
Finance	Main Office	8GB	Windows 10 x64	Mar-16
HR	Main Office	8GB	Windows 7 x64	Nov-15
Admin	Main Office	8GB	Windows 7 x64	May-15
Phone	Main Office	1GB	XP x86	Jun-10

**City of Mount Clemens
IT Equipment List**

as of: 3/14/2016

COMPUTER				
Dept	Location	Total amount of ram	OS	In Service Date
Purchasing	Main Office	4GB	Windows 7 x64	Sep-12
Treasury-Counter	Main Office	1GB	XP x86	Aug-08
Treasury	Main Office	8GB	Windows 7 x64	Nov-15
Treasury	Main Office	8GB	Windows 7 x64	Nov-15
Treasury	Main Office	8GB	Windows 7 x64	Nov-15
Streets	Streets	8GB	Windows 7 x64	Jul-14
Streets	Streets	8GB	Windows 7 x64	Dec-14
Streets	Streets	512Mb	XP x86	Nov-02
Streets	Streets	4GB	Vista x86	Jul-15
Water Filtration Plant	WFP	4GB	Windows 7 x32	Mar-10
WWTP	WWTP	800MB	XP x86	Feb-09
WWTP	WWTP	3GB	Vista x86	Nov-08
WWTP	WWTP	2GB	Vista x86	Nov-08
WWTP	WWTP	1GB	XP x86	Jan-07
WWTP	WWTP	2Gb	Vista x86	Nov-08
WWTP	WWTP	8GB	Windows 7 x64	May-15
WWTP	WWTP	1GB	XP x86	Oct-06

SERVER				
Server Purpose	Location	Ram Amount	OS	In Service Date
Munis	Main Office	24GB	Server 2008 R2	Sep-12
Newtwork security	Main Office	4GB	Server 2008 R2	Jun-15
BS&A and file server	Main Office	16GB	Server 2012 R2	May-11
Laserfiche	Main Office	4GB	Server 2008 R2	May-11
Mail	Main Office	8GB	Server 2012 R2	Jun-12
Backup storage	Main Office	2GB	Storage Server 2008	Jun-11
Backup storage	Main Office	2GB	Storage Server 2008	Jun-12
Streets	Streets	6GB	Server 2012 R2	Nov-08
WWTP	WWTP	6GB	Server 2012 R2	Oct-15

CITY OF MOUNT CLEMENS

Tabulation of sealed bids received and opened on Tuesday, March 15, 2016, for the repair of a Fairbanks-Morse Dewatering Pump at the Wastewater Treatment Plant:

BIDDER	WARRANTY	TOTAL COST
1. Detroit Pump and Manufacturing Company 450 Fair Avenue, Building D Ferndale, Michigan 48220	One Year	\$22,096.00
2. HydroDynamics 6200 Delfield Industrial Drive Waterford, Michigan 48329	One Year	\$13,216.40
3. Kennedy Industries, Inc. 4925 Holtz Drive Wixom, Michigan 48393	One Year	\$18,250.00

Linda A. Kunath
Finance Director/Treasurer

EXPLANATION OF CONSENT AGENDA – March 21, 2016

Agenda Item No. 10-A

Appointments to Boards, Committees and Commissions

Harbor Commission

Mayor recommends appointing Carl Hikade to the Harbor Commission. This is for a 3-year term, which expires December 31, 2018.

SUBMITTED BY: Barb Dempsey
Mayor

RECOMMENDED MOTION: To approve appointment as presented.

EXPLANATION OF CONSENT AGENDA – March 21, 2016

Agenda Item No. 10-B

Request Approval of an Amended 2016 Downtown Development Authority Calendar of Events

The Mount Clemens Downtown Development Authority (DDA) 2016 Calendar of Events was approved on March 7, 2016. The DDA is now requesting approval of an amended calendar changing the dates and times of the Wednesday Farmers Market to one week earlier and one hour earlier on each of the approved Wednesdays (from July 13th through September 14th - 2 p.m. to 6 p.m. to July 20th through September 21st - 1 p.m. to 6 p.m.).

The changes have been highlighted in red in the attached document.

SUBMITTED BY: Michelle Weiss
Marketing & Event Coordinator
Mount Clemens Downtown Development Authority

RECOMMENDED MOTION: Approve the amended 2016 Calendar of Events for Downtown Mount Clemens as presented by the Mount Clemens Downtown Development Authority.

**Amended 2016 Calendar of Events
Downtown Mount Clemens**

<u>Date</u>	<u>Event Name</u>	<u>Location</u>
May 6 - 7	Mount Clemens Made in Michigan Show	Macomb Place includes closure of Macomb Place between North Main and SB Gratiot and authorization to erect special signage
May 7	Spring Fun Saturday & Kiwanis Bike Rodeo	Macomb Place between Pine St. and SB Gratiot
June 2	Downtown Sight & Sound Concert	Macomb Place includes closure of Macomb Place between Pine and SB Gratiot and the north entrance to the Macomb Place parking lot
June 3	Bud Light Classic Car Registration Night & Cruise	NE corner of North Main at Market
June 4	Bud Light Classic Car Show & Cruise Night	North Main between Cass and Welts and Market Street between Cherry and NB Gratiot Includes closure of Macomb Place between North Main and Walnut
June 24	Independence Day Fireworks and Riversight and Sound Concert	Clinton River Park and public streets and sidewalks - streets to include First Street, Crocker Boulevard, Cass Avenue, North Main to Market and NB Gratiot to Market. Additional street closures, if needed, to ensure public safety and traffic flow. Rain Date June 25, 2016
July 7	Downtown Sight & Sound Concert	Macomb Place includes closure of Macomb Place between Pine and SB Gratiot and the north entrance to the Macomb Place parking lot
July 15	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
July 20 thru September 21	Wednesday Farmers Market	Roskopp Parking Lot along SB Gratiot and Pine Free parking for customers during Market 1pm to 6 pm
July 22	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
July 29	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
July 29 - 31	Gus Macker Tournament	Main Street includes closure of Main Street between Macomb Place and Market Street
Aug 4	Downtown Sight & Sound Concert	Macomb Place includes closure of Macomb Place between Pine and SB Gratiot and the north entrance to the Macomb Place parking lot
Aug 12	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
Aug 19	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
Aug 26	Uptown Friday Night Concert	Fountain Stage and immediate surrounding area includes closure of Macomb Place between Walnut and Pine
Aug 28	Bikes, Burgers and Brews	Macomb Place Parking Lot includes partial closure of the parking lot

Sept 23 - 25	Downtown Oktoberfest	Macomb Place between Pine and SB Gratiot and the Macomb Place Parking Lot by the Anton Art Center. Closed Thursday PM September 24 for tent set-up.
Oct 29	Halloween Spooktacular	Fountain Stage and immediate surrounding area includes closing of Macomb Place between North Main and Pine and New between Walnut and Cherry
Nov 18	Christmas Open House	Macomb Place between Walnut and Pine includes closing of Macomb Place between Walnut and Pine
Nov 19	Macomb County Santa Parade	South Main and North Main between Robertson and NB Gratiot includes closing of South Main and North Main between above-mentioned streets
Nov 26	Small Business Saturday	Macomb Place between Walnut and Pine includes closing of Macomb Place between Walnut and Pine
Dec 31	Macomb County New Year's Eve Gala	North Main between Market and Macomb Place includes closing of North Main between Macomb Place and Market and Walnut between Macomb Place and New and New between Walnut and Cherry
Feb 3 - 5, 2017	Mount Clemens Ice Carving Show	Macomb Place sidewalks, Fountain Stage and Cherry Street Mall includes closure of Macomb Place between Walnut and Pine

EXPLANATION OF CONSENT AGENDA – March 21, 2016

Agenda Item No. 10-C

Request Approval of Amended Roskopp Parking Lot Farmer’s Market Agreement

The Roskopp Parking Lot Farmer’s Market Agreement was approved on March 7, 2016. Pursuant to the requested changes in the Amended 2016 Downtown Development Authority Calendar of Events, it is necessary to amend the attached agreement with the appropriate date and time changes.

SUBMITTED BY: Steven M. Brown, City Manager

RECOMMENDED MOTION: To approve the Amended Roskopp Parking Lot Farmer’s Market Agreement.

ROSKOPP PARKING LOT
FARMER'S MARKET AGREEMENT

THIS AGREEMENT, made this 7th day of March, 2016, by and between **THE CITY OF MOUNT CLEMENS**, a Michigan Municipal Corporation, hereinafter referred to as "**City**", and the **MOUNT CLEMENS DOWNTOWN DEVELOPMENT AUTHORITY**, a duly organized and authorized authority created under the auspices of the State of Michigan and the City of Mount Clemens, hereinafter referred to as "**DDA**", and the **MOUNT CLEMENS FARMER'S MARKET**, a Michigan Non-Profit Corporation, hereinafter referred to as "**Farmer's Market**".

WHEREAS, the City operates a municipal parking system, including the premises commonly known as the "Roskopp Parking Lot"; and

WHEREAS, the DDA and Farmer's Market have agreed to partner a mid-week Farmer's Market and wish to locate the same in a portion of the Roskopp Parking Lot, adjacent to the Anton Art Center; and

WHEREAS, the City is agreeable to the establishment of a mid-week Farmer's Market to be located in that portion of the Roskopp Parking Lot, adjacent to the Anton Art Center.

NOW, THEREFORE, in consideration of the mutual promises and agreement made herein, the parties DO HEREBY AGREE as follows:

1. That the City shall allow use of that portion of the Roskopp Lot adjacent to the Anton Art Center, to the DDA and the Farmer's Market for use as a Farmer's Market, commencing Wednesday, July 20, 2016 from 1:00 p.m. to 6:00 p.m. and for the same time period each and every Wednesday thereafter through September 21, 2016.

2. This Agreement shall be automatically renewed each March 1, for the succeeding July through September time periods under the same terms and conditions as set forth herein, unless (1) the Agreement is amended in writing which contains provisions inconsistent with such automatic renewal terms; or (2) any party notifies the other parties in writing of an intention not to renew, which notice shall be provided on or before March 1, of the year of non-renewal.

3. In consideration of the City not charging rent for the use of the parking lot premises in the Roskopp Parking Lot, the DDA agrees to reimburse the City for any loss of parking revenue resulting from this agreement.

4. DDA and Farmer's Market shall keep and maintain insurance, naming the City as an additional insured, pursuant to the requirements of Exhibit "A" attached hereto and made a part hereof.

5. In the event either party's consent is required under the terms of this Agreement, such consent shall not be unreasonably withheld or delayed.

6. Nothing contained herein shall be construed as conferring upon the DDA, its officers, employees or agents, the authority to contract or otherwise act on the City's behalf, other than as expressly set forth herein.

7. All notices, requests, claims, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given when delivered (a) in person; (b) by any overnight courier or other service providing evidence of delivery, or by registered or certified mail (postage prepaid, return receipt requested); or (c) by facsimile with a copy delivered the next business day by any overnight courier or other service providing evidence of delivery, to the respective parties at the following addresses:

To City: **City of Mount Clemens**
Attn: City Manager
One Crocker Boulevard
Mount Clemens, MI 48043

To DDA: **Mount Clemens Downtown Development Authority**
Attn: Chairman
One Crocker Boulevard
Mount Clemens, MI 48043

To Farmer's Market: **Mount Clemens Farmer's Market**
Attn: Board President
28 First Street, Suite B
Mount Clemens, MI 48043

or such other address as any party may designate by prior written notice to the others.

8. This Agreement does not, and is not intended to, impair, divest, delegate or contravene any constitutional, statutory and/or other legal right, privilege, power, obligation, duty or immunity of the parties.

9. This Agreement will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity and construction, excepting the principles of conflicts of law. The parties submit to the jurisdiction and venue of the Circuit Court for the County of Macomb, State of Michigan, with respect to any action arising directly or indirectly, out of this Agreement or the performance or breach of this Agreement. The parties stipulate that the venues referenced in this Agreement are convenient and waive any claim of non-convenience.

10. Whenever possible, each provision of this Agreement will be interpreted in a manner as to be effective and valid under applicable law. However, if any provision of this Agreement or the application of any provision to any party or circumstance will be prohibited by or invalid under applicable law, that provision will be ineffective to the extent of the prohibition or invalidity without invalidating the remainder of the provisions of this Agreement or the application of the provision to the other parties and circumstances.

11. This Agreement, or any part hereof, or the administration or performance of any activity or service performed by the DDA or Farmer's Market hereunder, cannot be assigned or sublet, contracted away, or in any manner transferred without the prior written consent and full approval of the City.

12. This Agreement constitutes the entire agreement between the parties hereto and may not be modified or amended except in writing executed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their signs and seals the day and year first above written.

City:

CITY OF MOUNT CLEMENS,
a Michigan Municipal Corporation,

By: _____
Barb Dempsey, Mayor

By: _____
Lisa Borgacz, City Clerk

DDA:

**MOUNT CLEMENS DOWNTOWN
DEVELOPMENT AUTHORITY,**

By: _____
Its: Chairman

Farmer's Market:

**MOUNT CLEMENS FARMER'S
MARKET,**

By: _____
Its: Board President

EXPLANATION OF AGENDA – March 21, 2016

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Steven M. Brown, City Manager

DATE: March 17, 2016

RE: Report from the City Manager’s Office

1. Early Lead Testing: As previously discussed, the City conducts routine lead testing on our water on a schedule determined based on prior testing results. The City is on a three-year testing cycle, the longest interval allowed, because our test results have been excellent. Specifically, the 2014 lead testing had our results at 1.75 parts per billion which is far below the action threshold set at 15 parts per billion. In 2014, we tested 30 locations in the City. Our next regularly scheduled testing is in 2017. Testing is scheduled in the Spring because this time period achieves good, representative results.

City Administration has decided to do early lead testing in 2016. We intend to test in a manner consistent with our 2014 testing, at the same locations and in the Spring once again. This decision was made because of the Flint water crisis, the associated press coverage and the possibility/likelihood that there are residents who are concerned about this issue and might be wondering about the safety of our water specifically as it relates to lead. As an example of those concerns, we did have a resident ask about our lead testing practices and results at a recent Commission Meeting which led to the previous discussion. Furthermore, as operators of a water system, we felt it was important for us to have this information earlier as well given the general concerns in this area. This is being done only to be proactive and we have absolutely no information indicating there are any issues or concerns with our water.

We fully expect another set of excellent results from our early lead testing in Spring of 2016. City Administration will provide a report on the testing results when the information is available.

2. BEST: Gratiot Avenue Corridor Project Public Meeting
The Regional Transit Authority is holding a public meeting in Mount Clemens to discuss the Gratiot Corridor Rapid Transit Project. The meeting is to be held as follows:

Wednesday, March 30, 2016 from 4 to 7 PM

The Colaborative
21 N. Main Street
Mount Clemens, MI 48043

Appetizers, beverages and visual information about future plans will be provided. Mount Clemens would be a key part of any project implementation. This is a public meeting so please come to learn more about this exciting public transportation project!