



# AGENDA

## CITY COMMISSION MEETING

Monday, April 7, 2014

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcements, Acknowledgments and Communications and Reports.  
Presentation from Turning Point in honor of Sexual Assault Awareness Month
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 Amendment of the Downtown Development Authority District Boundaries.
  - 9-B – Introduction and First Reading to Various City Ordinances.
  - 9-C – Adoption of a Resolution Amending the Resolution Charter Amendment and to Place the Same on the August 5, 2014, *Special* Election Ballot.
  - 9-D – Request Approval to Renew Agreement for Assessor Services.
  - 9-E – Request Approval to Enter into an Interim City Manager Employment Agreement.
  - 9-F – Discussion Regarding City Manager Selection.
  - 9-G – Approve Purchases and Payment of Invoices.
10. Consent Agenda.
  - 10-A – Approval of Grant Agreement between the City of Mount Clemens and Michigan Department of State.

10-B – Commission Approval of a Resolution Designating Arbor Week and Arbor Day.

10-C – Request Approval to hold the 4<sup>th</sup> Annual Macomb Health and Fitness Foundation “Let’s Move Festival of Races” on April 24 through April 26, 2014.

10-D – Request Approval of Street Closures for the Detroit Pub Bike Nights/Bike Fest 2014.

10-E – Request by 80s Party 4 A Purpose for Use of the Fountain Stage and Associated Road Closures.

10-F – Request Permission to hold the 3<sup>rd</sup> Annual St. Mary School Family Fun Run and Walk on Saturday, June 14, 2014.

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 – April 7, 2014**

**Agenda Item No. 9-A**

**Public Hearing For The Amendment of the Downtown Development Authority  
District Boundaries**

On March 3, 2014 the City Commission adopted a resolution of intent to amend the boundaries of the DDA by including the two parcels that comprise the west bank of the Clinton River between the Crocker and Dickinson bridges, and setting an April 7, 2014 public hearing.

Notice of the public hearing was published twice in the Macomb Daily, mailed to all taxpayers of record within the DDA, mailed to the taxing jurisdictions, and posted in 20 public places within the district.

The City Commission will conduct a first reading of an ordinance amending the district boundaries at its June 16, 2014 meeting.

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

**RECOMMENDED MOTION:** Motion to open the Public Hearing for the  
Amendment of the Downtown Development  
Authority District Boundaries

Motion to close the Public Hearing for the  
Amendment of the Downtown Development  
Authority District Boundaries

## **EXPLANATION OF AGENDA – April 7, 2014**

### **Agenda Item No. 9-B**

#### **Introduction and First Reading to Various City Ordinances**

In the continuing effort to update our Code of Ordinances, Administration is requesting approval of the following ordinance amendments:

1. **Business Registration Fee Ordinance:** Currently, the ordinance requires all businesses on the personal property tax roll to register with the City. With changes in State Law, we need to amend the ordinance to require ALL businesses in the City to register annually, regardless of their personal property tax filing status.
2. **Special Event Licenses:** We are requesting that the provisions regarding individual vendor permits be repealed. The vendors will still be required to file a Waiver of Liability with the City.
3. **Disorderly Conduct:** The U.S. Court of Appeals recently held that Michigan's law banning begging in a public place is unconstitutional; therefore, we are requesting that this portion of the disorderly conduct ordinance be repealed, together with other outdated portions of the ordinance.
4. **Adopt Michigan Election Law by Reference:** Pursuant to the Home Rule City Act, we are requesting approval of an ordinance that would formally adopt Michigan Election Law by reference. In addition to future Election Law Amendments, there would be changes to the composition of the Mount Clemens Election Commission; and the minimum number of valid signatures a candidate must file for City office would be reduced from 75 to 40. Upon adoption, this ordinance will prevail over any charter provisions that may conflict with it.

**SUBMITTED BY:**

Michael J. Murray, City Attorney  
Lynne Kennedy, City Clerk

**RECOMMENDED MOTION:**

Approve the Introduction and First Reading of amendments to the Business Registration Fee Ordinance; Special Event License Ordinance; Disorderly Conduct Ordinance and Election Law Ordinance; and set the second reading and adoption for April 21, 2014.

**EXPLANATION OF AGENDA – April 7, 2014**

**Agenda Item No. 9-C**

**Adoption of a Resolution Amending the Resolution Charter Amendment and to Place the Same on the August 5, 2014, Special Election Ballot**

At the March 3, 2014, Regular City Commission meeting, the Commission adopted a Resolution Charter Amendment. Administration has been advised that the election to be scheduled for August 5, 2014, is a “special” election, and not a “primary” election. Therefore, said Resolution requires an amendment to reflect the same.

**SUBMITTED BY:** Michael J. Murray, City Attorney

**RECOMMENDED MOTION:** Adopt the attached Resolution amending City of Mount Clemens Resolution Charter Amendment.

**EXPLANATION OF AGENDA – April 7, 2014**

**Agenda Item No. 9-D**

**Request Approval to Renew Agreement for Assessor Services**

On June 15, 2009, the City Commission approved an agreement with Nancy A. Strehl to provide Professional services as City Assessor as an independent contractor. The agreement was subject to a 3-year contract that may be renewed for two additional 1-year terms. This contract has been completed, and I am requesting that the contract be approved again for the same time period as the original contract (3-year plus two additional 1-year terms). Ms. Strehl has indicated her willingness to renew the agreement upon the same terms and conditions. I am recommending that the City Commission approve renewal of said agreement.

**SUBMITTED BY:**

Marilyn J. Dluge, Finance Director

**RECOMMENDED MOTION:**

Approve the attached Assessor Services Renewal Agreement between the City of Mount Clemens and Nancy A Strehl, and authorize the Mayor and City Clerk to execute same.

**EXPLANATION OF AGENDA – April 7, 2014**

**Agenda Item No. 9-E**

**Request Approval to Enter into an Interim City Manager Employment Agreement**

At the March 24, 2014, Special Meeting of the Mount Clemens City Commission, a motion was approved to offer Robert J. Bruner, Jr., the position of Interim City Manager. Pursuant thereto, the City Attorney's office has prepared the attached contract. With Commission approval, the contract shall begin on April 8, 2014, and Mr. Bruner shall receive an annual salary of \$80,000, with no benefits. This employment is at will and terminable by the City or Mr. Bruner upon the giving of 14 days notice.

**SUBMITTED BY:** Michael J. Murray, City Attorney

**RECOMMENDED MOTION:** Approve the Interim City Manager Employment Agreement between the City of Mount Clemens and Robert J. Bruner, Jr., and to authorize the Mayor Pro-Tem and City Clerk to execute the same.

**EXPLANATION OF AGENDA – April 7, 2014**

**Agenda Item No. 9-F**

**Discussion Regarding City Manager Selection**

The Special City Commission meeting of Wednesday, April 2, 2014 was cancelled and needs to be rescheduled. The purpose of this agenda item is to discuss the rescheduling of City Manager Interviews.

**SUBMITTED BY:** Gary Blash, Mayor Pro-Tempore  
Ron Campbell, City Commissioner

**RECOMMENDED MOTION:** Discuss City Manager Selection

**EXPLANATION OF AGENDA – April 7, 2014**

**Agenda Item No. 9-G**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. HydroDynamics, Inc. 6200 Delfield Industrial Drive Waterford, MI 48329	Replacement Volute for our Fairbanks Morse Pump.	Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000	\$3,589.14	\$18,378.13
2. Pitney Bowes 34705 West 12 Mile Road Suite 200 Farmington Hills, MI 48331	Lease-to-own (5-year) New Pitney Bowes Postage Machine. We Are paying approximately \$4,092.00/year For maintenance And meter rental On the current Machine. For an Additional \$35.95/ Month we can have A new machine with STATE CONTRACT PRICING.	General Fund/ Purchasing Department/ Equipment Lease- Rental	101-23300-946000	\$376.95/ Month or \$4,523.40/ year	\$2,204.12

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Michigan Department Of Transportation P.O. Box 30648 Lansing, MI 48909	On 07/19/10 the City Commission Approved a charge to MDOT for the Moving of five (5) fire hydrants During the Gratiot paving project in the Amount of \$35,000.00. We are now being Invoiced for a Contract Modification in the amount of \$33,564.38 for additional work That was required During that project Due to unforeseen circumstances Underground.	Water-Utilities Fund/ Transmission/ Contractual Services	591-53704-818000	\$33,564.38	\$6,035.83*
2. Michigan State Police P.O. Box 30266 Lansing, MI 48909	Return of unexpended Justice Training Fund-Law Enforcement Distribution for years 2003-2005.	General Fund/ Police Department/ Contractual Services	101-30100-818000	\$13,652.61	*

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
3. M.L. Chartier, Inc. 9195 Marine City Highway Fair Haven, MI 48023	Mercury spill Cleanup, storage, And disposal.	Water-Utilities Fund/ Operation of Plant/ Contractual Services	591-53708-818000	\$2,514.17	\$27,976.93
4. Tremco Waterproofing Technologies, Inc. 3735 Green Road Beachwood, OH 44122	Emergency roof Repairs at Fire Department.	General Fund/ Fire Department/ Building Maintenance	101-33600-931000	\$2,236.00	*

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

**SUBMITTED BY:** Marilyn Dluge, Finance Director/Treasurer

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

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-A**

**Approval of Grant Agreement between the City of Mount Clemens and Michigan Department of State**

The State of Michigan is in the process of replacing computer hardware that jurisdictions use for maintaining the Qualified Voter Program (voter registration). We will be receiving this equipment at no cost to the City.

In order for the State to purchase the new equipment on our behalf using HAVA (Help America Vote Act) funds, we must execute the attached Grant Application.

**SUBMITTED BY:** Lynne Kennedy, City Clerk

**RECOMMENDED MOTION:** To authorize the City Clerk to sign the Grant Agreement between the City of Mount Clemens and Michigan Department of State for the Qualified Voter File Equipment Upgrade Project.

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-B**

**Commission Approval of a Resolution Designating ArborWeek and Arbor Day**

The Mount Clemens City Commission is requested to adopt the attached resolution designating April 21, 2014 through April 25, 2014, as Arbor Week and April 25, 2014, as Arbor Day.

**SUBMITTED BY:** Gary Blash, Mayor Pro-Tempore

**RECOMMENDED MOTION:** Approve the resolution designating April 21 through April 25, 2014 as Arbor Week, and April 25, 2014 as Arbor Day.

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-C**

**Request Approval to hold the 4<sup>th</sup> Annual Macomb Health and Fitness Foundation “Let’s Move Festival of Races” on April 24 through April 26, 2014**

The Macomb Health and Fitness Foundation is seeking permission to hold the “Let’s Move Festival of Races” from Thursday, April 24, 2014 through Saturday, April 26, 2014. The Health and Fitness Expo would take place on Main Street on Thursday and Friday. The races on Saturday would consist of a Half Marathon, a 5K, a River Walk, a Kids Run and other activities, with opening ceremonies taking place at 8:00 a.m. Maps of the 4 races are attached.

The event organizer would work with the Public Services Department on the timing of the road closures. The location of street closures would occur in a similar fashion as previous years.

If approved, a Certificate of Liability Insurance naming the City as an additional insured will be required prior to the event. The event organizer will also be asked to notify all residences and businesses along the race routes of impending road closures.

Additional information can be found by going to the Festival’s website: <http://letsmovefestival.com/>

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

**RECOMMENDED MOTION:** Approve the “Let’s Move Festival of Races” from Thursday, April 24, 2014 through Saturday, April 26, 2014.

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-D**

**Request Approval of Street Closures for the Detroit Pub Bike Nights/Bike Fest 2014**

The Detroit Pub and Riders for a Cause are requesting City Commission permission to hold Bike Nights 2014 each Wednesday from May 14 through June 18, 2014 and Bike Fest 2014 on Friday, June 20, 2014.

The Detroit Pub is requesting the closure of Macomb Place from Main Street to Pine Streets from 4:00 p.m. until 8:00 a.m. the following days.

Event organizers will be responsible for any overtime costs in placing the barricades and will be required to submit a Certificate of Liability Insurance naming the City as an additional insured.

**SUBMITTED BY:**

Brian L. Tingley  
Community Development Director

**RECOMMENDED MOTION:**

Move to approve Bike Nights/Bike Fest 2014 on May 14, May 21, May 28, June 4, June 11, June 18, and June 20, 2014 and to authorize the closure of Macomb Place between Main Street and Pine Street from 4:00 p.m. until 8:00 a.m. the following days.

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-E**

**Request by 80s Party 4 A Purpose for Use of the Fountain Stage and Associated Road Closures**

80s Party 4 A Purpose is a non-profit event supporting families of service men and women and the Great Lakes Burn Camp for Kids. The organization is holding its 4<sup>th</sup> annual event at the Macomb Music Theater and surrounding restaurants on Saturday, May 17, 2014. In addition to these activities, they are requesting use of the Fountain Stage and the closing of Macomb Place between N. Walnut and Southbound Gratiot, and N. Walnut from Cass to Macomb Place between 5:00 p.m. and 8:00 p.m.

A Certificate of Liability Insurance naming the City as an additional insured will be required prior to the event. Closure of the roads would be coordinated with the Department of Public Services.

**SUBMITTED BY:**

Brian L. Tingley  
Community Development Director

**RECOMMENDED MOTION:**

Approve the use of the Fountain Stage and to authorize the closing of Macomb Place between N. Walnut and Southbound Gratiot, and N. Walnut from Cass to Macomb Place on Saturday, May 17, 2014.

**EXPLANATION OF CONSENT AGENDA – April 7, 2014**

**Agenda Item No. 10-F**

**Request Permission to hold the 3<sup>rd</sup> Annual St. Mary School Family Fun Run and Walk on Saturday, June 14, 2014**

St. Peter Parish and St. Mary School is requesting permission to hold the 3<sup>rd</sup> annual Family Fun Run and Walk on Saturday, June 14, 2014 from 8:00 a.m. to 10:30 a.m. The event would include staff, students and families participating in a 5K and 1 mile walk and run through the neighborhood. Maps of the routes are enclosed.

No street closures are being requested. The run/walk will take place on City sidewalks. Volunteers will be stationed at crosswalks at those points where the route crosses an intersection.

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 St. Mary School Family Fun Run and Walk on Saturday, June 14, 2014 from 8:00 a.m. to 10:30 a.m.

## EXPLANATION OF AGENDA – April 7, 2014

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

**FROM:** Douglas C. Anderson, City Manager

**DATE:** April 3, 2014

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

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1. City Commission Meetings: There will be a Work Session on Monday, April 7, 2014 at 5:30 p.m. to begin review of the General Fund in the proposed 2014/2015 budget. The Regular City Commission meeting will begin at 7 p.m.
2. City Commission Special Meeting: There will be a Special City Commission Meeting on Tuesday, April 8, 2014 at 5:45 p.m. regarding City Manager Selection.

On a final note, I would like to congratulate Chuck Bellmore on his retirement after nearly 25 years of service with the City.

I wish you all the best.