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## A G E N D A

### CITY COMMISSION MEETING

Monday, November 3, 2014

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 - First Public Hearing for the Downtown Maintenance Program.  
*(Continued from October 20, 2014)*
  - 9-B - Public Hearing on a Request to Vacate the Remaining Portion of a Public Alley.
  - 9-C - Approve Purchases and Payment of Invoices.
10. Consent Agenda.
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

## **CITY COMMISSION WORK SESSION**

**County of Macomb  
State of Michigan**

**October 20, 2014  
Conference Room**

A work session of the Mount Clemens City Commission was held on Monday, October 20, 2014, at 5:30 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 Commissioners Roger Bunton, Ronald Campbell, Lois Hill and Denise Mentzer. Absent were Mayor Barb Dempsey, Mayor Pro-Tem Gary Blash and Commissioner Joseph Rheker. Also in attendance were Steven Brown, City Manager; Michael Murray, City Attorney; and Lisa Borgacz, City Clerk.

Commissioner Bunton made a motion, supported by Commissioner Mentzer, to excuse Mayor Dempsey, Mayor Pro-Tem Blash and Commissioner Rheker from the meeting. The motion passed unanimously.

**PUBLIC PARTICIPATION WAS CONDUCTED.**

**PRESENTATION BY PARTNERS IN ARCHITECTURE REGARDING MACOMB COUNTY PROJECTS IN MOUNT CLEMENS WAS CONDUCTED.**

**DISCUSSION REGARDING SPACE SHARING WITH MACOMB COUNTY WAS CONDUCTED.**

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

The meeting adjourned at 6:33 p.m.

Respectfully submitted,

---

Lois Hill, Commissioner

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Lisa Borgacz, City Clerk

## CITY COMMISSION MEETING

County of Macomb  
State of Michigan

October 20, 2014  
Commission Chambers

A regular meeting of the Mount Clemens City Commission was held on Monday, October 20, 2014, 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 Commissioners Roger Bunton, Ronald Campbell, Lois Hill and Denise Mentzer. Mayor Barb Dempsey, Mayor Pro-Tem Gary Blash and Commissioner Joseph Rheker were 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 Bunton made a motion, supported by Commissioner Mentzer, to excuse Mayor Dempsey, Mayor Pro-Tem Blash and Commissioner Rheker from the meeting. The motion passed unanimously.

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

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

Commissioner Bunton made a motion, supported by Commissioner Campbell, to adopt the agenda as presented. 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 Mentzer made a motion, supported by Commissioner Bunton, to approve the minutes of the City Commission Work Session of October 6, 2014, and the Regular meeting of October 6, 2014, as presented. The motion passed unanimously.

### **FIRST PUBLIC HEARING FOR THE DOWNTOWN MAINTENANCE PROGRAM WAS CONSIDERED, ITEM 9-A.**

Commissioner Bunton made a motion, supported by Commissioner Mentzer, to open the Public Hearing for the Downtown Maintenance Program at 7:50 p.m. The motion passed unanimously.

Commissioner Mentzer made a motion, supported by Commissioner Bunton, to continue the Public Hearing for the Downtown Maintenance Program at the City Commission Meeting of November 3, 2014. The motion passed unanimously.

**APPROVAL TO INCLUDE THURSDAY, JUNE 25, 2015, IN THE SUMMER MAGIC FESTIVAL EVENT PREVIOUSLY APPROVED BY THE CITY WAS CONSIDERED, ITEM 9-B.**

Commissioner Bunton made a motion, supported by Commissioner Campbell, to approve the request from Shelbyvision Presents, LLC, to include Thursday, June 25, 2015, as an additional day for the Summer Magic Festival, subject to the City Manager's Office and Shelbyvision Presents, LLC, negotiating a Special Events Permit.

The vote on the motion was:

Ayes: Campbell, Hill, Bunton  
Nays: Mentzer  
Absent: Dempsey, Blash, Rheker

The motion passed.

**INTRODUCTION OF RESOLUTION AND SET PUBLIC HEARING DATE FOR A VACATION OF A PORTION OF A PUBLIC ALLEY WAS CONSIDERED, ITEM 9-C.**

Commissioner Bunton made a motion, supported by Commissioner Campbell, to introduce a resolution and set the date of November 3, 2014, for a Public Hearing to consider a request to vacate the remaining portion of an alley off of Orchard Street running parallel to Jones and Brooks Streets. The motion passed unanimously.

**RESOLUTION OF INTENT TO CONTINUE DISCUSSIONS WITH MACOMB COUNTY ON POTENTIAL SHARING OF SPACE WAS CONSIDERED, ITEM 9-D.**

Commissioner Campbell made a motion, supported by Commissioner Bunton, to approve a resolution stating it is the City's intention to continue discussions with Macomb County regarding space sharing. The motion passed unanimously.

**APPROVAL OF PURCHASES AND THE PAYMENT OF INVOICES WERE CONSIDERED, ITEM 9-E.**

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

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

Commissioner Bunton made a motion, supported by Commissioner Campbell, to approve the consent agenda as presented:

In Item 10-A, the request of the 4<sup>th</sup> Annual Zombie Parade on October 25, 2014, was approved.

In Item 10-B, the request of a resolution honoring Lynne Kennedy for her years of service to the City of Mount Clemens, was approved.

The motion passed unanimously.

October 20, 2014

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

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

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

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

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Lois Hill, Commissioner

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Lisa Borgacz, City Clerk

October 20, 2014

**EXPLANATION OF AGENDA – November 3, 2014**

**Agenda Item No. 9-A**

**First Public Hearing for the Downtown Maintenance Program**

***(Continued from October 20, 2014)***

The enclosed map indicates primary and secondary streets. Also, enclosed is a “Determination of Assessment” that was submitted by the Downtown Development Maintenance Committee when the program was first initiated. The projected 2014/2015 expense is \$55,000 (see attached estimated mall maintenance cost).

A primary rate of \$9.25 and a secondary rate of \$4.25 will generate a total assessment of \$54,983.63.

**SUBMITTED BY:** Nancy A. Strehl, City Assessor

**RECOMMENDED MOTION:** Continue the first public hearing for the Downtown Maintenance Program.

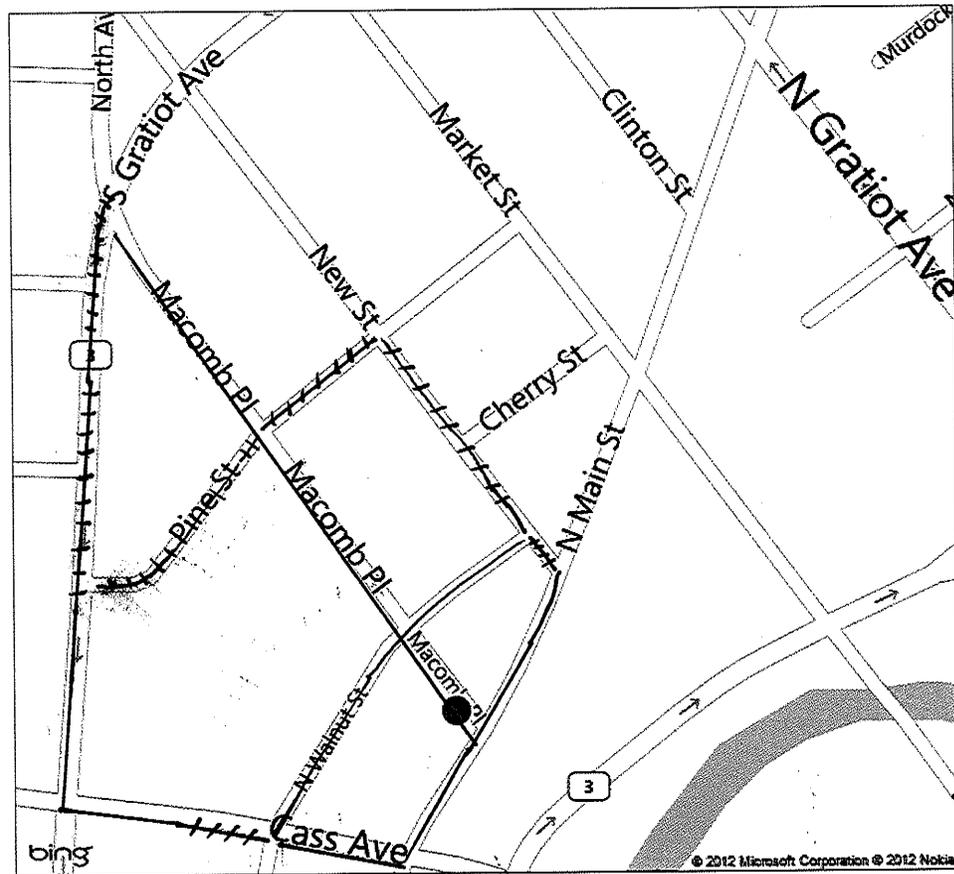
Close the first public hearing, adopt the rates, instruct the Assessor to prepare the Special Assessment Roll and set the date for the second Public Hearing on November 17, 2014.

**Determination of Assessment.** The Downtown Development Maintenance Committee has divided the project area into “primary” and “secondary” streets using the following criteria:

- a. Secondary streets are those streets that are used substantially for the passage of traffic into areas other than the businesses which have entrances on those streets.
- b. Even if a business is on a “secondary” street, if its sole business entrance is on that street the frontage in front of that location is designated primary.

**DOWNTOWN MALL ESTIMATED ANNUAL COST 2014/2015**

Salary /Wages	\$19,400.00
Road Maintenance (Materials)	\$ 8,500.00
Contractual Services (Snow Removal, Mall Cleaning)	<u>\$35,000.00</u>
Total Estimated Cost	\$62,900.00
Special Assessment/Fund Balance	<u>-\$ 7,916.37</u>
<b>Special Assessment Roll</b>	<b>\$54,983.63</b>



PRIMARY ———

SECONDARY - - - - -

**EXPLANATION OF AGENDA – November 3, 2014**

**Agenda Item No. 9-B**

**Public Hearing on a Request to Vacate the Remaining Portion of a Public Alley**

This date has been set for a public hearing to consider a request from the property owner of 128 Jones and 31 Orchard to vacate the remaining portion of a public alley off of Orchard running parallel to Jones and Brooks.

A notice of the public hearing appeared in the October 24, 2014, edition of The Macomb Daily and was mailed to all affected property owners and utility companies. A copy of the request is enclosed along with a map and the necessary resolution.

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

**RECOMMENDED MOTION:** Open the public hearing for the request to vacate the remaining portion of a public alley off of Orchard running parallel to Jones and Brooks.

Close the public hearing for the request to vacate the remaining portion of a public alley off of Orchard running parallel to Jones and Brooks.

Adopt the resolution vacating the remaining portion of a public alley off of Orchard running parallel to Jones and Brooks.

June 7, 2014

Mr. Brian Dingley,

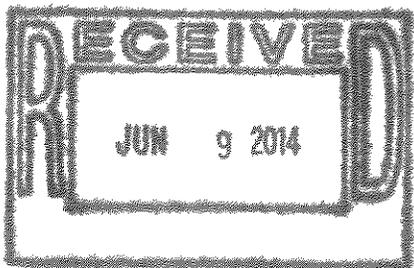
I would like to request that  
128 Jones Street and 31 ~~Forest~~<sup>ORCHARD</sup> Street  
is combined into one address -  
128 Jones.

If you have any questions,  
I can be reached at 586-354-8144.

Sharon Mathis  
128 Jones St.  
Mt. Clemens, Mi

48043

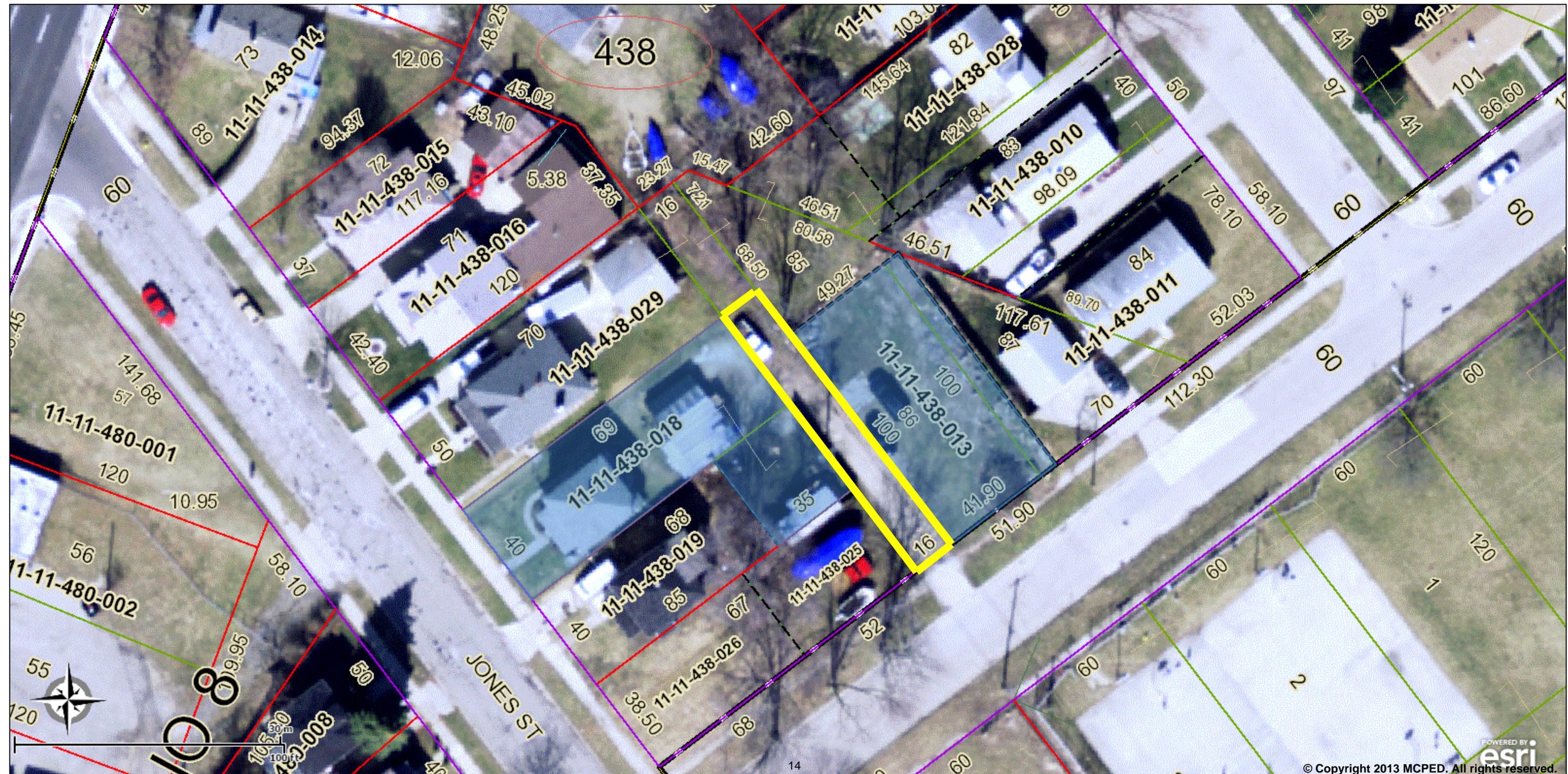
Cell  
586-354-8144



# Alley Vacation

128 Jones-31 Orchard

Fri Oct 10 2014 10:59:40 AM.



## RESOLUTION VACATING A PORTION OF A PUBLIC ALLEY

**WHEREAS**, it appears that heretofore the City of Mount Clemens, Michigan, has received property by dedication or deed to be used for public alley purposes in the following area: sixteen (16) feet of property dedicated as a public alley abutting 130 Jones Street, 128 Jones Street, Vacant Orchard Parcel (05-11-11-438-025) and 31 Orchard, running southeast 118.5 feet parallel with the northeast property line of 128 Jones Street and exiting onto Orchard Street.

Said vacated portion being platted in Assessor's Plat No. 8 in the City of Mount Clemens, Macomb County, Michigan, according to the plat thereof as recorded in Liber 13, Page 12 of plats, Macomb County Records, lying parallel to and between:

**130 Jones Street;** A/PLAT NO 8 (L13,P12) ALL LOT 70; LOT 82 EXP NELY 103.04 FT, NWLY 10.0 FT OF LOT 82 EXP NLY 103.04 FT, ALL LOT 85; ALSO ALL VAC ALLEY ADJ TO LOT 70.

**128 Jones Street;** ASSESSORS PLAT NO 8 N 35.0 FT OF LOT 68 & ALL LOT 69.

**Vacant Orchard Parcel (05-11-11-438-025);** ASSESSORS PLAT NO 8 N 52.0 FT OF LOT 67.

**31 Orchard Street;** ASSESSORS PLAT NO 8 LOT 86 & S 10 FT OF LOT 87.

**WHEREAS**, the City Commission of the City of Mount Clemens has been presented with a request to vacate the above described portion of said public alley; and

**WHEREAS**, the City of Mount Clemens has no objection to vacating the above described portion of said public alley; and

**WHEREAS**, the requisite notice of hearing incident to the request for vacating the above described portion of said public alley has been given, and the requisite owners notified, and a public hearing has been held.

**NOW, THEREFORE, BE IT RESOLVED** that the portion of the public alley above described be and the same is hereby vacated, and that title to the area so vacated remains in the fee title holders reflected by the records of the Macomb County Register of Deeds.

**BE IT FURTHER RESOLVED** that a copy of the within Resolution may be recorded at the Office of the Register of Deeds for the County of Macomb, State of Michigan, and also be forwarded to the State of Michigan Department of Commerce.

Adopted: November 3, 2014

CITY OF MOUNT CLEMENS,  
a Michigan Municipal Corporation,

By: \_\_\_\_\_  
Barb Dempsey, Mayor

By: \_\_\_\_\_  
Lisa M. Borgacz, City Clerk

**EXPLANATION OF AGENDA – November 3, 2014**

**Agenda Item No. 9-C**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.St. Regis Culvert, Inc. 202 Morrell Street Charlotte, MI 48813	Estimated Annual Requirement of Snow Plow Blades	Motor Pool Fund/ Department of Public Services/ Machinery and Equipment	661-44100-982000	\$10,260.00	\$11,725.63
2.International Controls and Equipment 35083 Cordelia Clinton Township, MI 48035	Replacement Slide Gate Operator at Water Plant	Water-Utilities Fund/ Operation of Plant/ Contractual Services	591-53708-818000	\$4,250.00	\$45,097.47
3.Nickel & Saph, Inc. 44 Macomb Place Mount Clemens, MI 48043	2014-2015 Comprehensive Liability Coverage	General Fund Dial-A-Ride Fund Parking Fund Sewer Fund Water Fund Sanitation Fund Equipment Fund Equipment Fund	101-85100-928000 211-29000-928000 585-54600-928000 590-53703-928000 591-53703-928000 596-52100-928000 661-44100-927000 661-44100-928000	\$292,060.00 + <u>\$ 21,801.00 (bridges)</u> \$313,861.00  Breakdown by account to be determined upon receipt of invoice.  Last year's cost: \$320,186.00	\$112,027.81 \$17,000.00 \$35,000.00 \$66,000.00 \$66,000.00 \$900.00 \$75,150.00 \$7,943.00

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
4. Lutz Roofing Company, Inc. 4721 - 22 Mile Road Shelby Township, MI 48317	On 09/15/14, The City Commission Awarded a Contract to Lutz Roofing for the Water Plant Roof Replacement Sections B,C,D,E. At This time, we Are seeking Authorization to Also do sections M,N while the Other sections Are staged.	Water-Utilities Fund/ Operation of Plant/ Building Improvements	591-53708-976000	\$15,000.00	*

No invoices at this time.

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

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

**RECOMMENDED MOTION:** Approve purchases as presented.

**CITY OF MOUNT CLEMENS**

Tabulation of sealed bids received and opened on Tuesday, October 14, 2014, for our estimated annual requirement of snow plow blades:

BIDDER	¾" X 6" X 5' (150 each)	10' X 1-1/2"	TOTAL COST
1. St. Regis Culvert, Inc. 202 Morrell Street Charlotte, Michigan 48813	\$62.40 \$9,360.00	\$450.00 \$900.00	\$10,260.00

1 bid received late.  
Bid posted on MITN.  
Bid posted on City's website.  
Bid posted on Cable.

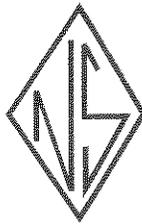
Marilyn Dluge  
Finance Director/Treasurer

**CITY OF MOUNT CLEMENS**

Tabulation of sealed bids received and opened on Tuesday, October 21, 2014, for a replacement slide gate operator for the security gate at the Water Plant:

BIDDER	SLIDE GATE OPERATOR	OPTION 1: FULLY AUTOMATIC	OPTION II: UPGRADE OPERATOR TO HEAVY DUTY	TOTAL
1. American Fence and Supply Company, Inc. 21200 Schoenherr Warren, Michigan 48089	\$3,323.00	\$943.00	\$511.00	\$4,777.00
2. International Controls and Equipment 35083 Cordelia Clinton Township, Michigan 48035	\$2,750.00	\$1,050.00	\$450.00	\$4,250.00

Marilyn Dluge  
Finance Director/Treasurer



**NICKEL & SAPH, INC.**  
*INSURANCE SINCE 1929*

MAILING ADDRESS:

P.O. BOX 46907  
MT. CLEMENS, MI 48046-6907

OFFICE ADDRESS:

44 MACOMB PLACE  
MT. CLEMENS, MI 48043  
(586) 463-4573 • (810) 765-8885  
1-800-657-7373  
FAX: (586) 463-3135

October 15, 2014

Ms. Terese G. Lucci  
City of Mount Clemens  
One Crocker Boulevard  
Mount Clemens, MI 48043

Re: Property & Liability Insurance Renewal

Dear Ms. Lucci:

Enclosed, please accept our renewal policy from Atlantic Specialty Insurance Company. First, the annualized premiums by year for the past five (5) years have been:

**2009** – \$216,467; **2010** – \$216,467; **2011** - \$218,072; and **2012** - \$299,982; **2013** - \$299,263.

The annual renewal premium offered by Atlantic is **\$292,060** including Terrorism Coverage.

The \$10,000 deductibles applicable to general liability, public officials', automobile, and employment practices liability claims have been retained. The Atlantic proposal reflects occurrence and aggregate liability limits of \$10,000,000. It is our opinion that the \$10,000,000 limits offered by Atlantic are sufficient limits for the City, particularly in light of the absence of direct policing services afforded by the community.

Again, Atlantic does not offered any property coverage for the City's docks or courtesy electrical outlets along the riverfront. Also, undefined or undesignated underground items will not be covered for property loss (coverage afforded for scheduled pump and lift stations but not for underground storm or sanitary sewer lines, etc.). Also, as addressed last year, the property coverage for the Shady Side Park pedestrian bridge has been moved from the City's primary policy to the property policy secured for the City's two (2) vehicular bridges (see below).

Please recall that prior to 2009, the City paid the prior carrier an annual premium of \$311,615. The \$311,615 reflected a program that required the City to satisfy a \$75,000 retention for covered liability claims in lieu of the current \$10,000 deductible required by Atlantic.

In addition to the coverages offered by Atlantic, the City secures separately, two (2) other policies:

**Pollution Liability:** The term premium presented two years ago was \$26,393 plus \$709.83 in Surplus Lines Fees. The expiring gross term premium was \$27,052.83. This policy and premium reflect a three (3) year term. This policy was renewed in 2012 so there will be no charge for this coverage this year as the policy was pre-paid in 2012 for the three (3) year term.

**Property Coverage for Bridges:** The annual renewal premium is presented in an amount of **\$21,751** plus a **\$50** Broker Fee. The expiring gross annual premium was \$20,923. This policy affords \$4,000,000 in coverage on each of the two (2) City owned bridges – Crocker Blvd./Cass Ave. Bridge and Dickinson St./Market St. Bridge. In addition to these two (2) bridges, we have added the Shady Side Park pedestrian bridge in an amount of \$515,000.

Coverage for the bridges is afforded on a Replacement Cost basis subject to the application of 90% coinsurance. A 2% deductible applies to covered claims with a minimum deductible of \$100,000 applicable to the vehicular bridges and a \$10,000 minimum applicable to the pedestrian bridge.

Enclosed, please find the Atlantic renewal policy. Atlantic is an admitted carrier (participates in the State of Michigan's Guarantee Fund) and is rated **A XI, Stable** by A. M. Best. Please review this information and contact me with any questions or concerns. Thank you.

Sincerely,



Stephen R. Saph Jr.  
President

Enclosure

**CITY OF MOUNT CLEMENS**

Tabulation of sealed bids received and opened on Tuesday, August 19, 2014, for roof replacements at the Water Plant:

BIDDER	BID BOND	MAIN BUILDING SECTIONS B,C,D, E	59 BUILDING SECTIOS I, J, K	SECTIONS M, N	TOTAL COST
1.J.D. Candler Roofing Company 31111 Industrial Drive Livonia, MI 48150	Yes	\$151,200.00	\$106,200.00	\$24,900.00	\$282,300.00
2. Lutz Roofing Company, Inc. 4721 - 22 Mile Road Shelby Township, MI 48317	Yes	\$136,500.00	\$78,100.00	\$15,000.00	\$229,600.00
3. Royal Roofing Company, Inc. 2445 Brown Road Orion, MI 48359	Yes	\$147,900.00	\$94,600.00	\$31,900.00	\$274,400.00
4.Schena Roofing 28299 Kehrig Drive Chesterfield, MI 48047	Yes	\$152,650.00	\$91,900.00	\$22,350.00	\$266,900.00
5.Schreiber Corporation 29945 Beck Road Wixom, MI 48393	Yes	\$196,800.00	\$113,600.00	\$29,500.00	\$339,900.00

Marilyn Dluge  
Finance Director/Treasurer

## EXPLANATION OF AGENDA – November 3, 2014

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

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

**DATE:** October 30, 2014

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

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1. Redevelopment Ready Communities (RRC): As a reminder, a new round of training sessions on the RRC processes and requirements has been announced which includes sessions in Roseville on November 12<sup>th</sup> and 13<sup>th</sup>. Registration for these sessions is still possible for Commission members, relevant City staff and members of Boards as well. We will assist with additional registrations as interest/availability warrants.
2. County Discussions: We have provided the resolution passed at the 10/20/14 Commission meeting to executive staff at the County. An additional meeting has been held with the County, specifically addressing technology sharing possibilities. Additional meetings are anticipated in the near future. I will keep you posted on additional interactions, information exchanges and developments going forward.
3. Code Enforcement Update: At the time of distribution of this report, no update was yet available on the Walnut property since the hearing date is today. To the extent possible, I will provide an update on the 3<sup>rd</sup>.