



A G E N D A

CITY COMMISSION MEETING

Monday, April 06, 2009

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcement, Acknowledgments, and Communications and Reports.
5. Adoption of Agenda.
6. Public Comments.
7. Administrative Response to Issues or Questions Raised During Previous Meetings.
8. Approval of Minutes.
 - a. Special Meeting - March 13, 2009.
 - b. Work Session - March 16, 2009.
 - c. Regular City Commission Meeting - March 16, 2009.
9. General Business
 - a. 9-A - Public Hearing on the Draft Project Plan for Wastewater System and Water System Improvements and Adoption of the Resolution to Accept the Project Plan for Wastewater System and Water System Improvements.
 - b. 9-B - Introduction and First Reading of an Amendment to the Preservation of Public Property Ordinance.
 - c. 9-C - Introduction and First Reading of an Amendment to the Mount Clemens Abandoned / Vacant Residential Structure Ordinance.

- d. 9-D - Request Approval To Host a Flea Market in the Roskopp Parking Lot on Saturdays from May through September.
- e. 9-E - To Approve the Memorandum of Understanding Regarding Automatic Mutual Aid between the City of Mount Clemens and Charter Township of Harrison Fire Departments.
- f. 9-F - Approve Purchases and Payment of Invoices.

10. Consent Agenda

- a. 10-A - Appointments to Boards, Committees and Commissions.
- b. 10-B - Second Reading and Adoption of the City of Mount Clemens Dangerous Buildings Ordinance.
- c. 10-C - Request Approval of Memorandum of Understanding for the 2009 Byrne Justice Assistance Grant Program Award.
- d. 10-D - Commission Approval of a Resolution Designating Arbor Week and Arbor Day.
- e. 10-E - Request Permission for the East Macomb County CROP Walk Committee to Hold the 22nd Annual CROP Walk on Sunday, May 3, 2009.
- f. 10-F - Request Approval to Proclaim April 24 through May 2, 2009 as White Cane Week.
- g. 10-G - Request Approval of the 2009 Downtown Calendar of Events.

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 6, 2009

Administrative Response to Issues or Questions Raised During Previous Meetings

1. Residents asked if any of the bailout funding can be used to clean up the Clinton River at Shadyside Park. A Commissioner, in response to this question, explained that the City would have to check to see if that portion of the Clinton River is navigable.

No, this section of the river is not a federally authorized navigation channel, which means it is not eligible to receive federal funding for any purpose. In order to have the Corps of Engineers dredge this portion of the river, a legislative change would be required by Congress. City staff is currently researching the requirements to change the legislation to include this portion of the Clinton River.

2. A Commissioner asked if a piece of property is vacant and boarded up, can the boards be painted to match the exterior to help mask the look of the boards.

An ordinance revision has been included in the agenda addressing the painting of boards on vacant structures.

EXPLANATION OF AGENDA – April 6, 2009

Public Hearing on the Draft Project Plan for Wastewater System and Water System Improvements and Adoption of the Resolution to Accept the Project Plan for Wastewater System and Water System Improvements

A public hearing is needed to receive comments on the Draft Project Plan associated with the proposed wastewater system and drinking water system improvements in accordance with the requirements of the Michigan State Revolving Fund (SRF) and Michigan Drinking Water Revolving Fund (DWRF) Loan Programs, from which the City of Mount Clemens is pursuing project funding.

This Public Hearing is on the Project Plan for the proposed wastewater system and drinking water system improvements for the City of Mount Clemens, for the purpose of receiving comments and views of interested persons. Copies of the Project Plan have been available for public inspection at the City Clerk's Office since March 6, 2009. We have on file the copies of the Notice of Public Hearing published on March 6, 2009 and March 13, 2009 in the Macomb Daily Newspaper.

SUBMITTED BY: Charles B. Bellmore, Director of Utilities

RECOMMEND MOTION: To close the public hearing and to adopt the Resolution to accept the project plan for Wastewater and Water System Improvements.

EXPLANATION OF AGENDA – April 6, 2009

Introduction and First Reading of an Amendment to the Preservation of Public Property Ordinance

At a recent City Commission meeting, the City Attorney was directed to draft a revised Preservation of Public Property Ordinance. Pursuant thereto, the following amendment to the ordinance is proposed.

SUBMITTED BY: Michael J. Murray, City Attorney

RECOMMEND MOTION: Approve the introduction and first reading of an Amendment to the Preservation of Public Property Ordinance and set April 20, 2009, as the date for the second reading and adoption.

EXPLANATION OF AGENDA ITEM – April 6, 2009

Introduction and First Reading of an Amendment to the Mount Clemens Abandoned / Vacant Residential Structure Ordinance

The Abandoned / Vacant Residential Structure Ordinance has been in effect for several months. Staff is now recommending changes to two of the sections. Section 18.502 describes who must register a vacant or abandoned structure. As we have worked with this ordinance, we found that it did not address those owners that were temporarily absent from their homes due to work or the fact that they winter in an area other than Mount Clemens. This amendment will exempt those absent from their homes for less than 180 days from having to register their property as abandoned or vacant so long as they notify the Community Development Department of their absence and keep the home in compliance with the City's Ordinances.

The second suggested amendment deals with the securing of vacant structures. The amendment will require the owner to paint the boarding material to match the exterior of the home and to cut the plywood to match the inner dimensions of the door or window that is being boarded. The amendment will also require all windows that are not boarded to be closed and locked.

SUMBITTED BY: Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION: Approve the first reading of the amendments to the City of Mount Clemens Abandoned / Vacant Residential Structure Ordinance and set the second reading for April 20, 2009.

EXPLANATION OF AGENDA – April 6, 2009

Request Approval to Host a Flea Market in the Roskopp Parking Lot on Saturdays from May through September

The Community Development Department has received a request from a downtown business owner to host a Flea Market on Saturdays from May through September, with the exception of June 27, 2009 (Stars and Stripes weekend). The proposed Flea Market will be held in the north end of the Roskopp Parking Lot. The business owner, Diane Kubik of Max and Ollie to the Rescue, has been working with the Downtown Development Authority and has committed to providing the required insurance. In addition, she will arrange for port-a-johns in the area and will coordinate with all of the prospective vendors.

Ms. Kubik is requesting that the City Commission waive the requirement that each vendor pay the Transient Merchant fee of \$25.00 and is proposing that she will pay one Transient Merchant fee for each weekend. Ms. Kubik's request is attached to this agenda item for your review.

SUBMITTED BY:

Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION:

Move to approve a Flea Market to be held in the Roskopp Parking Lot on each Saturday from May through September with the exception of June 27, 2009 (Stars and Stripes weekend) and allow for the payment of one Transient Merchant fee per weekend.

EXPLANATION OF AGENDA - April 6, 2009

To Approve the Memorandum of Understanding Regarding Automatic Mutual Aid between the City of Mount Clemens and Charter Township of Harrison Fire Departments

As discussed at a previous work session, we are requesting approval of the attached Memorandum of Understanding regarding Automatic Mutual Aid between Harrison Township and Mount Clemens Fire Departments. Changes have made to the agreement presented at the work session after review by the City's insurance carrier and the City Attorney's office.

SUBMITTED BY: Gregg S. Shipman, Captain
Mount Clemens Fire Department

RECOMMENDED MOTION: To approve and adopt the attached Automatic Mutual Aid Agreement between the City of Mount Clemens and Charter Township of Harrison Fire Departments.

EXPLANATION OF AGENDA – April 6, 2009

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Fishbeck, Thompson, Carr, & Huber, Inc. 1515 Arboretum Drive, SE Grand Rapids, MI 49546	Risk Management; Chlorine/Sulfur Dioxide Gas Regulatory Program	Sewer-Utilities Fund/ Operation of Plant/ Consultant Fees	590-53708-817000	\$9,500.00	*
2. Joseph Kutchev and Sons 17110 -26 Mile Road Macomb, MI 48042	Estimated annual Requirement of Flowers	General Fund/ Recreation- Parks & Stadiums/ Landscape Supplies	101-75130-783000	\$1,862.50	\$2,983.75
3. Farmer's Market, Inc. 37685 South Gratiot Avenue Clinton Township, MI 48036	Backup for above (if needed)	General Fund/ Recreation- Parks & Stadiums/ Landscape Supplies	101-75130-783000	\$2,119.00	\$2,983.75
4. Tee-Pee, Inc. P.O. Box 495 Roseville, MI 48066	Estimated annual Requirement of Portable Toilet Rentals	General Fund/ Community Promotions/ Public Relations	101-17220-885000	\$3,646.20	\$4,577.75
		General Fund/ Recreation- Parks & Stadiums/ Contractual Services	101-75130-818000	\$1,658.80	\$1,441.48 (Majority in 2009-2010 Fiscal Year).

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
5.J.C. Landscaping 118 Grove Park Mount Clemens, MI 48043	Estimated annual Requirement of Lawn Mowing To Require Sites To Conform to the City's Codes and Ordinances. PROPERTY OWNERS WILL BE INVOICED.	General Fund/ Community Development/ Contractual Services	101-72100-818000	\$18.00- \$22.00/lot	\$27,472.33
6.Pollard Water 200 Atlantic Avenue New Hyde Park, NY 11040	PL-2000 Pipe And Cable Locator	Sewer-Utilities Fund/ Transmission/ Machinery and Equipment	590-53704-982000	\$3,339.25	\$5,647.43
7. Rio Supply, Inc. 32376 Townley Madison Heights, MI 48071	Estimated Annual Requirement of Neptune Water Meters	Water-Utilities Fund/ Transmission/ Meter Parts Water-Utilities Fund/ Transmission/ Water Meters	591-53704-791000 591-53704-978000	\$52,842.02 (Majority in 2009-2010 FiscalYear)	* *

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Michigan Department Of Environmental Quality P.O. Box 30677 Lansing, MI 48909	Drinking Water Laboratory Testing	Water-Utilities Fund/ Operation of Plant/ Water Testing Fee- State of Michigan	591-53708-831000	\$2,130.00	\$4,462.81
2. Barrett Paving Materials, Inc. 5800 Cherry Hill Road Ypsilanti, MI 48198	Cold Patch	Major Street & Trunkline/ Maintenance/ Road Materials And Supplies	202-44648-782000	\$2,066.43	*
		Local Street & Trunkline/ Maintenance/ Road Materials And Supplies	203-44648-782000	\$2,066.43	*
		Sewer-Utilities Fund/ Catch Basins/ Road Materials And Supplies	590-53705-782000	\$1,822.23	\$366.30
		Water-Utilities Fund/ Transmission/ Road Materials And Supplies	591-53704-782000	\$1,771.22	\$4,682.14

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
3. Michigan Municipal Risk Management Authority 14001 Merriman Road Livonia, MI 48154	Reimbursement To Self-Insured Retention Fund	General Fund/ Liability Insurance	101-85100-928000	\$75,000.00	\$65,178.26*
4. Miller, Canfield, Paddock And Stone, P.L.C. 840 West Long Lake Road Suite 200 Troy, MI 48098	Legal Services, Environmental-Landfill Issues	General Fund/ Community Development/ Legal Fees	101-72100-826000	\$1,869.14	\$14,043.17

*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 6, 2009

Appointments to Boards, Committees and Commissions

Downtown Development Authority

Mayor recommends appointing Stephen Saph Jr. (to replace Jim Dopp) to the Downtown Development Authority. This is a 4-year term, in progress, which will expire March 31, 2011.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: To approve appointment as presented.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Second Reading and Adoption of the City of Mount Clemens Dangerous Buildings Ordinance

As discussed in a previous work session, the City of Mount Clemens repealed its Dangerous Buildings Ordinance several years ago when it adopted the International Property Maintenance Code. Since that time, it has been determined by staff that the International Property Maintenance Code is not an effective tool for the condemnation and demolition of dangerous structures within the City of Mount Clemens.

The proposed Dangerous Buildings Ordinance is based upon the State Housing Law and sets forth the procedures for notice and a hearing prior to final action being taken on a property. Based upon this Ordinance, a hearings officer will be appointed to hear all Dangerous Buildings cases.

SUBMITTED BY: Bonnie M. McInerney,
Community Development Director

RECOMMENDED MOTION: To approve the second reading and adoption of the City of Mount Clemens Dangerous Buildings Ordinance.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Request Approval of Memorandum of Understanding for the 2009 Byrne Justice Assistance Grant Program Award

The attached parties have received information that Federal Funding is available through the Edward Byrne Memorial Justice Assistance Grant for use in law enforcement and community corrections programs. The grant requires that jurisdictions submit a joint application for the aggregate of funds allocated to them. The parties designate Macomb County as the applicant and fiscal agent for the grant funds.

SUBMITTED BY: Douglas C. Anderson, City Manager

RECOMMENDED MOTION: To approve the Memorandum of Understanding and to authorize the Mayor to sign the agreement.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Commission Approval of a Resolution Designating Arbor Week and Arbor Day

The Mount Clemens City Commission is requested to adopt the attached resolution designating April 20, 2009 through April 24, 2009, as Arbor Week and April 24, 2009, as Arbor Day.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: Approve the attached Resolution for Arbor Week and Arbor Day.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Request Permission for the East Macomb County CROP Walk Committee to Hold the 22nd Annual CROP Walk on Sunday, May 3, 2009

The East Macomb County CROP Walk Committee is requesting permission to hold the 22nd Annual Crop Walk on Sunday, May 3, 2009. The route for the walk will begin at 1:45 p.m. at the First United Methodist Church on the corner of Southbound Gratiot and Cass, extend through the neighborhoods on the north end of town and loop back to the downtown (see enclosed map). Participants will walk along the sidewalks. No street closures will be required.

Event organizers have committed to providing the required insurance documentation and will meet with the Sheriff's Office to confirm the route. No additional City services are required and no concerns have been expressed over this event.

SUBMITTED BY: Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION: Move to grant permission to the East Macomb County CROP Walk Committee to hold the 22nd Annual CROP Walk on Sunday, May 3, 2009.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Request Approval to Proclaim April 24 through May 2, 2009 as White Cane Week

The Mount Clemens Lions Club is asking the City Commission to proclaim April 24 through May 2, 2009 as White Cane Week. The group is also seeking permission to solicit donations at various traffic intersections and in front of selected businesses during these dates. The funds collected will benefit various charities dedicated to sight conservation and hearing as well as to offset costs associated with selected Mount Clemens community events.

The organization has provided a Certificate of Insurance to the Purchasing Department naming the City as an additional insured. No concerns regarding this request were received from Public Services or the Macomb County Sheriff's Office.

SUBMITTED BY: Bonnie M. McInerney, Director
Community Development Department

RECOMMENDED MOTION: Move to proclaim April 24 through May 2, 2009 as White Cane Week and grant permission to the Mount Clemens Lions Club to solicit donations at various traffic intersections and in front of selected businesses from April 24 through May 2, 2009.

EXPLANATION OF CONSENT AGENDA – April 6, 2009

Request Approval of the 2009 Downtown Calendar of Events

The Mount Clemens Downtown Development Authority is requesting authorization of the proposed 2009 Calendar of Events for the Downtown district. This schedule of events includes events wholly produced and promoted by the Mount Clemens Downtown Development Authority and those events produced by partner organizations. The entire list of events, dates, and boundaries are attached.

This request is to also authorize the temporary closing of required City streets as described in the attached document.

SUBMITTED BY: Arthur F. Mullen, AICP
Executive Director
Mount Clemens Downtown Development Authority

RECOMMENDED MOTION: Approve the 2009 Calendar of Events for Downtown Mount Clemens as presented by the Mount Clemens Downtown Development Authority.

EXPLANATION OF AGENDA – April 6, 2009

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: April 2, 2009

RE: Report from the City Manager's Office

1. City Commission Meetings: There will be a Work Session on Monday, April 6, 2009, beginning at 5:00 p.m. to discuss the 2009/2010 General Fund Budget. Before we begin budget discussions, there will be a brief presentation on Energy Efficiency and Conservation Block Grants as well as a brief discussion regarding the Film Production Ordinance. The Regular City Commission meeting will begin at 7 p.m.
2. Reminder: There will be a Budget Work Session on Monday, April 13, 2009, at 5 p.m. We will continue on the General Fund Budget, if necessary, as well as review the Enterprise Funds.
3. Holiday Reminder: City offices will be closed on Friday, April 10, 2009, in observance of Good Friday. Refuse pickup will run on schedule the week of April 6th and April 13th.
4. Community Garden: The City is looking for volunteers and families who are interested in assisting with the City's first Community Garden. A pre-planning meeting will be held on Tuesday, April 14th at 6 p.m. at the Mount Clemens City Hall building. If you are interested in gardening with the project, but cannot attend the meeting, please contact Community Development Director Bonnie McInerney at 586.469.6818, x901 before the meeting date.
5. Spring Cleanup Week: The week of April 20th through April 24th has been designated as "Spring Cleanup Week" in Mount Clemens to encourage residents to clean up their properties. Please contact the Department of Public Services at 586.469.6847 for questions relating to proper disposal pick up. You may also visit the City's website and navigate to the Spring Cleanup link on our home page.

6. Neighborhood Stabilization Program: The Department of Housing and Urban Development approved the County's Neighborhood Stabilization Program on February 13, 2009. This program will help qualified buyers, who currently do not own a home, to buy and repair foreclosed and abandoned homes. For more information or to obtain an application, please contact 586.469.6285.

7. Tree City USA: The City of Mount Clemens has been named a "Tree City USA" by the National Arbor Day Foundation. This is the 23rd year that Mount Clemens has received this national recognition.