



# A G E N D A

## CITY COMMISSION MEETING

Monday, April 19, 2010

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.
9. General Business
  - 9-A - Request a Work Hour Variance for Night and Weekend Construction as Contracted by the Michigan Department of Transportation for Southbound Gratiot (M-3) from Cass Avenue to Sunnyview.
  - 9-B - Request by the Mount Clemens Lions to Hold a Carnival and Beverage Tent on June 17, 18, 19, and 20.
  - 9-C - Request for a Waiver of Fire Hydrant Tap Fees by the Mount Clemens Lions Club.
  - 9-D - Request Approval for Hosting the Second Year of the Bizarre Bazaar Flea Market.
  - 9-E - Approve Purchases and Payment of Invoices.

10. Consent Agenda

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

10-B - Second Reading and Adoption of an Amendment to the Mount Clemens Zoning Ordinance.

10-C - Second Reading and Adoption of an Amendment to the Mount Clemens Abandoned / Vacant Residential Structure Ordinance.

10-D - Request Permission for the Art Center to Hold the Mount Clemens Art Fair on June 4, 5, & 6, 2010.

10-E - Approval to Conduct a Carnival at Gibraltar Trade Center North.

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

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 19, 2010**

**Agenda Item No. 9-A**

**Request a Work Hour Variance for Night and Weekend Construction as Contracted by the Michigan Department of Transportation for Southbound Gratiot (M-3) from Cass Avenue to Sunnyview**

Attached is a request from the Michigan Department of Transportation for a work hour variance by the City to allow construction on Southbound Gratiot (M-3) from Cass Avenue to Sunnyview to take place during night time and weekend hours. They are requesting this work hour variance based on the attached applicable City Ordinance 35.003, Section H.

The Southbound Gratiot (M-3) resurfacing project is scheduled to begin April 30, 2010 through August 2, 2010, weather permitting.

**SUBMITTED BY:** Jeffrey D. Wood, Public Services Director

**RECOMMENDED MOTION:** To grant the Michigan Department of Transportation the work hour variance allowing construction to take place at night and on weekends as necessary so they may proceed with the scheduled resurfacing project for Southbound Gratiot from Cass Avenue to Sunnyview.

## **EXPLANATION OF AGENDA – April 19, 2010**

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

#### **Request by the Mount Clemens Lions to Hold a Carnival and Beverage Tent on June 17, 18, 19, and 20**

The Mount Clemens Lions are requesting to hold a Carnival and Beverage Tent from Thursday, June 17, 2010 through Sunday, June 20, 2010. They are requesting the closure of Pine Street and the portion of the Roskopp Parking Lot that is indicated on the attached map beginning at 8 a.m. June 16, 2010 through 6 a.m. on June 21, 2010. The Lions have agreed to provide all required insurance coverage and will work with the Sheriff's Office to insure adequate security for the event. The Mount Clemens Lions will also be required to reimburse the City for all Department of Public Services overtime and required clean up.

In addition to the downtown sites, the Carnival is requesting use of the parking lot at the Community Center on Groesbeck for their base camp. The Special Event Application, Carnival Application and Map are attached for your review.

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

**RECOMMENDED MOTION:** Approve the Mount Clemens Lions Carnival and Beverage Tent for June 17, 18, 19 and 20, 2010, as well as all related street and parking lot closures as outlined in the Special Event and Carnival Applications.

**EXPLANATION OF AGENDA – April 19, 2010**

**Agenda Item No. 9-C**

**Request for a Waiver of Fire Hydrant Tap Fees by the Mount Clemens Lions Club**

The Mount Clemens Lions Club has requested a waiver of Fire Hydrant Tap Fees. The fee for each hydrant is \$500. The request letter is attached to the agenda item as is the applicable ordinance.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Grant the request for a waiver of fire hydrant tap fees, for up to three hydrant taps, to the Mount Clemens Lions for hydrant use during the June Carnival and Beverage Tent.

## **EXPLANATION OF AGENDA – April 19, 2010**

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

#### **Request Approval for Hosting the Second Year of the Bizarre Bazaar Flea Market**

The Mount Clemens Downtown Development Authority is requesting authorization to host the Bizarre Bazaar flea market in the North Roskopp Parking Lot for the 2010 season. This event is a return of last year's Bizarre Bazaar and will be held every Saturday beginning May 1, 2010 through October 2, 2010, and excludes Saturday July 3, 2010.

The Bizarre Bazaar will be managed by Diane Kubik for the Mount Clemens Downtown Development Authority. Insurance will be obtained prior to the opening weekend.

Due to the nature of flea markets, a reduction in the transient merchant fee is being requested. We are requesting that vendors be charged \$1 per booth space instead of the standard \$25 per vendor.

#### **SUBMITTED BY:**

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

#### **RECOMMENDED MOTION:**

Approve to host the Bizarre Bazaar in the North Roskopp Parking Lot each Saturday from Saturday May 1, 2010 through Saturday, October 2, 2010 (excluding Saturday, July 3, 2010) and authorize a reduced Transient Merchant Fee of \$1 per vendor.

**EXPLANATION OF AGENDA – April 19, 2010**

**Agenda Item No. 9-E**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. HF Scientific, Inc. 3170 Metro Parkway Fort Myers, FL 33916	Streaming Current Monitor with Controller	Water-Utilities Fund/ Operation of Plant/ Chemicals	591-53708-743000	\$5,824.00	\$48,210.53
2. Tee-Pee, Inc. P.O. Box 495 Roseville, MI48066	Estimated Annual Requirement of Portable Toilet Rentals	General Fund/ Community Promotions/ Public Relations	101-17220-885000	\$3,646.20	\$3,818.87
		General Fund/ Recreation- Parks & Stadiums/ Contractual Services	101-75130-818000	\$1,658.50	*
3. Fishbeck, Thompson, Carr and Huber 1515 Arboretum Grand Rapids, MI 49546	On 09/21/09 the City Commission Approved an Agreement for Regulatory Support For Fiscal Year 09-10 to Fishbeck. At this time, we are requesting an additional \$2,500.00 to complete the year.	Sewer-Utilities Fund/ Operation of Plant/ Consultant Fees	590-53708-817000	\$2,500.00	\$25,873.40

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPOPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Kramer & Murray, P.C. Ruggirello, Velardo, Novara & Ver Beek, P.C. 65 Southbound Gratiot Mount Clemens, MI 48043	Legal services for the month of March, 2010	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$16,564.92	\$33,167.97
		General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$550.00	\$12,082.50
2. Allmax Professional Solutions 911 South Main Street Building A Kenton, OH 43326	Software Support; Data Management	Sewer-Utilities Fund/ Retention Basin/ Contractual Services	590-53707-818000	\$860.00	\$1,676.93
		Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000	\$860.00	\$23,662.51
		Water-Utilities Fund/ Operation of Plant/ Contractual Services	591-53708-818000	\$860.00	\$52,475.29

\*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 19, 2010

### Agenda Item No. 10-A

#### Appointments to Boards, Committees and Commissions

##### Municipal Building Authority

Mayor recommends reappointing Robert Fraser to the Municipal Building Authority. This is a 3-year term which will expire April 20, 2013.

##### Historic District Commission

Mayor recommends reappointing Mickey McGee to the Historic District Commission. This is a 3-year term which will expire January 31, 2013.

Mayor recommends reappointing Lois Ulintz to the Historic District Commission. This is a 3-year term which will expire January 31, 2013.

Mayor recommends reappointing Martha Ellyson to the Historic District Commission. This is a 3-year term which will expire January 31, 2013.

##### Downtown Development Authority

Mayor recommends appointing Mary Spaulding to the Downtown Development Authority (to replace Ron Masters). This is for a 4-year term which will expire March 31, 2014.

**SUBMITTED BY:** Barb Dempsey, Mayor

**RECOMMENDED MOTION:** To approve appointments as presented.

**EXPLANATION OF CONSENT AGENDA – April 19, 2010**

**Agenda Item No. 10-B**

**Second Reading and Adoption of an Amendment to the Mount Clemens Zoning Ordinance**

The Mount Clemens Planning Commission has recommended adding a section to the Zoning Ordinance which deals with Wind Energy Conversion Systems. The current Zoning Ordinance does not address the current trends in Wind Energy. This change will allow the City to regulate the type, height, size, and location of Wind Energy Conversion Systems installed within the City limits.

A public hearing was held by the Planning Commission with regard to the suggested amendments. At that time, the Planning Commission recommended forwarding the amendment to the City Commission for approval.

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

**RECOMMENDED MOTION:** Approve the second reading and adoption of the amendment to the Mount Clemens Zoning Ordinance adding Ordinance 15.423, Section 4.23.

**EXPLANATION OF CONSENT AGENDA – April 19, 2010**

**Agenda Item No. 10-C**

**Second Reading and Adoption of an Amendment to the Mount Clemens Abandoned / Vacant Residential Structure Ordinance**

As discussed in a previous work session, staff is recommending minor changes to the Abandoned / Vacant Residential Structure Ordinance. This change sets a time frame for the length of time an inspection is valid and for the amount of time for repairs to be completed.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Approve the second reading and adoption of the amendment to the City of Mount Clemens Abandoned / Vacant Residential Structure Ordinance.

**EXPLANATION OF CONSENT AGENDA – April 19, 2010**

**Agenda Item No. 10-D**

**Request Permission for the Art Center to Hold the Mount Clemens Art Fair on June 4, 5, & 6, 2010**

The Art Center is requesting approval to hold an Art Fair on Friday, June 4, Saturday, June 5, and Sunday, June 6, 2010. The proposed event would take place on Macomb Place from Southbound Gratiot to North Walnut Street.

Art Center Representatives are asking the Commission to permit the closing of Macomb Place from Southbound Gratiot to North Walnut Street on Friday, June 4, 2010 at 6 a.m. to allow for setup. The Art Center is requesting that the street closure remain in place until midnight on Sunday, June 6, 2010. They are also requesting the use of the Roskopp Lot as shown in the attached diagram for chalk drawing and inflatables.

The Art Center is also requesting permission to hang two large banners (5' by 12') on the outside of the Anton Art Center from May 21, 2010 through June 10, 2010, and to post up to 12 yard signs in the right of way along Northbound and Southbound Gratiot during the fair. The Mount Clemens City Commission may approve additional Special Events Signage, but signs are not allowed to be placed in the right-of-way.

In addition to the street closure request, the group is seeking installation of street banners and daily trash collection. The Downtown Development Authority has committed to underwriting these expenses.

A Certificate of Insurance naming the City as additional insured will be provided prior to the event.

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

**RECOMMENDED MOTION:** Grant permission to the Art Center to hold the Mount Clemens Art Fair on June 4, 5 and 6, 2010, and authorize the closing of Macomb Place from Southbound Gratiot to North Walnut Street, allow for the requested banner and temporary signage (none within the right-of-way), and allow for activities in the Roskopp Parking Lot in accordance with the attached drawing.

**EXPLANATION OF CONSENT AGENDA – April 19, 2010**

**Agenda Item No. 10-E**

**Approval to Conduct a Carnival at Gibraltar Trade Center North**

At the City Commission Meeting of March 15, 2010, approval was granted for W. G. Wade Shows to conduct a carnival at Gibraltar Trade Center from May 20-31, 2010.

We have recently received a request to extend the length of the carnival. W. G. Wade Shows are requesting approval to conduct the carnival from May 13 through May 31, 2010.

Ordinances require City Commission approval before permits can be issued. The issuance of the permit would be subject to final approval by the Fire Inspector and Building Department. The fee for this license is \$100.00 per day.

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

**RECOMMENDED MOTION:** To approve the request by W. G. Wade Shows, Inc., to conduct a carnival at Gibraltar Trade Center North from May 13-31, 2010, subject to final approval by the Fire Inspector and Building Department.

**EXPLANATION OF CONSENT AGENDA – April 19, 2010**

**Agenda Item No. 10-F**

**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 26, 2010 through April 30, 2010 as Arbor Week and April 30, 2010 as Arbor Day.

**SUBMITTED BY:** Barb Dempsey, Mayor

**RECOMMENDED MOTION:** Approve the resolution designating Arbor Week and Arbor Day.

## **EXPLANATION OF AGENDA – April 19, 2010**

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

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

**DATE:** April 15, 2010

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

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1. City Commission Meetings: There will be a Budget Workshop on Monday, April 19, 2010 at 5:00 p.m. Prior to discussing the General Fund budget, Mitch O'Connor from Spalding DeDecker Associates, Inc., will discuss proposed water rate increases for Clinton and Harrison Townships as well as financing options for the UV Disinfection Unit Project. The Regular City Commission meeting will begin at 7 p.m.
2. Reminder: There will be a Budget Workshop on Monday, April 26, 2010 beginning at 5:00 p.m. At that time, we will finish discussing the General Fund budget, if necessary, and will begin review of the Enterprise Funds. If time allows, we will also discuss the other funds. If necessary, we will have another budget workshop on Monday, May 3, 2010, before the Regular City Commission meeting. Because of the current budget concerns and the details involved with this budget process, we have moved the Public Hearing date to May 17, 2010. According to City ordinance, the adoption of the budget must also be done by the third Monday in May.
3. Meetings: Yesterday I met with Union Representatives to explain the City's current financial situation and to discuss what they can expect at upcoming negotiations. The Fire Department Representative was unable to attend due to Oral Boards and I will meet with him individually next week. I have also spoken to the President of the Mount Clemens Retirement Association and have tentatively scheduled a meeting in May. At that time, I will explain to the retirees our current financial concerns and ask for their assistance with health benefits.
4. Gratiot Rehabilitation Project: Good news.....the Northbound and Southbound Gratiot Rehabilitation Project is back on schedule for 2011. The Michigan Department of Transportation has located some unused funds from 2010 that are being redirected to cover the cost of the Gratiot project.

5. Railroad Crossings: More good news.....we have received a list of railroad crossings from Canadian National that are scheduled to get repaired during 2010. Hubbard, Elizabeth, and Church Street are all on the list.
6. 2010 CDBG Program: We received correspondence from the County offering the City a one-time increase in Community Development Block Grant funding from \$118,500 to \$140,000. We are still reviewing our options regarding the use of these additional funds and will bring this information to the City Commission the first meeting in May.
7. Community Garden: The City of Mount Clemens has a Community Garden located at 216 North Walnut. Individuals and families are invited to come and garden with us. The first work day has been scheduled for Saturday, April 24, 2010 at 9 a.m. For more information, please contact Bonnie McInerney at 586.469.6818, x901.
8. 15<sup>th</sup> Annual Ice Show: The Mount Clemens Ice Arena will once again be hosting their annual Spring Ice Show. The name of this year's show is "Legends" and it will take place on Saturday, April 24<sup>th</sup> at 7 p.m. and Sunday, April 25<sup>th</sup> at 2 p.m. For ticket information, please contact 586.307.8202.
9. Farmer's Market: The Farmers Market opens for the season on Saturday, May 1, 2010. Thereafter, the market will be open every Friday and Saturday at the North River Road Park and Ride lot. For more information, please contact 586.493.7600.
10. Macomb Family YMCA: The YMCA is now taking reservations for Summer Day Camp which will be held at the Mount Clemens Community Center. Also, the YMCA will again manage the scheduling of the baseball diamonds at Memorial Field. For more information regarding Summer Day Camp or to register for a team or reserve a ball diamond, please contact 586.468.1411.