



A G E N D A

CITY COMMISSION MEETING

Monday, April 20, 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.
9. General Business
 - 9-A - Introduction and First Reading of the Mount Clemens Film Ordinance.
 - 9-B - Approval of the Consent to a Sublease of the Cairns Community Center.
 - 9-C - Approval of a Liquor License Transfer at 76 Macomb Place.
 - 9-D - Approval of a Dance-Entertainment Permit in Conjunction with a Class C Licensed Business at 299 North Avenue.
 - 9-E - Commission Consideration to Waive the Wastewater System Benefit Fee to be Assessed for Building Sanitary Sewer Tap for 51 Sheridan.
 - 9-F - Commission Consideration of a Service Agreement with CTI and Associates, Inc., to Prepare an SRF Project Plan and Three Grant Applications for Stimulus Funds for the Wastewater Plant for "Green Projects".

9-G - Approve Purchases and Payment of Invoices.

10. Consent Agenda

10-A - Appointment of Robert Vickrey as the City of Mount Clemens Dangerous Buildings Hearings Officer.

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

10-C - Set Date for Public Hearing on the Fiscal Year 2010 City of Mount Clemens Budgets and the Possible Millage Rate Increase from "Truth in Taxation" to "Headlee".

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 20, 2009

Administrative Response to Issues or Questions Raised During Previous Meetings

1. A resident asked why the City is demolishing 207 Court instead of rehabilitating the property.

The Building Official inspected the home and determined that there are possible issues with the foundation. In addition to the foundation concerns, there are many other repairs that would have to be done to make this home habitable. Due to the cost to repair the home, it was determined that it would be best to demolish this City-owned property.

EXPLANATION OF AGENDA – April 20, 2009

Introduction And First Reading of the Mount Clemens Film Ordinance

Last year, the State of Michigan enacted the Film Production Credit. This credit is an assignable State tax credit of up to 42% of the amount of a production company's expenditures (depending upon type) that are incurred in producing a film or other media entertainment project in Michigan. As a core community, filming in Mount Clemens would be eligible for the full 42% tax credit as opposed to 40% granted in a non-core community.

The Michigan Municipal League and the State of Michigan Film Office are recommending that municipalities adopt a film ordinance. According to the Michigan Municipal League, it is important to have an ordinance that allows for expedited decision making and clearly sets forth expectations.

In addition to the attached ordinance, Administration is also working on a website to highlight some of Mount Clemens available properties and potential film locations. Once up and running, all forms and related information will be contained on the website.

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

RECOMMENDED MOTION: Approve the first reading of the Mount Clemens Film Ordinance and set the second reading for May 4, 2009.

EXPLANATION OF AGENDA – April 20, 2009

Approval of the Consent to a Sublease of the Cairns Community Center

As discussed at a previous work session, the Mount Clemens School District has requested that the City of Mount Clemens consent to a sublease of the Cairns Community Center. The School District is seeking permission to sublease the building to Communities in Schools. The City of Mount Clemens will maintain its current lease with the School District and the School District will be required to adhere to all terms and conditions contained therein. Pursuant to the terms of our lease with the School District, the School District must request our written consent to a sublease and such consent shall not unreasonably be withheld.

SUBMITTED BY:

Douglas C. Anderson, City Manager
Michael J. Murray, City Attorney

RECOMMENDED MOTION:

Approve the Consent to a Sublease of the Cairns Community Center.

EXPLANATION OF AGENDA – April 20, 2009

Approval of a Liquor License Transfer at 76 Macomb Place

A request received by the Michigan Liquor Control Commission has been forwarded to the City for consideration. The applicant, Detroit Pub Mt. Clemens, Inc., requests to transfer ownership of a 2008 Class C Licensed Business from Garland City Properties. They are also requesting a new dance-entertainment permit and a permit to operate from 2:30 a.m. to 4:00 a.m. weekdays, and 9:00 a.m. to 12 noon on Sundays.

Two resolutions are required by the State. The first resolution will transfer the license from J's Loop LLC to Garland Properties. The second resolution will transfer the license from Garland Properties to Detroit Pub Mt. Clemens, Inc.

Required background investigations have been completed by the Macomb County Sheriff's Office. All building inspections have been completed and the required processing fee has been paid.

Utilities are current, however, 2008 real property taxes are delinquent and payable to Macomb County.

SUBMITTED BY: Lynne Kennedy, City Clerk

RECOMMENDED MOTION: To adopt the two resolutions, as required, to transfer the Class C Licensed Business at 76 Macomb Place to Detroit Pub Mt. Clemens, Inc., including a new dance-entertainment permit and a permit to operate extended hours.

EXPLANATION OF AGENDA – April 20, 2009

Approval of a Dance-Entertainment Permit in Conjunction with a Class C Licensed Business Located at 299 North Avenue

A request received by the Michigan Liquor Control Commission has been forwarded to the City for consideration. The applicant, Offshore XXI Licensing Corp., is requesting the addition of a Dance-Entertainment Permit to their current 2008 Class C Licensed Business. The owners would like to be able to offer karaoke, which this permit would allow.

Required background investigations have been completed by the Macomb County Sheriff's Office. All building inspections have been completed and the required processing fee has been paid.

Utilities are current, however, 2008 taxes are delinquent and payable to Macomb County.

SUBMITTED BY: Lynne Kennedy, City Clerk

RECOMMENDED MOTION: To adopt the resolution approving a new dance-entertainment permit in conjunction with a 2008 Class C licensed business located at 299 North Avenue.

EXPLANATION OF AGENDA – April 20, 2009

Commission Consideration to Waive the Wastewater System Benefit Fee to be Assessed for Building Sanitary Sewer Tap for 51 Sheridan

The City of Mount Clemens Utilities Department discovered that the sanitary sewer tap from 51 Sheridan was connected to the storm sewer during an Illicit Discharge Elimination Program Survey conducted in 2006. A violation notice was then sent to the address location. The home then went into foreclosure and the City of Mount Clemens sent a written notice to HUD informing them of the illegal plumbing connection.

The City of Mount Clemens Utilities Department received notice that Pashk Zallaj purchased 51 Sheridan and is planning to correct the illegal plumbing connection in order to restore the home to a livable condition. Mr. Zallaj is now requesting a waiver of the Wastewater System Benefit Fee. The City Commission can grant such a waiver under the guidance of Wastewater Ordinance 25.051, Section 51/Variations.

SUBMITTED BY: Charles B. Bellmore, Director of Utilities

RECOMMENDED MOTION: To grant a waiver in the amount of \$840 for the Wastewater System Benefit fee for 51 Sheridan.

EXPLANATION OF AGENDA – April 20, 2009

Commission Consideration of a Service Agreement with CTI and Associates, Inc., to Prepare an SRF Project Plan and Three Grant Applications for Stimulus Funds for the Wastewater Plant for “Green Projects”

The Consulting Firm, CTI and Associates, Inc., is proposing to apply for any and all Stimulus Funding opportunities made possible by the American Recovery and Reinvestment Act (ARRA) of 2009. The funding applications would be used to fund the following projects:

1. Provide a state of the art septage receiving facility, quality control and administration building improvements to manage septage.
2. Install anaerobic digesters and an odor control system for receiving septage and WWTP biomass to recover energy.
3. Install a gas to energy facility and associated connections to power the WWTP and CSO basin and provide a net positive added to the grid.
4. Install a waste heat facility to provide heat in the WWTP buildings.
5. Replacement of the existing travelling bridge tertiary filters with more energy efficient dynasand filters.
6. Provide an ultraviolet disinfection system.
7. Perform an energy audit of the WWTP equipment and buildings to enhance overall energy efficiency.
8. Install active/passive landfill gas collection system to utilize landfill gas from the closed onsite landfill to process additional energy.

CTI and Associates, Inc., proposes to apply for funds from the SRF Program, the Energy Efficiency and Conservation Block Grant Program, the State Energy Program and the Michigan Public Service Commission. The anticipated cost for preparation of the SRF Project Plan is \$40,000 and the anticipated cost of preparation of the applications for all federal grants indicated is \$10,000.

SUBMITTED BY: Charles B. Bellmore, Director of Utilities

RECOMMENDED MOTION: To enter into a services agreement with CTI and Associates, Inc., for a not to exceed amount of \$50,000 for the preparation of an SRF Project Plan and three energy grants.

EXPLANATION OF AGENDA – April 20, 2009

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1.B & W Landscape 443291 North Avenue Clinton Township, MI 48036	Estimated annual Requirement of Hardwood Mulch	Automobile Parking System Fund/ Road Maintenance- Materials and Supplies	585-54600-782000	\$1,768.80	\$1,949.30
2.Pro-Seal Service Group 35 Silverdome Ind. Park W. Pontiac, MI 48342	Rebuild four (4) Mechanical Pump Seals	Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000	\$5,580.00	\$19,143.42
3. Motor City Fastener, Inc. 1600 East Ten Mile Road Hazel Park, MI 48030	Estimated annual Requirement of Miscellaneous Nuts and Bolts	Sewer-Utilities Fund/ Operation of Plant/ Repair & Replacement Parts	590-53708-779000	\$3,043.70	\$1,798.14
		Water-Utilities Fund/ Operation of Plant/ Repair & Replacement Parts	591-53708-779000		\$6,442.89
		Motor Pool Fund/ Department of Public Services/Repair Parts	661-44100-784000		\$12,070.81

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Printing Systems, Inc. 12005 Beech Daly Taylor, MI 48180	Election Forms	General Fund/ Elections/ Printing and Binding	101-26200-904000	\$1,526.07	\$5,800.78
2. 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, 2009	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$9,267.23	\$66,699.59
		General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$482.00	\$18,226.00

SUBMITTED BY: Marilyn Dluge, Finance Director/Treasurer

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

EXPLANATION OF CONSENT AGENDA – April 20, 2009

Appointment of Robert Vickrey as the City of Mount Clemens Dangerous Buildings Hearings Officer

In accordance with the City of Mount Clemens Dangerous Buildings Ordinance, a hearing officer shall be appointed by the Mayor and shall be a person who has expertise in housing matters. The Mayor is recommending appointment of Attorney Robert Vickrey as Hearings Officer based on his many years of experience as a municipal attorney and his experience with construction and real estate law. Mr. Vickrey has generously agreed to provide his services as hearings officer on a volunteer basis.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: Confirm the appointment of Robert Vickrey as the City of Mount Clemens Dangerous Buildings Hearings Officer.

EXPLANATION OF CONSENT AGENDA – April 20, 2009

Second Reading and Adoption 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 second reading and adoption of the amendments to the City of Mount Clemens Abandoned / Vacant Residential Structure Ordinance.

EXPLANATION OF CONSENT AGENDA – April 20, 2009

Set Date for Public Hearing on the Fiscal Year 2010 City of Mount Clemens Budgets and the Possible Millage Rate Increase from "Truth in Taxation" to "Headlee"

As per the City Charter, the proposed budgets were presented at the April 6, 2009 Commission meeting. The Public Hearing will be set for May 4, 2009 on the proposed budgets and the possible Headlee Override. The budget will be advertised in the legal portion of the Macomb Daily no later than April 26, 2009, according to the City's Charter.

SUBMITTED BY: Marilyn J. Dluge, Finance Director/Treasurer

RECOMMENDED MOTION: To set Monday, May 4, 2009 as the date for the Public Hearing on the proposed Fiscal Year 2010 City of Mount Clemens Budgets and the Headlee Override.

EXPLANATION OF AGENDA – April 20, 2009

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: April 16, 2009

RE: Report from the City Manager’s Office

1. City Commission Meetings: There will be a Work Session on Monday, April 20, 2009, beginning at 5:30 p.m. At this meeting, there will be a presentation from Plante & Moran in regards to the City of Mount Clemens Retiree Health Program. There will also be discussion regarding the request to host a flea market in the Roskopp Parking Lot on Saturdays from May through September as well as a discussion regarding the City’s Assessing Division. The Regular City Commission meeting will begin at 7 p.m.
2. State of the City: The State of the City Address will take place at 8 a.m. on Friday, May 22, 2009 at the Bath City Bistro. If there is any information that the City Commission would like to include in the presentation, please contact me. Additional tickets can be purchased by contacting the Chamber of Commerce at 586.493.7600.
3. Spring Cleanup Week: As a reminder, the week of April 20th through April 24th has been designated as “Spring Cleanup Week” in Mount Clemens. We will also hold a Spring Cleanup Day on Saturday, April 25th from 9 a.m. until 12 noon. Volunteers will be cleaning up in the right-of-way and other public areas throughout the City. If you are interested in participating, please contact the City’s Community Development Director or Public Services Director.
4. Marketing Project: The students from Michigan State University will be at the May 4th Work Session for a Community Presentation on the results of the “Development of a Marketing Strategy to Attract Homeowners” study. The presentation will take place at 5:30 p.m. in the City Commission Chambers.
5. 2010 Census: Census Bureau workers will begin canvassing City neighborhoods the week of April 20, 2009 as part of the 2010 Census Count. Please be advised that all Census Bureau workers will carry ID badges and will not ask to enter any homes.

6. Special Events: There will be a Girls Night Out downtown event on Thursday, April 23, 2009, from 5 p.m. to 9 p.m.
7. Farmer's Market: The Farmer's Market opens for the season on Saturday, May 2, 2009. Thereafter, the market will be open every Friday and Saturday at the North River Road Park and Ride lot.
8. Memorial Field: Baseball season has begun. If you are interested in reserving a ball diamond, please contact the YMCA at 586.468.1411.