



A G E N D A

CITY COMMISSION MEETING

Monday, May 04, 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 - Approval to Conduct a Carnival at Gibraltar Trade Center North.
 - 9-B - Request Approval to Host a Flea Market in the Roskopp Parking Lot on Saturdays from May through September.
 - 9-C - Request Approval for the Submission of a Boating Infrastructure Grant Program Application.
 - 9-D - Approve Purchases and Payment of Invoices.
10. Consent Agenda
 - 10-A - Appointments to Boards, Committees and Commissions.
 - 10-B - Second Reading and Adoption of the Mount Clemens Film 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".

10-D - Request Approval of Letter of Understanding Between the City of Mount Clemens and Petitpren, Inc., to Permit the Bud Light River Sight and Sound Concert Series for Calendar Year 2009.

10-E - Request Commission Approval for the Revised Policy Regarding the Use of the City Sidewalk or Right of Way as an Outdoor Café in the Central Business District.

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 – May 4, 2009

Approval to Conduct a Carnival at Gibraltar Trade Center North

An application was received from W. G. Wade Shows, Inc., to hold a carnival at Gibraltar Trade Center North from May 21, 2009 through May 31, 2009.

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.

Gibraltar Trade Center has requested that there be additional deputies present during the carnival. All costs will be covered by Gibraltar Trade Center.

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, subject to final approval by the Fire Inspector and Building Department, and to require up to six (6) deputies be present during the carnival, subject to manpower availability at the Sheriff's Office.

EXPLANATION OF AGENDA – May 4, 2009

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

The Downtown Development Authority, in conjunction with Diane Kubik from Max and Ollie to the Rescue, has requested permission 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 required insurance will be submitted prior to the event. Port-a-johns will be provided in the area and barricades will be provided by the Department of Public Services. The event organizers have committed to insuring that all trash and debris are removed at the close of the event.

The event organizers are requesting that the City Commission waive the requirement that each vendor pay the Transient Merchant fee of \$25.00 and are proposing that they will pay \$1.00 per Transient Merchant fee each weekend. The original request as well as the Special Events Application is attached 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 26, 2009 (with the exception of June 27, 2009 for Stars and Stripes) and allow for the payment of a Transient Merchant fee of \$1.00 per merchant per weekend.

EXPLANATION OF AGENDA – May 4, 2009

Request Approval for the Submission of a Boating Infrastructure Grant Program Application

City staff is seeking approval to submit the attached Boating Infrastructure Grant Program Application for grant funds to the Michigan Department of Natural Resources, Parks and Recreation Division, in the amount of \$750,000. The projected total of this project is \$937,500 with a required match of non-federal funds of 25%, or \$187,500. The purpose of the grant is to obtain funding to update and rehabilitate the riverfront marina seawall and docks in order to promote transient boating opportunities as well as increase boat traffic into the marina.

The Boating Infrastructure Grant Program Application initial review and funding process for projects will begin May 15, 2009, and will continue until the federal government appropriates funding. If the potential project application is approved to proceed, the community will then be asked to develop and complete a proposal with associated federal forms with the goal of submitting to the U.S. Fish and Wildlife Service by October 31, 2009. If the U.S. Fish and Wildlife Service approve the project proposal, the community will then be asked to submit a full package of required documents. A community can then proceed with project preliminary engineering after a full proposal is approved and Boating Infrastructure Funds are awarded by the U.S. Fish and Wildlife Service.

SUBMITTED BY: Jeffrey D. Wood, Public Services Director

RECOMMENDED MOTION: To approve the submission of the attached Boating Infrastructure Grant Program Application to the Michigan Department of Natural Resources Parks and Recreation Division.

EXPLANATION OF AGENDA – May 4, 2009

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Technical Logistic Corporation 10100 Harrison Romulus, MI 48174	Roll-Off Service for Water and Sewer Plants	Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000	\$275.00/ 20 yard haul	\$3,049.62
		Sewer-Utilities Fund/ Operation of Plant/ Grit Disposal	590-53708-822000		\$29,568.45
		Water-Utilities Fund/ Operation of Plant/ Contractual Services	591-53708-818000		*
2. Waste Management 48797 Alpha Drive Suite 200 Wixom, MI 48393	Roll-Off Service for The Department of Public Services	Sanitation Fund/ Contractual Services	596-52100-818000	\$179.00/ Rental/haul	\$188,736.44
3. Waste Management 48797 Alpha Drive Suite 200 Wixom, MI 48393	Hauling City- Owned Dumpsters for A 3-year contract	Sanitation Fund/ Contractual Services	596-52100-818000	\$20,511.40/ Year One \$21,117.20/ Year Two \$21,748.48/ Year Three	\$188,736.44

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
4.Luigi Ferdinandi & Son Cement 16481 Common Road Roseville, MI 48066	Estimated annual Requirement of Cement/Asphalt Repairs for a two- Year period.	General Fund/ Community Development Block Grant/ Contractual Services	101-72136-818000	\$467,689.06 (Not all street Repairs quote	\$67,131.78
		Major Street Fund/ Maintenance/ Contractual Services	202-44648-818000	Will be done. They will be Done on a Priority basis	\$94,775.52
		Local Street Fund/ Maintenance/ Contractual Services	203-44648-818000	As funding Allows. Portions Reimbursed	\$79,429.89
		Sewer-Utilities Fund/ Transmission/ Contractual Services	590-53704-818000	By State Of Michigan And C.D.B.G.)	\$29,211.61
		Sewer-Utilities Fund/ Catch Basins/ Contractual Services	590-53705-818000		\$36,757.08
		Sewer-Utilities Fund/ Retention Basin/ Contractual Services	590-53707-818000		2009-2010 Fiscal Year
		Sewer-Utilities Fund/ Operation of Plant/ Contractual Services	590-53708-818000		2009-2010 Fiscal Year
		Water-Utilities Fund/ Transmission/ Contractual Services	591-53704-818000		2009-2010 Fiscal Year

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
5.ETNA Supply Company 529 – 32 nd Street SE Grand Rapids, MI 49548	Main Street Hydrant Replacements	Water-Utilities Fund/ Transmission/ Water Pipe and Fittings	591-53704-789000	\$2,682.68	\$13,184.70
6. Pitney Bowes, Inc. 2450 Delhi Commerce Holt, MI 48842	Replacement Postage Machine to Accommodate new Postage rules and Regulations.	General Fund/ Purchasing Department/ Maintenance Agreements	101-23300-933000	\$488.00/ Month for 12 months = \$5,856.00/ Year x 4 years = \$23,424.00	2009-2010 Fiscal Year
7.Transworld Systems 30600 Telegraph Road Suite 4215 Bingham Farms, MI 48025	Parking Ticket Cost Recovery Services. Cost Charged to Parking ticket Recipient per Ordinance (\$8.75/ Account + cost of Ticket).	General Fund/ Treasurer/ Contractual Services	101-25300-818000	\$4,375.00/ Month x 10 Months = \$43,750.00	*

There are no invoices to approve at this time.

*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 – May 4, 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.

Mayor recommends reappointing Cecilia Moloney to the Downtown Development Authority. This is a 4-year term, in progress, which will expire March 31, 2012.

Historic District Commission

Mayor recommends reappointing Thomas Hill to the Historic District Commission. This is a 3-year term, in progress, which will expire January 31, 2012.

Mayor recommends reappointing Carolee Schmid to the Historic District Commission. This is a 3-year term, in progress, which will expire January 31, 2012.

SUBMITTED BY: Barb Dempsey, Mayor

RECOMMENDED MOTION: To approve appointments as presented.

EXPLANATION OF CONSENT AGENDA – May 4, 2009

Second Reading and Adoption 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 the available properties and potential film locations in Mount Clemens. When established, all forms and related information will be contained on the website.

A summary of the ordinance has been prepared for publication as allowed for in Charter Section 10.135. The summary has been prepared as a cost saving measure.

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

RECOMMENDED MOTION: Approve the second reading and adoption of the Mount Clemens Film Ordinance and approve the Ordinance Summary for Publication.

EXPLANATION OF CONSENT AGENDA – May 4, 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"

At the last City Commission meeting, the Commission had approved May 4, 2009 for the Public Hearing for the 2010 Budget and Headlee Override. Unfortunately, we were not able to receive the Rollback Fractions from the County in time to place the publication in the Macomb Daily. We are requesting that the Public Hearing for the proposed budgets and the Headlee Override be set for the May 18, 2009 meeting.

The budget will be advertised in the legal portion of the Macomb Daily no later than May 10, 2009 according to the City's Charter.

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

RECOMMENDED MOTION: To set Monday, May 18, 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 CONSENT AGENDA – May 4, 2009

Request Approval of Letter of Understanding Between the City of Mount Clemens and Petitpren, Inc., to Permit the Bud Light River Sight and Sound Concert Series for Calendar Year 2009

Petitpren, Inc., is requesting approval of the attached dates to host the Bud Light River Sight and Sound Concert series. A Letter of Understanding, prepared by the City Attorney, that outlines the terms and conditions of the proposed series is included for review and approval.

Petitpren, Inc., will underwrite the cost of production and entertainment fees. The Downtown Development Authority has agreed to underwrite the costs associated with the Sheriff's Office and the Department of Public Services.

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

RECOMMENDED MOTION: Approve the Letter of Understanding between the City of Mount Clemens and Petitpren, Inc., to permit the Bud Light River Sight and Sound Concert series for calendar year 2009.

EXPLANATION OF CONSENT AGENDA – May 4, 2009

Request Commission Approval for the Revised Policy Regarding the Use of the City Sidewalk or Right of Way as an Outdoor Café or Patio in the Central Business District

At the last work session, a request was made to reduce the amount paid by certain businesses for the outdoor patio permit. The attached policy has been revised to allow for the reduced fee of \$125.00 so long as a business only puts out chairs or a bench, does not serve food, does not serve alcohol, removes the furniture at the end of each business day and abides by all other rules and regulations including, but not limited to, providing the required Certificates of Insurance.

SUBMITTED BY: Bonnie McInerney, Director
Community Development Department

RECOMMENDED MOTION: Move to adopt the revised Policy Regarding the Use of the City Sidewalk or Right of Way as an Outdoor Café or Patio in the Central Business District.

EXPLANATION OF AGENDA – May 4, 2009

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: April 30, 2009

RE: Report from the City Manager’s Office

1. City Commission Meetings: The Work Session will be held in the **City Commission Chambers** on Monday, May 4, 2009, beginning at 5:00 p.m. There will be two presentations. At 5 p.m., the Corbin Design Team will make a presentation regarding wayfinding and shortly after that, the students from Michigan State University will present the results of their marketing study. We will also review the application request from Boat Town USA at this Work Session. The Regular City Commission meeting will begin at 7 p.m.
2. Animal Ordinance: We continue to receive and gather information as well as review our current ordinance taking into consideration the requests of many of our residents. City staff continues to work with the City Attorney’s office and will bring the recommended changes to the City Commission in the future.
3. Community Clean-up/Community Garden: On behalf of the City, I would like to thank the many citizens and residents who volunteered during the Community Spring Clean-up Day. We had over 200 volunteers, which included members from Kensington Church and the North Broadway Church of Christ. I would also like to thank the City staff who volunteered their time and I would like to recognize Community Development Director Bonnie McInerney and Public Services Director Jeff Wood for not only attending, but for their participation in coordinating such a successful event. At this time, I would also like to thank the several volunteers who came out to begin preparing their individual garden plots and do some general clean-up of that site as well. It was a great effort by all involved.
4. Yard of the Year: The Beautification Committee is currently accepting applications for “Yard of the Year Awards” and Recognition Certificates. Applications must be postmarked no later than June 12, 2009. For more information, please contact the committee chairperson, Theresa Springer, at 586.321.4745.

5. Special Events: There will be a Spring Craft Show on Macomb Place between North Main and Pine Streets on Friday, May 8th and Saturday, May 9th. Also, Children's Saturdays Downtown will begin for the season on Saturday, May 9, 2009, at 2 p.m. at the Fountain Stage on Macomb Place. For more information, on either of these events, please contact the Downtown Development Authority at 586.469.4168.