



# AGENDA

## CITY COMMISSION MEETING

Monday, June 15, 2009

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcement, Acknowledgments, and Communications and Reports.  
  
Presentation by Mayor Dempsey to the Historic District Commission Essay Contest Winners.
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 - Public Hearing on the Draft Project Plan Amendments for Wastewater System Improvements and Adoption of the Resolution to Accept the Project Plan Amendments for Wastewater System Improvements.
  - 9-B - Introduction and First Reading to Amend the Water Ordinance of the City of Mount Clemens to Provide for a Change in Water Rates.
  - 9-C - First Reading of an Ordinance to Amend Zoning Ordinance 15.01246 (E) (2), Section 12.46.
  - 9-D - Request City Commission Approval to Enter into an Agreement for Assessor Services between the City of Mount Clemens and Nancy A. Strehl.
  - 9-E - Request Approval of Management Agreement with RT Arena Management, LLC, for Mount Clemens Ice Arena.

9-F - Request Approval to Purchase 1130 Wellesley from the Department of Housing and Urban Development \$1.00 Home Program and Transfer the Home to Habitat for Humanity.

9-G - Request Approval to Hold the 2009 Boat Town USA Festival of Lights Beer Tent in MacArthur Park and for Use of the Marinas for the Antique Boat Show and the Festival of Lights Boat Parade.

9-H - Request for Approval of the 2008/2009 Budget Amendments.

9-I - Approve Purchases and Payment of Invoices.

10. Consent Agenda

10-A - Second Reading and Adoption of an Amendment to the Mount Clemens Historic District Ordinance.

10-B - Request Approval to Re-Allocate Community Development Block Grant Funding.

10-C - Request Approval to Enter into an Agreement with Hamilton Anderson for the Preparation of a Parks Sub-District Plan.

10-D - Request Approval of Video Tour Book Agreement.

10-E - Approve Placement of Delinquent Special Assessments, Utility Bills, and Miscellaneous Invoices on Tax Roll.

10-F - Commission Approval of a Resolution Honoring William Pietrzak on His Retirement from City Service.

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 – June 15, 2009**

### **Administrative Response to Issues or Questions Raised During Previous Meetings**

1. A resident asked what it cost the taxpayers last year to fund the Downtown Development Authority (DDA).

The only taxpayers that have a cost to fund the Downtown Development Authority are the property owners in the DDA district. It is a millage rate of 1.6132. There is no cost to any other property owners.

## EXPLANATION OF AGENDA – June 15, 2009

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

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

Copies of the Project Plan have been available for public inspection at the City Clerk's Office since May 15, 2009. We have on file the copy of the Notice of Public Hearing published on May 15, 2009 in the Macomb Daily Newspaper.

**SUBMITTED BY:** Charles B. Bellmore, Director of Utilities

**RECOMMENDED MOTION:** To open the public hearing for the draft project plan amendments for the Wastewater System Improvements.

To close the public hearing and to adopt the Resolution to accept the amendments to the Project Plan for Wastewater System Improvements.

## **EXPLANATION OF AGENDA – June 15, 2009**

### **Introduction and First Reading to Amend the Water Ordinance of the City of Mount Clemens to Provide for a Change in Water Rates**

The 2010 Water Fund budget was approved at the May 18, 2009 meeting and was based on an increase in water usage rates from \$2.44 to \$2.70 and a decrease in the minimum flat rate from \$20.91 per quarter to \$20.66 per quarter.

The changes in the water rates are, in part, the result of the State of Michigan Drinking Water Revolving Fund Loan requirements. A formula to calculate rates based on water system loan payments and operating costs was developed by City of Mount Clemens Finance Director Marilyn Dluge. The most up to date cost figures have been applied to the rate formula in order to develop the rates requested in this ordinance change. Also, part of the rates is the deficit elimination plan approved by the State of Michigan in February 2006.

**SUBMITTED BY:** Charles B. Bellmore, Director of Utilities

**RECOMMENDED MOTION:** Approve the Introduction and First Reading of the Water Ordinance Amendment as presented and schedule the Second Reading and Adoption for July 6, 2009.

## **EXPLANATION OF AGENDA – June 15, 2009**

### **First Reading of an Ordinance to Amend Zoning Ordinance 15.01246 (E) (2), Section 12.46**

The Mount Clemens Planning Commission has recommended changes to the Wireless Communication Tower Zoning Ordinance section which describes the allowable height of Wireless Towers within the City. The current Zoning Ordinance allows the tower to be 120' in height. The change would increase the height allowed to 160'. This change will allow for more antennas to be located on a single sight rather than having additional towers built within the City.

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,  
Community Development Director

**RECOMMENDED MOTION:** To approve the first reading of the amendment to Zoning Ordinance 15.01246 (E) (2) and set the second reading and adoption for July 6, 2009.

**EXPLANATION OF AGENDA – June 15, 2009**

**Request City Commission Approval to Enter into an Agreement for Assessor Services between the City of Mount Clemens and Nancy A. Strehl**

At a previous City Commission Work Session, it was requested that Administration seek Request for Proposals for a State Certified Level III Assessor. Five proposals were submitted and, at this time, I am recommending that we contract with Nancy A. Strehl.

The contract is attached and has been reviewed by the City Attorney's Office and Nancy A. Strehl. With City Commission approval, the three-year contract shall begin on July 1, 2009 and expire on June 30, 2012. Ms. Strehl shall receive a fee of \$60,000 annually for each year and will be paid on a bi-monthly basis. This contract is subject to renewal for two (2) one-year terms upon mutual agreement by the City and Contractor.

**SUBMITTED BY:** Douglas C. Anderson, City Manager

**RECOMMENDED MOTION:** Move to approve the Agreement for Assessor Services between the City of Mount Clemens and Nancy A. Strehl, and to authorize the City Manager to execute the contract.

**EXPLANATION OF AGENDA – June 15, 2009**

**Request Approval of Management Agreement with RT Arena Management, LLC, for Mount Clemens Ice Arena**

On May 5, 2009, the City terminated the Management Agreement for the Mount Clemens Ice Arena with JRV Management, Inc., effective July 5, 2009. City Administration has negotiated with Nick Poliski, founder and principal of RT Arena Management, LLC, for management of the Mount Clemens Ice Arena. Mr. Poliski is familiar with and experienced in the operation of the Mount Clemens Ice Arena. The proposed Management Agreement between the City of Mount Clemens and RT Arena Management, LLC, is attached.

**SUBMITTED BY:** Douglas C. Anderson, City Manager

**RECOMMENDED MOTION:** To approve the Management Agreement with RT Arena Management, LLC, for the management of the Mount Clemens Ice Arena.

**EXPLANATION OF AGENDA – June 15, 2009**

**Request Approval to Purchase 1130 Wellesley from the Department of Housing and Urban Development \$1.00 Home Program and Transfer the Home to Habitat for Humanity**

Our office has received a request from Habitat for Humanity to purchase 1130 Wellesley from the Department of Housing and Urban Development (HUD) \$1.00 Home Program. The Dollar Homes Initiative allows local governments to purchase eligible HUD Homes for Sale for \$1.00 and use them as part of a community revitalization or neighborhood affordable housing strategy. The HUD Homes available under this new program are those that have been on the market for six months or more. Local governments can partner with local non-profit homeownership organizations or tap into existing local programs to resell the homes to low- and moderate-income residents of the community. In these cases, the local governments will be required to purchase these properties and convey it to the non-profit organizations for rehabilitation and resale to first-time homebuyers.

If the Commission chooses to participate in this program, the City will be required to finalize a sales contract, close on the purchase, and then transfer the property to Habitat for Humanity. The City will work with the City Attorney to complete the transfer of the property to Habitat for Humanity.

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

**RECOMMENDED MOTION:** To approve the purchase of 1130 Wellesley from the Department of Housing and Urban Development and approve the transfer of the property to Habitat for Humanity for use in accordance with the \$1.00 Homes Initiative as well as the execution of all related documents.

## EXPLANATION OF AGENDA – June 15, 2009

### **Request Approval to Hold the 2009 Boat Town USA Festival of Lights Beer Tent in MacArthur Park and for Use of the Marinas for the Antique Boat Show and the Festival of Lights Boat Parade**

As discussed in a previous work session, Boat Town USA is requesting permission to hold its annual Festival of Lights festivities in Mount Clemens. The original application is attached for your review. Boat Town USA is requesting to have a 40 x 60 white tent in MacArthur Park for use as a beer tent on Friday, July 24, 2009 and Saturday, July 25, 2009. Boat Town USA is an approved 501 (c)(3) and will be obtaining a charitable organization liquor license for the event. Boat Town USA has agreed to provide both a general liability policy and a liquor license liability policy in the amount of \$1,000,000. In addition, they are working with the Macomb County Sheriff's Office with regard to security for the event and will provide the number of officers requested by the Sheriff. Event Organizers have been in contact with the adjoining property owner and they have an agreement for the parking of vehicles on the neighboring vacant lot.

In addition to the above tent, Boat Town USA has requested an additional 10' x 10' tent for use by Culinary Expressions. Culinary Expressions would like to serve pulled pork sandwiches and pizza as part of the event. They have committed to providing the required insurance and waiver and will be subject to health department inspections.

In addition to the use of MacArthur Park, Boat Town USA is requesting the use of the marina closest to City Hall on Saturday, July 25, 2009 in the afternoon for an Antique Boat Show. They are also requesting the use of the marina near MacArthur Park for the parking of boats at the conclusion of the Parade of Lights on Saturday night. Boat Town USA is requesting permission to place "No Docking" signage along the marinas on Saturday, July 25, 2009 in an effort to keep the docks free for their event.

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

**RECOMMENDED MOTION:** Approve the use of MacArthur Park on Friday, July 24, 2009 and Saturday, July 25, 2009 for the Boat Town USA beer tent and related events.

Approve the closure of Jones Street from North River Road to the dead end at the river beginning Friday, July 24, 2009 at 6:00 a.m. until 6:00 a.m. Sunday, July 26, 2009.

Approve the placement of "No Docking" signage along the MacArthur Park marina for the Festival of Lights Boat Parade docking and along the City Hall marina for the Antique Boat Show boat docking.

## **EXPLANATION OF AGENDA – June 15, 2009**

### **Request for Approval of the 2008/09 Budget Amendments**

Attached please find the budget amendments for all City funds. Michigan's Uniform Budgeting and Accounting Act, as amended by P.A. 621 of 1978, require subsequent amendments to the original adopted budget (General Appropriations Resolution) for any activity that exceeds its budget appropriation.

Under separate cover, I have sent a Memorandum which summarizes the adjustment request in each activity.

**SUBMITTED BY:** Marilyn J. Dluge, Finance Director

**RECOMMENDED MOTION:** To amend the City of Mount Clemens 2008-2009 budgets as submitted.

**EXPLANATION OF AGENDA – June 15, 2009**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Standard Printing Co. 13647 Ten Mile Road Warren, MI 48089	Estimated annual Requirement of Printed forms	Various	Various	\$4,212.00	Various
2.LiquiForce Services, Inc. 28529 Goddard Road Suite 106 Romulus, MI 48174	Spot repair of Four sections of Sewer pipe without Excavation; cured In-place liner	Sewer-Utilities Fund/ Transmission/ Contractual Services	590-53704-818000	\$24,250.00	\$38,706.00
		Sewer-Utilities Fund/ Catch Basins/ Contractual Services	590-53705-818000	\$24,250.00	\$36,757.08

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. Miller, Canfield, Paddock and Stone, PLC 150 West Jefferson Suite 2500 Detroit, MI 48226	Legal Services; Environmental- Landfill Issues	General Fund/ Community Development/ Legal Fees	101-72100-826000	\$1,668.50	\$12,100.03
2. Tremco Weatherproofing P.O. Box 931111 Cleveland, OH 44193	Emergency Roof leak repairs at Water Plant and Fire Department	Water-Utilities Fund/ Operation of Plant/ Building Improvements	591-53708-976000	\$1,482.00	\$1,904.80
		General Fund/ Fire Department/ Building Maintenance	101-33600-931000	\$1,638.00	\$1,681.71
3. Kramer & Murray, P.C. Ruggirello, Velardo, Novara & Ver Beek, P.C. 65 Southbound Gratiot Mount Clemens, MI 48043	Legal services for The month of May, 2009	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$9,957.87	\$44,857.70
		General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$700.00	\$16,937.75

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

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

**EXPLANATION OF CONSENT AGENDA – June 15, 2009**

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

The Mount Clemens Grand Trunk Depot Historic District Study Committee held a Public Hearing on April 28, 2009 to review the Study Committee Report and take comments on the creation of the Grand Trunk Depot Historic District. At that time, the Study Committee voted to adopt the final Study Committee Report and recommended sending a copy of the same to the City Commission and requested the adoption of an Ordinance creating the Historic District.

The attached amendment to the Historic District Ordinance will establish the boundaries of the District. If this Ordinance is adopted by the City Commission, the final step in the creation of the District will be to record the District with the Macomb County Register of Deeds.

**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 Historic District Ordinance.

## **EXPLANATION OF CONSENT AGENDA – June 15, 2009**

### **Request Approval to Re-Allocate Community Development Block Grant Funding**

As discussed in a previous work session, staff is seeking to reallocate \$15,000 originally programmed for Planning at Shadyside Park to the creation of a City of Mount Clemens Parks Sub-District Plan. Staff is requesting this re-allocation in an effort to qualify for additional parks and recreation grant funding. In order to apply for many of these grants, the City must have a Parks Plan and, in some cases, a full Parks and Recreation Plan. Once this Parks Sub-District Plan is complete, it will become part of the overall Master Plan for the City of Mount Clemens and can be converted by staff into a full Parks and Recreation Plan when necessary for grant funding.

#### **SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

Jeffery D. Wood, Public Services Director

#### **RECOMMENDED MOTION:**

Approve the re-allocation of Community Development Block Grant funding from Planning for Shadyside Park to the creation of a City of Mount Clemens Parks Sub-District Plan.

**EXPLANATION OF CONSENT AGENDA – June 15, 2009**

**Request Approval to Enter into an Agreement with Hamilton Anderson for the Preparation of a Parks Sub-District Plan**

As discussed in a previous work session, staff is seeking to enter into an agreement with Hamilton Anderson to prepare a Parks Sub-District Plan. In order to qualify for parks and recreation grant funding, the City must have a Parks Plan and in some cases, a full Parks and Recreation Plan. Once this Parks Sub-District Plan is complete, it will become part of the overall Master Plan for the City of Mount Clemens and can be converted by Staff into a full Parks and Recreation Plan when necessary for grant funding.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

Jeffery D. Wood, Public Services Director

**RECOMMENDED MOTION:**

Approve the Agreement between the City of Mount Clemens and Hamilton Anderson for the creation of a Parks Sub-District Plan.

**EXPLANATION OF CONSENT AGENDA – June 15, 2009**

**Request Approval of Video Tour Book Agreement**

As discussed during a previous work session, CGI Communications, Inc., has contacted the City of Mount Clemens and has requested to enter into a partnership to create Streaming Video applications on the City of Mount Clemens website. This program is provided at no cost to the municipality, but CGI Communications, Inc., will seek advertising from local businesses. CGI Communications, Inc., will provide technical support and will produce the videos for the City of Mount Clemens website.

The attached agreement has been reviewed by the City Attorney who has approved the same with minor changes. A memorandum regarding the same has been provided under separate cover.

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

**RECOMMENDED MOTION:** To approve the attached Video Tour Book Agreement between the City of Mount Clemens and CGI Communications, Inc.

**EXPLANATION OF CONSENT AGENDA – June 15, 2009**

**Approve Placement of Delinquent Special Assessments, Utility Bills, and Miscellaneous Invoices on Tax Roll**

Each year it is necessary to place delinquent bills on Special Assessment Rolls for collection. Attached are:

1) Special Assessment Roll 09-02 for delinquent utility bills as follows:

Delinquent Utility/Water Bills	\$106,622.42
<b>Total Special Assessment Roll 09-02</b>	<b>\$106,622.42</b>

2) Special Assessment Roll 09-03 for delinquent miscellaneous invoices as follows:

Delinquent Special Sanitation	\$2,467.25
Delinquent Weed Cutting	\$34,912.30
Delinquent Downtown Maintenance	\$7,275.78
Delinquent Miscellaneous	\$8,628.00
Delinquent Snow Removal	\$5,341.49
<b>Total Special Assessment Roll 09-03</b>	<b>\$58,624.82</b>

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

**RECOMMENDED MOTION:** To approve delinquent Special Assessment Rolls 09-02 and 09-03 and their placement on the City Tax Roll for 2009.

**EXPLANATION OF CONSENT AGENDA – June 15, 2009**

**Commission Approval of a Resolution Honoring William Pietrzak on His Retirement from City Service**

William Pietrzak, Water Plant Operator, has announced his retirement (effective June 8, 2009) after more than 28 years of service to the City of Mount Clemens.

**SUBMITTED BY:** Douglas C. Anderson, City Manager

**RECOMMENDED MOTION:** Commission approval of a Resolution honoring William Pietrzak for his years of service to the City of Mount Clemens.

## EXPLANATION OF AGENDA – June 15, 2009

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

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

**DATE:** June 11, 2009

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

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1. City Commission Meetings: There will be a Work Session on Monday, June 15, 2009, beginning at 6:00 p.m. Discussions will include the purchase of tax reverted properties and the proposed Dangerous Animals Ordinance. The Regular City Commission meeting will begin at 7 p.m.
2. M-3 Road Project: I, along with the Public Services Director, will be attending a meeting at the Michigan Department of Transportation on June 24<sup>th</sup> regarding the resurfacing of Northbound and Southbound Gratiot. Discussions will include the current status of the road and bridge plans as well as all of the related project issues.
3. Independence Day: City offices will be closed on Friday, July 3, 2009, in observance of the Independence Day holiday. Please note that because July 4<sup>th</sup> is a Saturday, the holiday will not affect refuse service. The normal **refuse pickup service** will be **on schedule for the entire month of July**.
4. Homes Tour: The Historic Homes Tour originally scheduled for June 20, 2009, has been postponed until October 10, 2009. For ticket refunds or exchanges, please contact Joan Foglyano at 586.465.1538.
5. Friday Night Concert Series: The kick-off for the Bud Light Riversight and Sound Concert Series on the west side of the riverbank will begin on Friday, June 26, 2009. The Forbes Brothers will perform at 8 p.m. The second concert will be on the following Friday, July 3<sup>rd</sup>, at 7:30 p.m.
6. Independence Day Celebration Fireworks: This year, the annual fireworks display will take place in conjunction with the Stars and Stripes Festival. Please join us on the west side of the Riverbank on Friday, June 26, 2009, shortly following the 8 p.m. concert. The fireworks display is scheduled to begin at dusk. For more information, please call 586.469.4168.

7. Stars and Stripes Festival: The Stars and Stripes Festival, including the Bath City Heritage Area, will be in downtown Mount Clemens starting Friday, June 26<sup>th</sup> through Sunday, June 28<sup>th</sup>. For a complete list of the events taking place during the festival as well as times and locations, please visit the website at [www.starsandstripesfest.com](http://www.starsandstripesfest.com) or contact 586.913.1919.
8. Farmers Market: The Strawberry Social will take place on Saturday, June 20, 2009, beginning at 9 a.m. For more information, please call 586.493.7600.
9. Garden Walk: The Crocker House Museum Garden Walk is also on June 27<sup>th</sup> from 9 a.m. to 3 p.m. For information and tickets, please contact 586.465.2488.