



# A G E N D A

## CITY COMMISSION MEETING

Tuesday, July 06, 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 for a Waiver of the Fire Hydrant Tap Fees by Funfest Productions, Inc., for the Stars and Stripes Festival.
  - 9-B - Approve Purchases and Payment of Invoices.
10. Consent Agenda
  - 10-A - Second Reading and Adoption of the Noise Ordinance.
  - 10-B - Second Reading and Adoption of an Ordinance to Repeal Provisions of the Nuisances Ordinance Dealing with Prohibited Noises.
  - 10-C - Request Approval to Hold a Levin for Congress Event at Shadyside Park.
  - 10-D - Request Approval to Hold the 19th Annual *ArtParty*.

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 – July 6, 2010**

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

1. A Commissioner asked if the legal fees can be paid from their respective funds and not the general fund.

In the future, Administration will break down the legal fees and charge them to their relevant funds.

**EXPLANATION OF AGENDA – July 6, 2010**

**Agenda Item No. 9-A**

**Request for a Waiver of the Fire Hydrant Tap Fees by Funfest Productions, Inc., for the Stars and Stripes Festival**

At the last City Commission work session, Funfest Productions, Inc., requested a waiver of the Fire Hydrant Tap Fees for the 2010 Stars and Stripes Festival. Funfest is utilizing three fire hydrants for a total cost of \$1,500.

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

**RECOMMENDED MOTION:** Grant the request for a waiver of the fire hydrant tap fees to Funfest Productions, Inc., for hydrant use during the Stars and Stripes Festival.

**EXPLANATION OF AGENDA – July 6, 2010**

**Agenda Item No. 9-B**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. HME, Inc. 1950 Byron Center Avenue Wyoming, MI 49519	Fire Apparatus Aerial Platform  ASSISTANCE TO FIREFIGHTERS GRANT	Motor Pool Fund/ Department of Public Services/ Vehicles	661-44100-985000	\$617,500.00 Grant Portion  \$85,605.00 City's Portion	\$35,000.00*
2. PVS Technologies, Inc. 10900 Harper Avenue Detroit, MI 48213	Estimated annual Requirement of Ferric Chloride	Sewer-Utilities Fund/ Operation of Plant/ Chemicals	590-53708-743000	\$10,530.00- \$12,960.00	\$30,000.00
3. Fishbeck, Thompson, Carr & Huber, Inc. 39255 Country Club Drive Suite B-25 Farmington Hills, MI 48331	Regulatory Support for Fiscal Year 2010-2011	Sewer-Utilities Fund/ Operation of Plant/ Consultant Fees	590-53708-817000	\$9,500.00	\$50,000.00

VENDOR (INVOICES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	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 May, 2010	General Fund/ Legal Services/ Legal Fees	101-26600-826000	\$11,944.17 (2009-2010 Fiscal Year)	\$24,076.80
	<u>Revised Account</u> Breakdown From 06/21/10 City Commission Meeting	General Fund/ Legal Services/ Legal Fees-Labor	101-26600-826001	\$1,774.75	\$2,357.49
		Water-Utilities Fund/ Commercial Activities/ Legal Fees	591-53703-826000	\$437.50	\$-0-

\*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 – July 6, 2010**

### **Agenda Item No. 10-A**

#### **Second Reading and Adoption of the Noise Ordinance**

The Administration recognizes that complaints about noise produced by commercial establishments and individuals have steadily increased over the past several years and that there are difficulties associated with the enforcement of the provisions of City Ordinance 35.003, NOISES PROHIBITED; EXCEPTIONS. Excessive noise is a serious hazard to public health, welfare, safety and quality of life of the residents of the City, who have a right to and should be ensured an environment free from the same.

Administration is proposing adoption of this Noise Ordinance for the purpose of securing and promoting public health, comfort, convenience, safety and welfare and the peace and quiet of the City and its residents.

At its meeting of June 21, 2010, the City Commission approved the introduction and first reading of the Noise Ordinance. This ordinance is now presented for second reading and final approval.

**SUBMITTED BY:** Michael J. Murray, City Attorney

**RECOMMENDED MOTION:** Approve the second reading and adoption of the Noise Ordinance; and approve the Ordinance Summary for Publication.

**EXPLANATION OF CONSENT AGENDA – July 6, 2010**

**Agenda Item No. 10-B**

**Second Reading and Adoption of an Ordinance to Repeal Provisions of the Nuisances Ordinance Dealing with Prohibited Noises**

Pursuant to the second reading and adoption of the Noise Ordinance on even date herewith, the City Administration is recommending the repeal of the provisions of the current Nuisances Ordinance dealing with Prohibited Noises.

**SUBMITTED BY:** Michael J. Murray, City Attorney

**RECOMMENDED MOTION:** Approve the second reading and adoption of the Ordinance to repeal the provisions of the Nuisances Ordinance dealing with Prohibited Noises, Section 35.003.

**EXPLANATION OF CONSENT AGENDA – July 6, 2010**

**Agenda Item No. 10-C**

**Request Approval to Hold a Levin for Congress Event at Shadyside Park**

Levin for Congress is requesting use of the Pavilion at Shadyside Park on July 17, 2010, for an Ice Cream Social. No additional City services will be required. The event organizers have committed to supplying a Certificate of Insurance prior to the event.

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

**RECOMMENDED MOTION:** Grant permission to hold an Ice Cream Social at the Shadyside Park pavilion on July 17, 2010.

## EXPLANATION OF CONSENT AGENDA – July 6, 2010

### Agenda Item No. 10-D

#### **Request Approval to Hold the 19<sup>th</sup> Annual *ArtParty***

The Art Center is requesting permission to host the 19<sup>th</sup> annual *ArtParty* on Thursday, September 23, 2010, from 5:30 p.m. until 8:00 p.m. Event organizers are asking to close Macomb Place between Pine and Southbound Gratiot beginning at 6:00 p.m. on Wednesday, September 22, 2010, through 12 noon on Friday, September 24, 2010, to insure ample time for set up and tear down of the event. The only street closure proposed is the area between Pine and Southbound Gratiot along Macomb Place. They are also requesting the closure of the North Roskopp Parking Lot for the registration and silent auction tent. In addition, organizers are requesting the placement of 16 trash receptacles at the openings of the tent and the erection of snow fencing by the Department of Public Services.

The Downtown Development Authority has committed to cover any overtime costs incurred by the Department of Public Services. The Art Center has committed to provide the necessary insurance naming the City as additional insured.

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

**RECOMMENDED MOTION:** Grant permission to hold the 19<sup>th</sup> annual *ArtParty*; and allow the closure of Macomb Place between Pine and Southbound Gratiot and the North Roskopp Parking Lot from 6:00 p.m. Wednesday, September 22, 2010, through 12 noon on Friday, September 24, 2010.

## EXPLANATION OF AGENDA – July 6, 2010

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

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

**DATE:** July 1, 2010

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

---

1. City Commission Meetings: There will be a City Commission Work Session on *Tuesday, July 6, 2010*, at 6:00 p.m. Discussions will include tax foreclosed properties and a request from Madison's Pub for valet services. The Regular City Commission meeting will begin at 7 p.m.
2. Friday Night Concert Series: The Bud Light Riversight and Sound Concert Series continues on Friday, July 9, 2010, featuring Spyder Turner and Friday, July 16, 2010, featuring The Vandellas. Both concerts will begin at 7:30 p.m. at the Clinton Riverfront Park.
3. Craft Show: There will be a Summer Art Craft Show on Macomb Place on Friday, June 16, 2010, from 11 a.m. until 8 p.m. and Saturday, June 17, 2010, from 10 a.m. until 6 p.m. For more information, please contact the Downtown Development Authority at 586.469.4168.
4. Summer Fun Saturdays: Also, on Saturday, June 17<sup>th</sup>, Community Central Bank will sponsor another Summer Fun Children's Show on Macomb Place at the Fountain Stage beginning at 11 a.m. For more information, please contact the Downtown Development Authority at 586.469.4168.
5. Millage Proposal: The Macomb Cable Network is now airing the Headlee Override Millage Proposal presentation. Playback times are immediately after the City Commission Meetings, which air on Wednesdays and Thursdays at 7 p.m. and on Thursdays at 12 noon; and also after the Bath City Beat program, which airs at 9 a.m., 4 p.m. and 10 p.m. daily. This presentation can also be viewed through a link on the City's website at [www.cityofmountclemens.com](http://www.cityofmountclemens.com).