



# A G E N D A

## CITY COMMISSION MEETING

Monday, July 19, 2010

7:00 PM

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Announcement, Acknowledgments, and Communications and Reports.  
  
Presentation by Kolby Miller of Medstar Ambulance.
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 Request for Rezoning of Property from RM-1 Multi-Family Residential to MU Multi-Use.
  - 9-B - Request Approval to Forward Applications to HUD for Neighborhood Stabilization Program Funding.
  - 9-C - Request to Purchase Tax Reverted Property for Rehabilitation through the Neighborhood Stabilization Program.
  - 9-D - Resolution Authorizing Bonds for the Capital Improvement, Series 2010, Clean Water Revolving Funds (CWRF) for the Sewer Project 5447-01.
  - 9-E - Approval of City Hydrant Replacements Along Southbound Gratiot Avenue.

- 9-F - Approve Purchases and Payment of Invoices.
10. Consent Agenda
- 10-A - Appointments to Boards, Committees and Commissions.
- 10-B - Commission Approval of a Resolution Honoring Richard Ziehmer on His Retirement from City Service.
- 10-C - Request by Towne Square Associates for Delivery of Quit Claim Deed for 10 and 20 South Main Street.
- 10-D - Request by the Give a Gift Foundation to Solicit Donations at Intersections.
- 10-E - Request by the American Cancer Society Great Lakes Division to hold a Making Strides Against Breast Cancer Walk.
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 19, 2010**

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

#### **Introduction and First Reading of the Request for Rezoning of Property from RM-1 Multi-Family Residential to MU Multi-Use**

On June 1, 2010, the Mount Clemens Planning Commission held a public hearing with regard to a request to rezone the property located at 183 Cass Avenue from Multi-Family Residential to Multi-Use. The proposed rezoning encompasses 7,400 square feet of land and is located on the southwest corner of Miller and Cass Avenue. The property has operated as a laundry mat for a number of years and the building is commercial in nature.

The Planning Commission unanimously recommended approval of the request for rezoning based upon the following:

- The proposed rezoning would be consistent with the MU zoning designation immediately to the east and north of the subject property.
- A rezoning to Multi-Use would still permit Multiple Family Residential development consistent with the intent of the Master Plan.
- The site is currently occupied by a legal non-conforming use due to the existing commercial building.
- Rezoning the site to MU would ensure that the former/future tenant in the commercial building would be a conforming use that is permitted in the MU zoning district. In addition, based on the existing building sitting on the property, it is unlikely that the site would be conducive for a multiple family development at this time.

No comments against the proposed rezoning were presented by the public. All related documentation is attached for your review.

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

**RECOMMENDED MOTION:** Approve the first reading of the rezoning of the property located at 183 Cass Avenue from Multi-Family Residential to Multi-Use and set the second reading and adoption for August 2, 2010.

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

**Agenda Item No. 9-B**

**Request Approval to Forward Applications to HUD for Neighborhood Stabilization Program Funding**

Administration has been working with the County Department of Planning and Economic Development to prepare applications for Neighborhood Stabilization Funding. The applications for the various projects are attached for your review. A breakdown of the requested projects is provided below.

| <b>PROJECT TITLE</b>   | <b>AMOUNT REQUESTED</b>             |
|--|-------------------------------------|
| Oakland University Mount Clemens Educational Center Renovation           | \$1,583,750 (A)<br>or \$485,000 (B) |
| Art Park   | \$100,000                           |
| Redevelopment of Gratiot / Murdock properties. Expansion of Clemens Park | \$250,000                           |

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

**RECOMMENDED MOTION:** Approve the request to forward applications to HUD for Neighborhood Stabilization Program Funding.

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

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

#### **Request to Purchase Tax Reverted Property for Rehabilitation through the Neighborhood Stabilization Program**

As discussed in a previous work session, the County has funding available for the rehabilitation of tax reverted properties. The end purchasers of these properties would be low- to moderate-income single family homeowners. Administration is requesting, at this time, that the City purchase certain tax reverted properties which would then be sold to the County's Neighborhood Stabilization Program Contractor for rehabilitation and sale. Administration is requesting the purchase of the following properties, subject to agreement to purchase by UC Investments; and subject to terms, conditions and title work satisfactory to the City:

- 160 Christine
- 1 Rosebud Lane
- 23 Ferrin Place
- 26 Grand Avenue
- 219 North Walnut
- 10 Barbara
- 65 Inches
- 123 Floral

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

**RECOMMENDED MOTION:** Grant permission to purchase the above properties from the Macomb County Treasurer's Office subject to agreement to purchase by UC Investments; and subject to terms, conditions and title work satisfactory to the City.

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

**Agenda Item No. 9-D**

**Resolution Authorizing Bonds for the Capital Improvement, Series 2010, Clean Water Revolving Funds (CWRF) for the Sewer Project 5447-01**

The City has determined that it is necessary to acquire, construct, furnish and equip improvements to the City's sewage disposal system, including the replacement of approximately 810 linear feet of sanitary sewer collection lines and an ultraviolet disinfection treatment system. The project qualifies for the State of Michigan Clean Water Revolving Fund (CWRF) financing program. The Bonds will be sold and bear a fixed interest rate at two and one-half percent (2.50%) per annum. To finance the cost of the Project, the City Commission deemed to borrow a sum not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000). This resolution provides the authorization to issue the bonds for this project.

**SUBMITTED BY:**

Marilyn J. Dluge, Finance Director

**RECOMMENDED MOTION:**

To approve the resolution authorizing Bonds for the Capital Improvement, Series 2010, Clean Water Revolving Funds for the Sewer Project 5447-01.

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

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

#### **Approval of City Hydrant Replacements Along Southbound Gratiot Avenue**

There are five City fire hydrants within the Gratiot Avenue MDOT paving project which are outdated and need to be replaced. These hydrants are currently tapped to water mains underneath the pavement. The removal and replacement of these hydrants with new hydrants will be completed by the MDOT contractor prior to the paving of Gratiot Avenue. The City will provide the hydrant assemblies to reduce costs.

**SUBMITTED BY:**

Charles B. Bellmore, Director of Utilities  
Mitch O'Connor, Spalding DeDecker Associates

**RECOMMENDED MOTION:**

To approve the MDOT Contractor to remove and replace five outdated City fire hydrants along Gratiot Avenue in conjunction with the MDOT paving project at an estimated total cost not to exceed \$35,000.

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

**Agenda Item No. 9-F**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

| VENDOR<br>(PURCHASES)  | DESCRIPTION  | FUND/<br>DEPARTMENT/<br>APPROPRIATION                                | ACCOUNT<br>NUMBER              | AMOUNT   | CURRENT<br>BALANCE |
|--|--|--|--------------------------------|--|--------------------|
| 1. Sea-Side Diving, Inc.<br>28612 Harper<br>St. Clair Shores, MI 48081 | Intake Crib<br>Cleaning and<br>Video Inspection                              | Water-Utilities Fund/<br>Operation of Plant/<br>Contractual Services | 591-53708-818000               | \$1,765.00   | \$79,713.59        |
| 2. AT&T Business<br>Communications Services                            | Call logging<br>For the phone<br>System                                      | General Fund/<br>Building Maintenance/<br>Telephone                  | 101-26500-853000               | \$2,302.36 +<br>labor  | \$42,781.83        |
| 3. Kerr Albert Office Supplies<br>121 Military<br>Port Huron, MI 48060 | Estimated annual<br>Requirement of<br>Office Supplies<br>For all departments | General Fund/<br>Purchasing Department/<br>Office Supplies           | 101-23300-728000<br>(majority) | \$15,566.61  | \$25,045.00        |
| 4. Jack Doheny Supplies<br>P.O. Box 609<br>Northville, MI 48167        | Sewer Truck<br>Replacement   | Sewer-Utilities Fund/<br>Transmission/<br>Rental City Equipment      | 590-53704-943000               | \$353,265.00<br><br>\$52,482.54/<br>Year for<br>5 years +<br>\$147,242.00<br>Balloon at<br>End | \$115,000.00       |

| VENDOR<br>(INVOICES)  | DESCRIPTION  | FUND/<br>DEPARTMENT/<br>APPROPRIATION                         | ACCOUNT<br>NUMBER | AMOUNT      | CURRENT<br>BALANCE                        |
|---|--|---|-------------------|-------------|---|
| 1. Stark's Service & Hardware, Inc.<br>328 Cass Avenue<br>Mount Clemens, MI 48043   | Miscellaneous<br>Supplies picked<br>Up in the month<br>Of June, 2010 | Various   | Various           | \$1,785.60  | Various                                   |
| 2. Kramer & Murray, P.C.<br>Ruggirello, Velardo,<br>Novara & Ver Beek, P.C.<br>65 Southbound Gratiot<br>Mount Clemens, MI 48043 | Legal Services<br>For the month<br>Of June, 2010                     | General Fund/<br>Legal Services/<br>Legal Fees                | 101-26600-826000  | \$10,815.40 | \$12,132.63<br>(all 09-10<br>Fiscal Year) |
|   |  | General Fund/<br>Legal Services/<br>Legal Fees-Labor          | 101-26600-826001  | \$2,156.25  | \$582.75                                  |
|   |  | Major Street Fund/<br>Construction/<br>Contractual Services   | 202-44647-818000  | \$281.25    | \$340.00                                  |
|   |  | Sewer-Utilities Fund/<br>Operation of Plant/<br>Legal Fees    | 590-53708-826000  | \$362.50    | \$-0-                                     |
|   |  | Water-Utilities Fund/<br>Commercial Activities/<br>Legal Fees | 591-53703-826000  | \$275.00    | -\$437.50                                 |

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

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

## **EXPLANATION OF CONSENT AGENDA – July 19, 2010**

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

#### **Appointments to Boards, Committees and Commissions**

##### Local Officer's Compensation Commission

Mayor recommends reappointing Cathy Leone to the Local Officer's Compensation Commission. This is a 5-year term (in progress) which will expire June 30, 2014.

Mayor recommends appointing Patrick Rickert to the Local Officer's Compensation Commission (to fill a vacant position). This is a 5-year term (in progress) which will expire June 30, 2015.

##### Beautification Advisory Committee

Mayor recommends reappointing Theresa Springer to the Beautification Advisory Committee. This is a 3-year term which will expire June 30, 2013.

Mayor recommends appointing Ryan Rowinski to the Beautification Advisory Committee (to replace Almeta Taylor). This is a 3-year term which will expire June 30, 2012.

##### Historical Commission

Mayor recommends reappointing Joan Foglyano to the Historical Commission. This is a 3-year term which will expire June 30, 2013.

Mayor recommends reappointing John Foglyano to the Historical Commission. This is a 3-year term which will expire June 30, 2013.

##### Downtown Development Authority

Mayor recommends appointing Gebran Anton as an honorary member of the Downtown Development Authority. This is a 1-year term which will expire July 1, 2011.

Mayor recommends appointing Ray Glime as an honorary member of the Downtown Development Authority. This is a one-year term which will expire July 1, 2011.

Mayor recommends appointing Dan Nevin (to replace Gebran Anton) to the Downtown Development Authority. This is a 4-year term, in progress, which will expire March 31, 2013.

Mayor recommends appointing Debbie Heuchert (to replace Ray Glime) to the Downtown Development Authority. This is a 4-year term, in progress, which will expire March 31, 2013.

Brownfield Redevelopment Authority

Mayor recommends reappointing Robert Morris to the Brownfield Redevelopment Authority. This is a 3-year term which will expire June 30, 2013.

Mayor recommends reappointing Carl Harlow to the Brownfield Redevelopment Authority. This is a 3-year term which will expire June 30, 2013.

Construction Code Board of Appeals

Mayor recommends reappointing Paul DeMaster to the Construction Code Board of Appeals. This is a 3-year term, in progress, which will expire June 30, 2012.

Mayor recommends reappointing David Weber to the Construction Code Board of Appeals. This is a 3-year term, in progress, which will expire June 30, 2012.

Planning Commission

Mayor recommends reappointing John Konechne to the Planning Commission. This is a 3-year term, in progress, which will expire June 30, 2013.

Mayor recommends reappointing Robert Schleicher to the Planning Commission. This is a 3-year term, in progress, which will expire June 30, 2013.

**SUBMITTED BY:** Barb Dempsey, Mayor

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

**EXPLANATION OF CONSENT AGENDA – July 16, 2010**

**Agenda Item No. 10-B**

**Commission Approval of a Resolution Honoring Richard Ziehmer on His Retirement from City Service**

Richard Ziehmer, Crew Leader in the Wastewater Treatment Plant, has announced his retirement (effective June 30, 2010) after nearly 33 years of service to the City of Mount Clemens.

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

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

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

**Agenda Item No. 10-C**

**Request by Towne Square Associates for Delivery of Quit Claim Deed for 10 and 20 South Main Street**

Towne Square Associates, a Michigan Co-Partnership, is the owner of 10 and 20 South Main Street. They are presently in the process of donating 20 South Main Street to Oakland University to be utilized for instructional purposes. Pursuant thereto, they have discovered that title to the property is in the name of the Economic Development Corporation of the City of Mount Clemens (“EDC”). As set forth in correspondence from their attorney dated July 12, 2010, a copy of which is attached hereto, the EDC should have deeded the property back to Towne Square Associates in 1996, when the mortgage bonds were paid in full. Therefore, they are requesting that the City execute and deliver the attached Quit Claim Deed to correct this oversight.

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

**RECOMMENDED MOTION:** To authorize the execution of the attached Quit Claim Deed from the City of Mount Clemens, as successor of interest to the EDC of the City of Mount Clemens, to Towne Square Associates, a Michigan Co-Partnership, for the property commonly known as 10 and 20 South Main Street.

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

**Agenda Item No. 10-D**

**Request by the Give a Gift Foundation to Solicit Donations at Intersections**

The Give a Gift Foundation is requesting permission to solicit donations at intersections in the City of Mount Clemens to benefit cancer patients. They are requesting to collect donations the weekend of August 20, 21 and 22, 2010 at the intersections of Gratiot and Cass, Crocker and Gratiot, Cass and Groesbeck, New Street and North Main Street and North Avenue and Hubbard.

No City services are required for this event. The organizers have provided the required Certificate of Insurance.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Grant permission to the Give a Gift Foundation to collect donations the weekend of August 20, 21 and 22, 2010 at the intersections of Gratiot and Cass, Crocker and Gratiot, Cass and Groesbeck, New Street and North Main Street and North Avenue and Hubbard.

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

**Agenda Item No. 10-E**

**Request by the American Cancer Society Great Lakes Division to hold a Making Strides Against Breast Cancer Walk**

The American Cancer Society is requesting to hold a Making Strides Against Breast Cancer Walk on Saturday, October 16, 2010 from 9:00 a.m. to 1:00 p.m. The organizers are requesting permission to begin the walk at the Gazebo at City Hall and are requesting permission to place tents and tables in the municipal lot. A map of the proposed route is attached.

No City services are required for this event. The organizers will provide the required Certificate of Insurance prior to the event.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Grant permission to the American Cancer Society to hold a Making Strides Against Breast Cancer Walk on Saturday, October 16, 2010.

## EXPLANATION OF AGENDA – July 19, 2010

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

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

**DATE:** July 15, 2010

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

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1. City Commission Meetings: There will be a City Commission Work Session on Monday, July 19, 2010 at 6 p.m. Discussions will include a presentation regarding the possibility of creating a geo-utility in the City of Mount Clemens. Also, the Downtown Development Director will update the City Commission with regards to the Downtown Development Authority. The Regular City Commission meeting will begin at 7 p.m.
2. Voter Information: The last day to request an absentee ballot for the upcoming election is Saturday, July 31, 2010. The City Clerk's Office will be open on July 31<sup>st</sup> from 8:30 a.m. to 2:00 p.m. The election will be held on Tuesday, August 3, 2010. For more information, or to obtain an absent voter's ballot, please contact 586.469.6818, x3.
3. North Avenue Construction: City staff, along with the design engineer and construction engineer, will be hosting a public meeting in mid August to answer any questions residents may have about the reconstruction of North Avenue scheduled to begin this fall. All City residents will be notified of the meeting date by mail.
4. Staff Recognition: I would like to thank the employees of the Department of Public Services for their excellent job performance following the recent storm. While they are still working to get debris picked up, hazardous situations were removed in a professional and timely manner.
5. New Employees: We would like to welcome new employees Jacqueline Baxter and Qiana Sinclair to our Dial-A-Ride Department.
6. Lunchtime Music Thursdays: Concerts will take place every Thursday in the downtown from 12 noon until 1:30 p.m. through August 12<sup>th</sup>. Please visit downtown for lunch and enjoy the music at the Fountain Stage, which is located on Macomb Place between Pine and Walnut Streets. A broad music selection will be presented weekly with music appropriate for all ages. For more information, please contact 586.469.4168.

7. Friday Night Concert Series: The Bud Light Riversight and Sound Concert Series continues on Friday, July 23, 2010 featuring Air Margaritaville and Friday, July 30, 2010 featuring Elvis Aaron Presley, Jr. and Tommy Vale & The Torpedos. Both concerts will begin at 7:30 p.m. at the Clinton Riverfront Park.
8. Farmers Market: Dueling of the Chef's will take place on Saturday, July 31, 2010 from 8:30 a.m. until it is sold out. The Farmers Market is located on North River Road between Northbound Gratiot and I-94. For more information, please contact 586.493.7600.
9. Crocker House Museum: Affair at the Fenton – A Garden Party will take place at the Crocker House Museum on Sunday, August 1, 2010 at 1 p.m. For more information or to make reservations, please contact 586.465.2488.
10. Millage Proposal: Just a reminder that you can view the Headlee Override Millage Proposal presentation on the Macomb Cable Network. 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).
11. Animal Ordinance: Due to many recent complaints, I would like to take this time to remind residents that the City of Mount Clemens has a Dangerous Animals Ordinance and ask that animal owners review the ordinance to ensure compliance. The ordinance can be found on our website at [www.cityofmoutclemens.com](http://www.cityofmoutclemens.com) or you can contact the City Clerk's Office at 586.469.6818, x3.