



## A G E N D A

### CITY COMMISSION MEETING

Tuesday, September 08, 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 of Liquor License Transfer Located at 143 North Main (Full Kilt).
  - 9-B - Request Approval to Reallocate Community Development Block Grant (CDBG) Funding.
  - 9-C - Request Approval of Amendments to the City Manager's Employment Agreement.
  - 9-D - Approve Purchases and Payment of Invoices.
10. Consent Agenda
  - 10-A - Appointments to Boards, Committees and Commissions.
  - 10-B - Request to Set a Public Hearing for the Adoption of a Brownfield Redevelopment Plan for 65 Market Street.

10-C - Approval of Agreement with Macomb County for Board of Canvassers Services.

10-D - Commission Approval to Hold a Mount Clemens Survival Forum at the Mount Clemens Community Center.

10-E - Amendment to the Request Approval for the Closure of Macomb Place for a Brick Breaking Show.

10-F - Request Amendment to Approval for the 18th Annual ArtParty.

10-G - Request Approval to Hold the Annual Kiwanis Peanut Days.

10-H - Request Permission to Close Lodewyck Street Between Church and Robertson to Hold the Annual Lodewyck Block Party.

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 – September 8, 2009**

### **Approval of Liquor License Transfer Located at 143 North Main (Full Kilt)**

A request received by the Michigan Liquor Control Commission has been forwarded to the City for consideration. The applicant is requesting to transfer ownership of a 2009 Resort Class C licensed business from Full Kilt Investments, Inc., to Main Street Entertainment, LLC.

This license is being returned to its previous owner due to the closing of Full Kilt (additional information has been provided under separate cover). The license will be placed in escrow pending future sale. At that time, background investigations and building inspections will be required.

Utilities are current; however, 2008 real property taxes are delinquent and payable to Macomb County in the amount of \$37,313.16.

Background investigations and building inspections were not required because the license is simply returning to its previous owner.

**SUBMITTED BY:** Lynne Kennedy, City Clerk

**RECOMMENDED MOTION:** To adopt the resolution transferring ownership of a 2009 Class C licensed business, located in escrow at 143 North Main Street, from Full Kilt Investments, Inc., to Main Street Entertainment, LLC.

## **EXPLANATION OF AGENDA – September 8, 2009**

### **Request Approval to Reallocate Community Development Block Grant (CDBG) Funding**

Administration has requested the reallocation of CDBG funding to cover the cost of boiler repairs / replacement at the Mount Clemens Fire Department. The total cost is estimated at \$18,800. Once funds are reallocated, the project will go out for bid in conformity with CDBG requirements.

The Commission had previously allocated \$18,000 for Ice Arena repairs. W. J. O'Neil has determined that the repairs at the Ice Arena can be completed for approximately \$5,000. Staff is requesting that the remaining \$13,000 originally allocated for Ice Arena repairs be reallocated to the Fire Department boiler repair / replacement. In addition, the Preservation Study at the Train Depot came in \$5,250 under budget and staff is requesting that these funds also be reallocated for the Fire Department boiler repair / replacement project. If additional funds are needed after the bids are returned, administration may use CDBG funds set aside for contingencies and cost overruns.

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

**RECOMMENDED MOTION:** Approve the reallocation of CDBG funding in the amount of \$13,000 from Ice Arena repairs and \$5,250 from the Grand Trunk Western Railroad Preservation Study to the Fire Department boiler repair / replacement project.

## **EXPLANATION OF AGENDA – September 8, 2009**

### **Request Approval of Amendments to the City Manager's Employment Agreement**

As a result of the recent performance evaluation of the City Manager, the City Commission directed the City Attorney to draft an Amendment to the City Manager's Employment Agreement extending the same. The proposed Amendment to the City Manager's Employment Agreement is attached.

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

**RECOMMENDED MOTION:** Approve the amendment to the City Manager's Employment Agreement.

**EXPLANATION OF AGENDA – September 8, 2009**

**APPROVE PURCHASES AND PAYMENT OF INVOICES**

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. EQ Industrial Services, Inc. 2701 North I-94 Service Drive Ypsilanti, MI 48198	2009/2010 Sanitary Sewer Cleaning and TV Inspection	Sewer-Utilities Fund/ Catch Basins/ Contractual Services	590-53705-818000	\$16,695.55 \$75.00/tap	\$63,108.00
2. East Jordan Iron Works 52011 Gratiot Chesterfield, MI 48051	Estimated Annual Requirement of Fire Hydrants And Supplies	Water-Utilities Fund/ Transmission/ Hydrant Parts	591-53704-790000	\$3,485.97	\$3,500.00
		Water-Utilities Fund/ Transmission/ Hydrants	591-53704-980000	\$8,423.40	\$10,500.00
3. Anderson, Eckstein and Westrick, Inc. 51301 Schoenherr Shelby Township, MI 48315	Continuation of Macomb County Sanitary Sewage Flow Metering For Fiscal Year 2009-2010	Sewer-Utilities Fund/ Operation of Plant/ Consultant Fees	590-53708-817000	\$16,500.00	\$55,805.00

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
4.North American Salt Company Highway Sales Department 8300 College Boulevard Overland, KS 66210	Road Salt, Bulk, Early Fill-up. STATE CONTRACT	Major Street & Trunkline Fund/ Winter Maintenance/ Road Maintenance Materials & Supplies	202-44649-782000	\$53.56/ton For 150 tons = \$8,034.00  (last year's Price \$36.90/ Ton)	\$35,000.00
		Local Street & Trunkline Fund/ Winter Maintenance/ Road Maintenance Materials & Supplies	203-44649-782000		\$30,000.00
5.North American Salt Company Highway Sales Department 8300 College Boulevard Overland, KS 66210	Road Salt, Bulk, Seasonal Backup. STATE CONTRACT	Major Street & Trunkline Fund/ Winter Maintenance/ Road Maintenance Materials & Supplies	202-44649-782000	\$55.06/ton For 1,450 tons = \$79,837.00  (last year's Price \$41.83/ Ton)	\$35,000.00
		Local Street & Trunkline Fund/ Winter Maintenance/ Road Maintenance Materials & Supplies	203-44649-782000		\$30,000.00

No Invoices as this time.

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

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

**EXPLANATION OF CONSENT AGENDA – September 8, 2009**

**Appointments to Boards, Committees and Commissions**

Historical Commission

Mayor recommends reappointing Elaine Bazydlo to the Historical Commission. This is a 3-year term which will expire June 30, 2012.

**SUBMITTED BY:** Barb Dempsey, Mayor

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

## **EXPLANATION OF CONSENT AGENDA – September 8, 2009**

### **Request to Set a Public Hearing for the Adoption of a Brownfield Redevelopment Plan for 65 Market Street**

Station 65, LLC (Partner's in Architecture), owner of 65 Market Street, has been working with the Michigan Economic Development Corporation (MEDC) and AKT Peerless Environmental and Energy Services to prepare a Brownfield Redevelopment Plan to assist in the redevelopment and rehabilitation of their property. Pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended, they are requesting that the City Commission hold a Public Hearing with regard to their Brownfield Redevelopment Plan on September 21, 2009 at its regularly scheduled meeting. A separate agenda item will be submitted that evening with regard to the adoption of the Brownfield Plan for 65 Market Street.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Set a public hearing for the Adoption of a Brownfield Redevelopment Plan for 65 Market Street for 7:00 p.m. on September 21, 2009.

**EXPLANATION OF CONSENT AGENDA – September 8, 2009**

**Approval of Agreement with Macomb County for Board of Canvassers Services**

Since the Macomb County Home Rule Charter proposal will be on the November 3<sup>rd</sup> ballot, the Macomb County Board of Canvassers will be certifying the election results instead of our local Board of Canvassers.

According to MCL 168.30a., the City can contract with the County for Board of Canvassers services. This agreement would expire after the November 3<sup>rd</sup> results have been certified. There will be no cost to the City for this service.

**SUBMITTED BY:** Lynne Kennedy, City Clerk

**RECOMMENDED MOTION:** Approve the agreement with Macomb County to utilize the services of the Macomb County Board of Canvassers for the November 3, 2009 election.

## **EXPLANATION OF CONSENT AGENDA – September 8, 2009**

### **Commission Approval to Hold a Mount Clemens Survival Forum at the Mount Clemens Community Center**

The City is seeking permission to hold a Mount Clemens Survival Forum at the Mount Clemens Community Center in the near future. The exact date and time has not yet been determined.

At the forum, representatives from various local, state, and federal agencies will be available to answer questions and provide information on mortgage assistance, local jobs, job training information, and educational opportunities. There will also be representatives available from the Veterans Administration and Senior Services as well as 2010 Census information.

**SUBMITTED BY:** Lois Hill, City Commissioner

**RECOMMENDED MOTION:** Approve a Mount Clemens Survival Forum at the Mount Clemens Community Center at a date and time to be determined in the future.

## **EXPLANATION OF CONSENT AGENDA – September 8, 2009**

### **Amendment to the Request Approval for the Closure of Macomb Place for a Brick Breaking Show**

The City Commission previously approved a special event request submitted by Mr. Kevin Taylor for a Brick Breaking Show along Macomb Place. Since that time, Mr. Taylor has obtained an event sponsor and is requesting additional signage and to allow a band to play during the event. He is also requesting to bring the bricks the evening before the event. He has been advised that he will need either a guard or to have the bricks locked up in a container for safety reasons. An outline of the request, as well as a diagram for placement, is attached. Mr. Taylor has been advised that the City may not be able to accommodate the request for signs on the light poles. City staff will need to review the signage and determine whether or not the light poles will be able to accommodate the same.

#### **SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

#### **RECOMMENDED MOTION:**

Approve the amendments to the special event request for the Macomb Place Brick Breaking Show to be held on September 12, 2009 and allow for administrative approval of the light pole signs if it is determined that the light poles are able to accommodate the same.

## **EXPLANATION OF CONSENT AGENDA – September 8, 2009**

### **Request Amendment to Approval for the 18<sup>th</sup> Annual *ArtParty***

The City Commission previously approved the 18<sup>th</sup> Annual *ArtParty* to be held on September 24, 2009. Jennifer Callens, Director of the Anton Art Center, is requesting an amendment to that approval which will allow her to hang a 4' x 10' banner on the Art Center advertising the event. Ordinance 21.307 allows the City Commission to approve special event signage.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Allow the Anton Art Center to place a 4' x 10' banner advertising the *ArtParty* prior to the approved special event and require removal within 48 hours from the end of the event.

## **EXPLANATION OF CONSENT AGENDA – September 8, 2009**

### **Request Approval to Hold the Annual Kiwanis Peanut Days**

The Kiwanis Club of Mount Clemens is seeking permission to hold its Annual Peanut Days on September 18<sup>th</sup> and 19<sup>th</sup>, 2009. The four locations proposed are as follows:

- Southbound Gratiot Avenue and Cass Avenue, in front of the Methodist Church
- Crocker Boulevard and Northbound Gratiot Avenue
- Northbound Gratiot Avenue and Cass Avenue, in front of the County Building
- Farmers Market

In addition, they are requesting to place a sign on Main Street advertising the Kiwanis Peanut Sale. The organization will submit a Certificate of Insurance to the Purchasing Department naming the City as an additional insured.

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

**RECOMMENDED MOTION:** Grant permission to the Kiwanis Club of Mount Clemens to hold the Annual Peanut Days on Friday, September 18, 2009 and Saturday, September 19, 2009.

**EXPLANATION OF CONSENT AGENDA – September 8, 2009**

**Request Permission to Close Lodewyck Street Between Church and Robertson to Hold the Annual Lodewyck Block Party**

The residents of Lodewyck Street between Church and Robertson are requesting to close the street on September 26, 2009 from approximately 3:00 p.m. until 11:00 p.m. to hold a neighborhood block party. The Department of Public Services has committed to providing barricades that the residents will be required to place prior to the event and remove immediately following the event. No overtime costs will result because of this activity.

**SUBMITTED BY:**

Bonnie M. McInerney, Director  
Community Development Department

**RECOMMENDED MOTION:**

Grant permission to the residents of Lodewyck to close the street between Church and Robertson on September 26, 2009 to hold the Annual Lodewyck Block Party.

## **EXPLANATION OF AGENDA – September 8, 2009**

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

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

**DATE:** September 3, 2009

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

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1. City Commission Meeting: There is a Work Session scheduled on **Tuesday, September 8, 2009** at 5:30 p.m. A representative from Macomb County will be present to discuss City participation in the Real-Time Water Intake Monitoring System. At this Work Session, we will also discuss the Nuisance Ordinance, specifically as it pertains to noise, as well as a discussion on a Mount Clemens Survival Forum. As a reminder, the Regular City Commission meeting will also be held on **Tuesday, September 8, 2009** at 7 p.m., due to the Labor Day Holiday.
  
2. Film Mount Clemens: Beginning September 8, 2009, the City of Mount Clemens will host the cast and crew of “Red Dawn”. Filming will begin in the downtown area and then move into the neighborhoods beginning September 11, 2009. Neighborhood filming will be concentrated in the area north of Grand Avenue and east of Eldredge. The filming will incorporate numerous special effects involving smoke and fire. Please do not be alarmed when you see smoke coming from this area as it is most likely caused by the “Red Dawn” Special Effects Team. Should you have any questions or concerns regarding the filming, please contact Community Development Director Bonnie McInerney at 586.469.6818, x901.
  
3. Refuse Pickup: Just a reminder that refuse pickup will run one day behind schedule from September 8, 2009 through September 12, 2009. Normal pickup will resume on Monday, September 14, 2009.
  
1. Fire Department Pancake Breakfast: In conjunction with the Mount Clemens Grand Prix, the Mount Clemens Fire Department will be hosting their Annual Pancake Breakfast on Saturday, September 12, 2009 from 7:30 a.m. to 11 a.m. All proceeds benefit the Soap Box Derby Race.
  
4. Mount Clemens Grand Prix: The Annual Soap Box Derby Race will also take place on Saturday, September 12<sup>th</sup> at 10 a.m. on the Crocker Bridge. For more information, please contact 586.468.7746.

5. Summer Fun Saturdays: Also, on September 12, 2009, the Downtown Development Authority will again host a Children's Show on Macomb Place at the Fountain Stage beginning at 11:00 a.m. For more information, please contact 586.469.4168.
6. Brick Breaking Show: Following the Mount Clemens Grand Prix and Summer Fun Saturdays, the fun continues. Kevin Taylor will attempt to break a world record by breaking 100 yards of brick that will be set up along Macomb Street. This event will take place at 12 noon.
7. Yard of the Year: The Beautification Commission will present its annual "Yard of the Year" awards on Thursday, September 17, 2009 at 7 p.m. at the Mount Clemens Community Center. This year the committee will present over 105 awards.