



A G E N D A

CITY COMMISSION MEETING

Monday, June 6, 2011

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 Approval by Funfest Productions, Inc., to Expand the Boundaries of the Annual Stars and Stripes Festival in Downtown Mount Clemens.
 - 9-B - Adoption of Resolution Extending Moratorium Regarding the Establishment of Businesses Engaged in Dispensation or Distribution of Medical Marijuana.
 - 9-C - Request Approval of the 2010/2011 Fiscal Year Budget Amendments for All Funds.
 - 9-D - Adoption of a Resolution Establishing or Revising Water Meter Assembly and Startup Fees and Charges.
 - 9-E - Approve Purchases and Payment of Invoices.

10. Consent Agenda

10-A - Approval of the Dates for Regular City Commission Meetings for the 2011/2012 Fiscal Year.

10-B - Request Approval of Letter of Understanding Between the City of Mount Clemens and Petitpren, Inc., to Permit the Bud Light Sight and Sound Concert Series for Calendar Year 2011.

10-C - Request Approval for the Annual Parade for the Daughters of Macomb on August 4, 2011.

11. City Manager's Report.

12. Commissioners' Comments.

13. Executive Session

To Discuss Pending Litigation.

14. 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 6, 2011

Agenda Item No. 9-A

Request Approval by Funfest Productions, Inc., to Expand the Boundaries of the Annual Stars and Stripes Festival in Downtown Mount Clemens

Funfest Productions, Inc., is requesting an expansion of the festival boundaries on July 1, 2011, to include the Clinton River Park during the fireworks with the festival returning to its original boundaries for the remainder of the event.

With the approval of the festival boundary expansion, Funfest Productions, Inc., must comply with all statutes regarding their liquor license. This includes inspection of all coolers for alcoholic beverages as it is the intent of Funfest Productions, Inc., to have vendors in the park area selling alcoholic beverages. Funfest Productions, Inc., is also committed to providing additional security personnel at the riverbank location on July 1, 2011.

A map of the proposed boundary expansion area has been attached for your review.

SUBMITTED BY: Jeffrey D. Wood
Public Services Director

RECOMMENDED MOTION: Approve the request from Funfest Productions, Inc., to expand the Festival boundaries to include the Clinton River Park.

EXPLANATION OF AGENDA – June 6, 2011

Agenda Item No. 9-B

Adoption of Resolution Extending Moratorium Regarding the Establishment of Businesses Engaged in Dispensation or Distribution of Medical Marijuana

On May 17, 2010, the City Commission adopted a Resolution imposing a 180 day moratorium prohibiting the establishment of any business or premises for the distribution or dispensation of marijuana other than for use by the person occupying the premises as a resident who has a debilitating medical condition allowing the use of marijuana as allowed pursuant to State law. Subsequent thereto, the Commission has twice extended the moratorium. The rules formulated by the State Department of Community Health for implementation of Michigan medical marijuana law are still unclear and offer little guidance to local communities, however, there is legislature pending which would require medical marijuana to be grown by and distributed through State licensed and regulated facilities. Based upon the foregoing, the Administration recommends that the May 17, 2010, moratorium, as extended, be further extended for ninety (90) days to determine if legislation has been adopted that will allow adequate planning for adoption of appropriate land use regulatory controls to comply with the Michigan Medical Marijuana Act, MCL 333.26423(d), in order to protect the public health, safety and welfare.

SUBMITTED BY: Michael J. Murray, City Attorney

RECOMMENDED MOTION: Adopt the attached Resolution Extending the May 17, 2010, Moratorium Regarding Establishment of Businesses Engaged in the Dispensation or Distribution of Medical Marijuana.

EXPLANATION OF AGENDA – June 6, 2011

Agenda Item No. 9-C

Request Approval of the 2010/2011 Fiscal Year Budget Amendments for All Funds

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/Treasurer

RECOMMENDED MOTION: To amend the City of Mount Clemens 2010/2011 fiscal year budget as submitted.

EXPLANATION OF AGENDA – June 6, 2011

Agenda Item No. 9-D

Adoption of a Resolution Establishing or Revising Water Meter Assembly and Start-up Fees and Charges

The resolution before you is meant to establish or revise water meter assembly and start-up charges for 2011. There are some meter assembly and start-up fees that were slightly adjusted up and down from last years' charges in order to reflect 2011 meter vendor purchase prices that were approved by the City Commission at the May 16, 2011, meeting.

SUBMITTED BY: Charles B. Bellmore, Director of Utilities

RECOMMENDED MOTION: To approve the adoption of a resolution establishing or revising water meter assembly and start-up fees and charges as presented.

EXPLANATION OF AGENDA – June 6, 2011

Agenda Item No. 9-E

APPROVE PURCHASES AND PAYMENT OF INVOICES

VENDOR (PURCHASES)	DESCRIPTION	FUND/ DEPARTMENT/ APPROPRIATION	ACCOUNT NUMBER	AMOUNT	CURRENT BALANCE
1. East Jordan Iron Works 13301 Northend Oak Park, MI 48237	East Jordan Iron Works Fire Hydrants (2)	Water-Utilities Fund/ Transmission/ Hydrants	591-53704-980000	\$4,699.68	\$10,500.00
2. Great Lakes Municipal Services 1176 Cassiday Hope, MI 48628	Estimated annual Quantity of Water meter Replacement Installations.	Water-Utilities Fund/ Transmission/ Contractual Services	591-53704-818000	\$14,016.00	2011-2012 BUDGET

No invoices at this time.

SUBMITTED BY: Marilyn Dluge, Finance Director/Treasurer

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

EXPLANATION OF CONSENT AGENDA – June 6, 2011

Agenda Item No. 10-A

Approval of the Dates for Regular City Commission Meetings for the 2011/2012 Fiscal Year

The following schedule indicates dates of the Regular City Commission Meetings held on the first and third Monday of each month for the 2011/2012 fiscal year:

- * Tuesday, July 5, 2011
- Monday, July 18, 2011
- Monday, August 1, 2011
- Monday, August 15, 2011
- * Tuesday, September 6, 2011
- Monday, September 19, 2011
- Monday, October 3, 2011
- Monday, October 17, 2011
- Monday, November 7, 2011
- Monday, November 21, 2011
- Monday, December 5, 2011
- Monday, December 19, 2011
- * Tuesday, January 3, 2012
- * Tuesday, January 17, 2012
- Monday, February 6, 2012
- * Tuesday, February 21, 2012
- Monday, March 5, 2012
- Monday, March 19, 2012
- Monday, April 2, 2012
- Monday, April 16, 2012
- Monday, May 7, 2012
- Monday, May 21, 2012
- Monday, June 4, 2012
- Monday, June 18, 2012

*These dates have been changed due to conflicts with holidays.

SUBMITTED BY: Douglas C. Anderson, City Manager

RECOMMENDED MOTION: Approve the schedule of Regular City Commission Meeting dates for the 2011/2012 fiscal year as presented.

EXPLANATION OF CONSENT AGENDA – June 6, 2011

Agenda Item No. 10-B

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 2011

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 cost of police and DPS services.

SUBMITTED BY:

Jeffrey D. Wood
Public Services Director

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 2011.

EXPLANATION OF CONSENT AGENDA – June 6, 2011

Agenda Item No. 10-C

Request Approval for the Annual Parade for the Daughters of Macomb on August 4, 2011

The Daughters of Macomb are asking the City Commission for permission to hold their Annual Parade on Thursday, August 4, 2011. The parade will begin at 9:15 a.m. and will last approximately forty-five (45) minutes. The parade route map has been attached for your review.

Upon City Commission approval, the Department of Public Services and the Macomb County Sheriff's Office will assist with the approved parade route to help ensure that proper street closures are in place for a safe event. Event organizers have agreed to provide the necessary insurance documents.

SUBMITTED BY: Jeffrey D. Wood
Public Services Director

RECOMMENDED MOTION: Move to approve the Annual Daughters of Macomb Parade on August 4, 2011, beginning at 9:15 a.m.

EXPLANATION OF AGENDA – June 6, 2011

TO: The Honorable Mayor Barb Dempsey and
All City Commissioners

FROM: Douglas C. Anderson, City Manager

DATE: June 2, 2011

RE: Report from the City Manager's Office

1. City Commission Meetings: There will be a City Commission Work Session on Monday, June 6, 2011, at 5:30 p.m. The City Commission will be discussing the Charter Amendment that will be on the November 8, 2011, ballot. Also, the Downtown Development Authority will present the Proposed Parking System Improvement Project. The Regular City Commission meeting will begin at 7 p.m.
2. Road Construction: The Public Services Director attended a meeting at the Michigan Department of Transportation (MDOT) regarding the Gratiot resurfacing project. There is an area on Northbound Gratiot from Welts to Scott that is now proposed as a total reconstruction. We are currently working with MDOT to notify all residents and businesses of this project. The project is tentatively scheduled to begin in July. We will continue to keep you further informed as we receive information.
3. Downtown Development Authority: The Downtown Development Authority is in the process of moving its offices to City Hall. They are currently experiencing temporary phone issues that should be resolved early next week. Once installed, their phone number will remain the same – 586-469-4168.
4. Farmers Market: The Strawberry Social will take place on Saturday, June 18, 2011, beginning at 9 a.m. For more information, please call 586.493.7600.