

REGULAR MEETING

The meeting was called to order at 8:00 p.m., Mayor Steven M. Brown presiding.

PROCLAMATION presented to the Order of DeMolay, C.C. Reeves Chapter, proclaiming March as “DeMolay Month” in Lincoln Park.

Pledge of Allegiance to the Flag led by order of the DeMolay

Invocation by Rev. Cloyd Moore of Trinity P.H. Church

PRESENT: Councilpersons Mario DiSanto, Mark Kandes, Thomas McPartlin,
Thomas Murphy and Frank Vaslo

ABSENT: Council President Michael Higgins

ALSO PRESENT: City Attorney Ed Zelenak and City Clerk Donna Breeding

Mayor’s remarks

City Manager’s Report

RESOLUTION 06-76 Minutes

By Councilman Vaslo, supported by Councilman Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of February 27, 2006 be approved as corrected: Resolution #06-57A-Motion carried. Councilman Murphy voted “NAY”.

Motion unanimously carried.

RESOLUTION 06-77 Appointment/Brownfield Redev. Auth.

By Councilman McPartlin, supported by Councilman Vaslo

RESOLVED, that **Deborah Van Cleave**, City of Lincoln Park business owner, be appointed as a member of the Board of Directors of the Brownfield Redevelopment Authority, to fill the unexpired term of Vic Rivera, Jr. Term to expire September 1, 2009.

Motion unanimously carried.

RESOLUTION 06-78 Award Bid/Fire Hydrant Replacement

By Councilman Murphy, supported by Councilman Kandes

RESOLVED, That the bid of East Jordon Iron Work for the provision of new fire hydrants is hereby accepted as the lowest, best bid received and William Hatley, Director of Community Planning & Development is hereby authorized to purchase said equipment to be used in the designated CDBG areas of the community. Funds to come from CDBG Program Year Budget Account Number 24930-75512 and 24931-75512 “Fire Hydrant Replacement”.

Motion unanimously carried.

RESOLUTION 06-79 Open Bids/Door Access System

By Councilman Murphy, supported by Councilman Kandes

RESOLVED, that the City Clerk be authorized to open bid proposals received marked “DOOR ACCESS SYSTEM”

Motion unanimously carried.

RESOLUTION 06-80 Referral of above bids

By Councilman Murphy, supported by Councilman McPartlin

RESOLVED, that the bid proposals received marked “DOOR ACCESS SYSTEM” be referred to the Purchasing Specialist, City Manager, and Finance Director for tabulation and recommendation.

Motion unanimously carried.

RESOLUTION 06-81 Accounts & Claims Payable

By Councilman Vaslo, supported by Councilman McPartlin

RESOLVED, that the Accounts & Claims Payable as presented by the Director of Finance to the Mayor & Council be approved as follows:

Warrant Report: \$987,273.33

Motion unanimously carried.

Resolution to sell Grant St. Property **HELD.**

RESOLUTION 06-82 Transfer Franchise Control/Cable

By Councilman Vaslo, supported by Councilman Murphy

**RESOLUTION CONSENTING TO THE TRANSFER OF CONTROL OF CABLE
TELEVISION FRANCHISE**

WHEREAS, the City of Lincoln Park, Michigan ("Municipality") has granted a cable television franchise pursuant to a Cable Television Franchise Agreement effective as of July 26, 1996 (the "Franchise") to WideOpenWest Michigan, LLC (the "Franchisee"); and

WHEREAS, Franchisee is an indirect, wholly owned subsidiary of WideOpenWest Holdings, LLC ("WOW Holdings"); and

WHEREAS, WOW Holdings has entered into an Agreement and Plan of Merger dated December 13, 2005, as amended, pursuant to which Racecar Acquisition, LLC, a wholly owned subsidiary of Avista Capital Partners, LLC (collectively, "Avista"), will indirectly acquire the ownership and control of Franchisee; and

WHEREAS, Franchisee has requested that, in accordance with the requirements of the franchise issued to Franchisee, Municipality consent to the transfer of control as described in the FCC Form 394 ("Transfer Application") as filed by Franchisee with the Municipality (such request referred to herein as the "Transfer of Control"); and

WHEREAS, Municipality intends to consent to the Transfer of Control, subject to acceptance of these terms and conditions, having determined that such consent is consistent with the terms of the Franchise and in the best interest of Municipality.

NOW, THEREFORE, be it resolved:

1. Municipality consents to the Transfer of Control of the Franchise, effective as of the Closing Date pursuant to the Agreement and Plan of Merger. Franchisee shall continue to be responsible for any obligations and liabilities under the Franchise after the Closing Date.

2. This Resolution is deemed effective in accordance with applicable law upon filing with the Municipal Clerk by Franchisee of a fully-executed copy of the acceptance attached as Exhibit A.

3. This Resolution shall expire and be null and void unless the Transfer of Control is completed and the Municipality is so notified in writing by July 31, 2006.

4. This Resolution shall take effect immediately.

5. That the Clerk of Municipality is authorized to enter into, execute and deliver in the name and on behalf of the Municipality a certificate, along with such other documents as may be necessary evidencing this Resolution without further act or resolution of this governing body. **ADOPTED AND APPROVED THIS 6th, day of March, 2006.**

Motion unanimously carried.

RESOLUTION 06-83 Participation/Residential Rehab Loan Program

By Councilman McPartlin, supported by Councilman Murphy

RESOLVED, that the following citizens be approved for participation in the CDBG Residential Rehabilitation Program, for a loan not to exceed \$15,000.00.

#1246LI Tammy Tamm-1418 Hanford

New vinyl siding, insulation, entry doors

#1247LI Keith and Kimberly Byers-1513 Electric

New roof and vinyl siding

BE IT FURTHER RESOLVED; that William D. Hatley, Director of Community Planning and Development is hereby authorized and directed to process these applications in accordance with the Policy and Procedures Guidelines previously approved. Funds to come from 30th Program Year CDBG Budget Account Number 24930 720R.

Motion unanimously carried.

RESOLUTION 06-84 Site Plan Approval/776 Southfield

By Councilman Kandes, supported by Councilman Vaslo

RESOLVED, that Site Plan PC#05-10 for Abdo Saleh of 776 Southfield be granted site plan approval to open a 3-unit commercial retail/office building in the Municipal Business District as per the site plan, the recommendations of the Planning Consultant's letter dated November 22, 2005, the stipulations of the Planning Commission, Building Department and all concerned departments

Motion unanimously carried.

RESOLUTION 06-85 Special Use Approval/1262 Dix

By Councilman DiSanto, supported by Councilman McPartlin
RESOLVED, that Special Use approval PC#05-06 for Downriver Community Federal Credit Union at 1262 Dix, be granted for the construction of a drive-thru facility in the Neighborhood Business District as per the Site Plan the recommendations of the planning consultant letter dated February 27 2006, the stipulations of the Planning Commission, Building Department, City Engineer and/or Dept of Public Works and all other concerned City Departments.
Motion unanimously carried.

RESOLUTION 06-86 Site Plan Approval/1262 Dix

By Councilman DiSanto, supported by Councilman Kandes
RESOLVED, that Site Plan approval PC#05-06 for Downriver Community Federal Credit Union at 1262 Dix, be granted Site Plan approval for the construction of a drive-thru facility in the Neighborhood Business District as per the Site Plan the recommendations of the planning consultant letter dated February 27 2006, the stipulations of the Planning Commission, Building Department, City Engineer and/or Dept of Public Works and all other concerned City Departments.
Motion unanimously carried.

RESOLUTION 06-87 Rescind Res. #06-05 Appointment

By Councilman McPartlin, supported by Councilman Vaslo
WHEREAS, on January 9, 2006 the Mayor and Council appointed Adam Michalak to the Community Improvement Commission, and
WHEREAS, Mr. Michalak is unable to sign his oath of office within the allotted ten days as required by Chapter IV Section 10 of the City Charter, and fulfill the terms of appointment due to a change in circumstances.
THEREFORE BE IT RESOLVED, that Resolution #06-05 be and is hereby rescinded and the office be declared vacant.
Motion unanimously carried.

RESOLUTION 06-88 Attend Training/Fire Dept.

By Councilman Murphy, supported by Councilman McPartlin
RESOLVED, that Fire Inspector Kenneth Elmore be allowed to attend the 28th Fire Investigation II School to be held in Tustin, Michigan March 13-17, 2006. Costs for registration not to exceed \$300.00, costs of meals not to exceed \$50.00, lodging costs not to exceed \$38.75, and transportation costs not to exceed \$80.00, as transportation will be provided by a city vehicle. Total costs not to exceed \$468.75. Funds to come from Fire Account 101-340-960, Training.
Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:14 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK