

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Associate Pastor Jeff Heim of Friendship Baptist Church

PRESENT: Councilpersons Mariano DiSanto, Jeanne Hancock, Mark Kandes, Donald Mandernach, Virginia Mondon and Thomas Murphy

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

Mayor's remarks

RESOLUTION 03-346 Minutes

By Councilwoman Mondon, supported by Councilman DiSanto

RESOLVED, that the minutes of the Regular Meeting held under the date of July 14, 2003 be approved as recorded.

Motion unanimously carried.

(NOTE: Closed Meeting held 7-14-03 at 6:30 p.m. re: Negotiations)

RESOLUTION 03-347 Reappointment/Board of Review

By Councilwoman Mondon, supported by Councilman Mandernach

RESOLVED, that **Carl Moore** be reappointed to the **Board of Review** for a 3-year term to expire July 1, 2006.

Motion unanimously carried.

RESOLUTION 03-348 Award Bid/Emmons Sanitary Sewer Project

By Councilman DiSanto, supported by Councilwoman Mondon

WHEREAS, the lowest qualified bidder for the "**Emmons Avenue Sanitary Sewer Repair Project**" is Kull Brothers, Inc., and

WHEREAS, the committee that was established by the Mayor and Council has reviewed the bids for the "Emmons Avenue Sanitary Sewer Repair Project" and is recommending awarding the contract to Kull Brothers, Inc.

BE IT RESOLVED, that the Mayor and Council award the "Emmons Avenue Sanitary Sewer Project" be Kull Brothers, Inc., for \$48,795.00. Which includes a budget of \$6,600.00 for Hennessey Engineers' inspection fees that is paid directly to Hennessey Engineers by the city, and

BE IT RESOLVED, that Hennessey Engineers is authorized to perform contract administration for the project per their current agreement with the city, and

BE IT RESOLVED, that per the current agreement, Hennessey Engineers be compensated at the following percentages of construction cost; 1.5% for quality control testing, and 1.7% for construction management, and

BE IT RESOLVED, that the Mayor and Council authorize the City Controller to establish a contingency fund for the project of 10% of the construction cost to cover any unforeseen changes or additions to the contract, and

BE IT RESOLVED, that the Mayor and Council authorize the Mayor and City Clerk to sign all contracts on behalf of the city.

Motion unanimously carried.

RESOLUTION 03-349 Open bids/Street Sectioning Project

By Council President Kandes, supported by Councilman DiSanto

RESOLVED, that the bids marked **Street Sectioning Project Contract IV** be opened.

Motion unanimously carried.

RESOLUTION 03-350 Referral of Street Sectioning Bids

By Councilman DiSanto, supported by Council President Kandes
RESOLVED, that the bids marked **Street Sectioning Project Contract IV** be referred to a committee made up of Councilman Mario DiSanto, DPS Supt. Bob Torck, City Eng. Rob Rochon, City Atty. Edward Zelenak and CDBG Director Bill Hatley for their collective review and recommendation back to this Mayor and City Council.
Motion unanimously carried.

RESOLUTION 03-351 Open bids-Sidewalk Prog./Street Sectioning

By Councilman DiSanto, supported by Councilman Murphy
RESOLVED, that the City Clerk be authorized to open bid proposals received marked **“Sidewalk Program/Street Sectioning”**.
Motion unanimously carried.

RESOLUTION 03-352 Referral of above bids

By Councilman DiSanto, supported by Councilman Mandernach
RESOLVED, that the bid proposals received marked **“Sidewalk Program/Street Sectioning”** be referred to the Purchasing Agent, Department of Public Service Superintendent, and Controller for tabulation and recommendation.
Motion unanimously carried.

RESOLUTION 03-353 Rezone 3434 Fort St. (MBD)

By Councilman Murphy, supported by Councilman Mandernach
RESOLVED, that the rezoning request **RZ #03-01** to rezone the property at **3434 Fort Street** (Lots 364 to 368 incl ASSESSORS FORT SUPERHIGHWAY SUB NO. 11) located on the northwest corner of Gregory Street and Fort Street from Neighborhood Business District (NBD) to Municipal Business District (MBD) be approved.
Motion carried.
NAY: Councilwoman Hancock, “I don’t feel it would be an improvement.”

RESOLUTION 03-354 Set Hearing Alley Vac/Empire Hgts. Sub

By Councilwoman Mondon, supported by Councilman Murphy
WHEREAS, the Mayor and Council have been requested to vacate a certain alley in the City of Lincoln Park, Wayne County, MI
THEREFORE, BE IT RESOLVED, that the Mayor and Council shall meet on Tuesday, September 2, 2003 at 8:15 p.m., in the John A. Aloisi Council Chambers, 1355 Southfield Rd., Lincoln Park, MI to here objections to the vacation of the said alley as described below:

That part of the 20’ wide public alley lying parallel to and East of Grant Ave., beginning at the Northerly line of Lot 134 and extending approximately 120’ South of to Southerly line of Lot 137 of EMPIRE HEIGHTS SUB as recorded in PC 455 L32 P63 WCR.

Full width of said alley to be retained as an easement for the installation and maintenance of public utilities.
Motion unanimously carried.

**RESOLUTION 03-355 Set Public Hearing Alley Vacation
Lincolnshire Sub No. 1**

By Councilwoman Mondon, supported by Councilman Murphy
WHEREAS, the Mayor and Council have been requested to vacate a certain alley in the City of Lincoln Park, Wayne County, MI
THEREFORE, BE IT RESOLVED, that the Mayor and Council shall meet on Tuesday, September 2, 2003 at 8:15 p.m., in the John A. Aloisi Council Chambers, 1355 Southfield Rd., Lincoln Park, MI to here objections to the vacation of the said alley as described below:

That part of the 18’ wide public alley lying parallel to and North of Rose Ave. beginning at the Easterly line of Lot 344 and extending approximately 140’ West to the Westerly line of Lot 341 of LINCOLNSHIRE SUB NO. 1 as recorded in PC 48 L45 P89 WCR.

Full width of said alley to be retained as an easement for the installation and maintenance of public utilities.
Motion unanimously carried.

POSTPONED resolution to transfer liquor license/1158 Fort St.

RESOLUTION 03-356 Cont. Sanitary Sewer Cleaning & Televising.

By Councilwoman Mondon, supported by Councilman Murphy

WHEREAS, the city Water and Sewer Department has experienced problems with various sewer runs within the city, and

WHEREAS, it is always in the best interest of the city to correct sewer problems in a timely manner.

BE IT RESOLVED, that the Mayor and Council authorize **LiquiForce Sewer Services (USA), Inc.**, to clean and televise the various sewer runs within the city, as determined by the City’s Water and Sewer Department and per the “Sanitary Sewer Rehabilitation and Maintenance Contract” with LiquiForce Sewer Services (USA), Inc.

BE IT RESOLVED, that the funds for the cost of the work, **\$37,605.00**, will be appropriated from the Emergency Sewer Replacement Reserve item of the budget, Account Number 592-527-980R.

Motion unanimously carried.

RESOLUTION 03-357 Approve Updates/Codified Ordinances

By Councilwoman Mondon, supported by Councilwoman Hancock

WHEREAS, American Legal Publishing Corporation has completed its most recent updating of the Codified Ordinances of the City; and

WHEREAS, various resolutions of a general and permanent nature have been passed by Council since the date of the last updating of the Codified Ordinances (July 31, 2002) and have been included in the Codified Ordinances of the City;

THEREFORE, RESOLVED, that:

Section 1. The editing, arrangement and numbering or renumbering of the following resolutions and parts of resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Res. No.</u>	<u>Date</u>	<u>C.O.Section</u>
02-496A	9-9-02	660.08(c)
02-522A	9-23-02	1482.01(h)
02-523A	9-23-02	1482.03
02-524A	9-23-02	1482.04(b)
02-525A	9-23-02	1482.04(d)
02-526A	9-23-02	1482.07(b), (e), (f)
02-527A	9-23-02	1482.99
02-542	9-23-02	676.03
02-550A	10-7-02	1066.01 to 1066.05
02-566A	10-15-02	662.15
02-654	12-16-02	294.01, 294.02(g)
03-57A	1-27-03	802.99, 806.99, 818.99, 820.99, 824.99, 844.99, 848.99, 850.99, 852.99, 854.99, 856.99, 858.99, 862.99, 864.99, 866.99, 868.99, 870.99, 872.99, 880.99, 886.99, 888.99
03-115	3-3-03	832.02(c), 832.04, 832.05, 832.07, 832.11(a)
03-152	3-3-03	1262.03
03-198A	5-5-03	882.08(a)(1), (2)
03-199A	5-5-03	876.06
03-200A	5-5-03	836.04

The effective date of this resolution is the 30th day of July, 2003.

Motion unanimously carried.

RESOLUTION 03-358 Apprv. Used Auto Dealer/3384 Fort St.

By Councilwoman Hancock, supported by Councilman Murphy

RESOLVED, that **First Class Autos, Inc., 3384 Fort St.**, Lincoln Park, be granted their “**2003 Used Auto Dealers License**”. Per the recommendation of the Police Dept., Fire Dept. and Building Department.

Motion unanimously carried.

RESOLUTION 03-359 Auth. Block Party/1400 Block of Progress

By Councilwoman Hancock, supported by Councilman Mandernach
RESOLVED, that the residents of the **1400 Block of Progress** (between Fort Park and Lafayette) be granted permission to have a block party on Saturday, July 26, 2003 from 12:00 pm until 9:00 pm under the following conditions:

1. That the street be barricaded at both ends and closed to vehicular traffic.
2. That the party be over by 9:00 p.m. or dusk, whichever comes first, and the street be open to traffic.

Per the recommendation of the Police Department.
Motion unanimously carried.

RESOLUTION 03-360 Auth. Block Party/1400 Block of Cicotte

By Councilman Murphy, supported by Councilwoman Hancock
RESOLVED, that the residents of the **1400 Block of Cicotte** (between Fort Park and Lafayette) be granted permission to have a block party on Saturday, August 9, 2003 from 9:00 a.m. until 9:00 p.m. under the following conditions:

1. That the street be barricaded at both ends and closed to vehicular traffic.
2. That the party be over by 9:00 p.m. or dusk, whichever comes first, and the street be open to traffic.

Per the recommendation of the Police Department.
Motion unanimously carried.

RESOLUTION 03-361 Set Mtg./Court Work Program

By Councilman Murphy, supported by Council President Kandes
RESOLVED, that the Mayor & Council set up a meeting with the Judges of the 25th District Court for the purpose of considering a proposal from Nationwide Business Consultants, Inc. on the establishment of a new court work program. Said meeting to be held at **7 p.m** on **August 11, 2003** in the John A. Aloisi Council Chambers.

Motion unanimously carried.
Councilman DiSanto, "I vote yea only if it is televised."

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

Resolution authorizing Special Event Permit #24 for Flappers pulled by owner.

There being no further business, the meeting adjourned at 10:04 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK