

**REGULAR MEETING**

The meeting was called to order at 8:00 p.m., Mayor Frank Vaslo presiding

Pledge of Allegiance

Invocation by Father Jerry Cupple of St. Henry's Catholic Church

PRESENT: Councilpersons Valerie Brady, Mario DiSanto, Mark Kandes, Thomas McPartlin,  
Thomas Murphy and Michael Myers

ALSO PRESENT: City Manager Steve Duchane, City Attorney Ed Zelenak and  
City Clerk Donna Breeding

Mayor's Remarks

**RESOLUTION 08-280 Minutes**

By Councilman Kandes, supported by Councilman McPartlin

RESOLVED, that the minutes of the Regular Meeting held under the date of August 18, 2008 be approved as recorded.

Motion unanimously carried.

BUSINESS OF THE MONTH AWARD presented to Downriver Veterinary Association by the Chamber of Commerce

**RESOLUTION 08-281 Remove from TABLE**

By Council President Murphy, supported by Councilman McPartlin

RESOLVED, that Resolution #08-271, regarding M.A.P.E.R.S. be removed from the TABLE.

Motion unanimously carried.

**RESOLUTION 08-271A Attend MAPERS/P & F**

By Council President Murphy, supported by Councilman Myers

WHEREAS, the Board of Trustees operates, manages and administers the Retirement system pursuant to Public Act 314 of 1965, as amended, which imposes a fiduciary responsibility and a prudent expert standard upon the members of the Board, and

WHEREAS, said statute and applicable case law impose personal liability upon individual trustees for certain instances of breach of fiduciary responsibility, and

WHEREAS, the MAPERS (Michigan Association Public Employees Retirement System) Fall Conference is being held at the Grand Traverse Resort, Acme, Michigan, September 13 through September 16, 2008, at which many issues applicable to the continued sound administration of the Retirement System will be discussed and information provided by the various professionals participating in the seminar and involved in public pension trust fund administration, and

WHEREAS the Police and Fire Retirement System Board of Trustees is of the opinion that attendance at said educational seminar is in the best interests of the Retirement System, its members, beneficiaries and employer-sponsor.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council agree to send three Police and Fire Retirement System Board of Trustees who so desire to the MAPERS Fall Conference which is being held at the Grand Traverse Resort, Acme, Michigan, September 13 through September 16, 2008. All expenses regarding travel, conference fees, hotel stay, meals, etc., are to be paid from the investment earnings of the Retirement System pursuant to the provisions of P.A. 314.

Motion carried.

NAY: Councilpersons DiSanto, Kandes and Mayor Vaslo

**RESOLUTION 08-282 Award Bid/Concrete & Storm Sewer Reconst.**

By Councilman DiSanto, supported by Councilwoman Brady

RESOLVED, that the bid from G. V. Cement Contracting Company, for the 2008 Concrete Pavement & Storm Structure Reconstruction Project, in the amount of \$299,859.00 is hereby accepted as the lowest bid received. This is a unit price project and the final quantities of materials used will determine the final contract amount, therefore a 10% contingency fee is being added with a Total Cost not to exceed \$329,844.90.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute documents necessary to accomplish this work. Funds to come from CDBG Budget Account Numbers 24933 & 24934 -75510 Right of Way, 24933 & 24934-75519 Street & Utility Replacement, and Water/Sewer Account Number 592-527-983 Water/Sewer Capital Expenditures.

Motion unanimously carried.

**RESOLUTION 08-283 Sub-Recipient Agreement/First Step**

By Councilman McPartlin, supported by Council President Murphy

RESOLVED, that the standard Sub Recipient Agreement dated July 1st, 2008 between the City of Lincoln Park and First Step, is hereby approved with a budget allocation of \$4,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 34th Program Year CDBG Budget Account Number 24934-75607 "First Step".

Motion unanimously carried.

**RESOLUTION 08-284 Lot Comb./Dix Blvd. Villas Sub**

By Councilwoman Brady, supported by Councilman DiSanto

RESOLVED, that the combination of Parcel ID 45-004-03-0028-000, 45-004-03-0032-000, 45-004-03-0035-300, 45-004-03-0051-300 – Dix Boulevard Villas Sub, be approved.

The new legal description and Parcel ID will be determined by Wayne County.

Motion unanimously carried.

**RESOLUTION 08-285 Prop. Ord. Amend/Chap. 1490/Foreclosure**

By Councilman Myers, supported by Council President Murphy

RESOLVED, that "AN ORDINANCE TO AMEND CHAPTER 1490 OF THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY ADDING A NEW SECTION 1490.05", be given its first and second reading.

**THE CITY OF LINCOLN PARK ORDAINS:**

That Chapter 1490 of the Codified Ordinances of the City of Lincoln Park be amended by adding a new section 1490.05 which new section shall read as follows:

1490.05 LENDING INSTITUTIONS, MORTGAGE COMPANIES AND LAND CONTRACT VENDORS.

Any lending institution, finance company, mortgage company or land contract vendor that takes possession of any vacant building governed by this chapter shall notify the City of Lincoln Park within thirty (30) days of possession that they are in custody and control of same and further advise the City of Lincoln Park on a form prepared by the Building Department of the responsible parties to whom all notices regarding maintenance and nuisance shall be forwarded. Failure to comply with this particular section shall be a Civil Infraction, punishable by a \$100.00 fine, plus court costs.

Motion unanimously carried.

**RESOLUTION 08-286 Attend Training/IT Specialist**

By Councilwoman Brady, supported by Councilman Kandes

RESOLVED, that Gene Perrow, IT Specialist is hereby authorized and directed to attend the MUNIS User Conference being held in Grapevine, Texas October 22-25, 2008, at a cost not to exceed \$2,200.00. Funds to come from Account #664915-960 technology services training.

Motion unanimously carried.

**RESOLUTION 08-287 Attend Training/Police Dept.**

By Council President Murphy, supported by Councilman Kandes

RESOLVED, that Mayor and Council authorize Patrol Officer Dean Vann and K-9 Aegis to attend the National Association of Professional Canine Handlers Academy in Alpena, Michigan from October 11 through October 17, 2008. A Police Department vehicle will be used. Cost not to exceed \$400.00. Funds to come from the Police Department's Forfeiture Account #265.320.983.

Motion unanimously carried.

**RESOLUTION 08-288 Approve Block Party/3100 LaClede**

By Council President Murphy, supported by Councilman McPartlin

RESOLVED, that the residents of the 3100 block of LaClede (between Stewart & Capitol) be granted permission to have a block party on **Saturday, September 13, 2008** from 12 p.m. until 9 p.m. under the following conditions:

1. That the street be barricaded at each end 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 reopened to traffic.

Per the recommendation of the Police Department.

Motion unanimously carried.

**RESOLUTION 08-289 Approve Spec. Event Permit/Church of God**

By Councilman Myers, supported by Council President Murphy

RESOLVED, that Special Event Permit #9 be approved for Downriver Church of God for a Basketball Tournament to be held on August 30, 2008 from 8:00 am. to 4:00 p.m. in the Municipal Parking Lot to the rear of 1518 Fort St. in Lincoln Park.

Motion unanimously carried.

No Action taken on resolution regarding Consultant Evaluation/Utility Authority

**RESOLUTION 08-290 Wi-Fi & Water Meter Imp. Analysis/Honeywell**

By Councilwoman Brady, supported by Councilman Kandes

WHEREAS, the Mayor and City Council is interested in exploring the possibility of getting a Wireless System to serve the entire City as well as a new automated water metering system, and WHEREAS, Honeywell Inc. has submitted a proposal to perform an analysis, at no cost to the City, to determine the cost/benefit ration as well as advantages of implementing these systems.

BE IT RESOLVED, the Mayor and City Council hereby authorize Honeywell Inc. to perform and develop a WiFi and Water Meter Infrastructure Improvement- Phase II Energy Program Analysis, as outlined in Honeywell's Memorandum of Understanding dated August 25, 2008, at no cost to the City.

BE IT FURTHER RESOLVED, the Mayor and City Council hereby authorize the Mayor and City Clerk to sign and execute any/all documents to initiate the afore-mentioned Analysis.

BE IT FURTHER RESOLVED, that adoption of this resolution does not obligate the City of Lincoln Park to proceed with the program.

Motion unanimously carried.

**RESOLUTION 08-291 Increase Bid Amount/2008 Cement Restoration**

By Councilman DiSanto, supported by Councilman McPartlin

BE IT RESOLVED, the Mayor and City Council hereby increase the authorization amount to the DPS for the 2008 Cement Restoration in the amount of \$100,000.00, for a total not-to-exceed amount of \$150,000.00 to the 2008 Cement Restoration Bid.

BE IT FURTHER RESOLVED, that the expenses from this work shall be taken from either Account # 592-920-818 "Water Contractual Services" or Account # 450-818 " Road Contractual Services".

Motion carried.

NAY: Councilpersons Brady & Myers

**RESOLUTION 08-292 2008 Non-CDBG Catch Basin - FAILED**

By Councilman DiSanto, supported by Councilman Myers

RESOLVED, the Mayor and City Council hereby authorizes the Director of Public Services to solicit bids for the 2008 Sewer/Catch Basin Rehabilitation Project for non-CDBG areas.

Motion FAILED

YEAS: Councilperson DiSanto, Kandes & Mayor Vaslo

NAYS: Councilpersons Brady, McPartlin, Murphy & Myers

**RESOLUTION 08-293 Waive Bid/Purchase/2 Police Vehicles**

By Council President Murphy, supported by Councilman Kandes

WHEREAS, the Department of Public Services is requesting to purchase two (2) 2008 Ford Crown Victoria police Interceptors from Jorgensen Ford of Michigan in conjunction with police outfitting from Winder's Police Equipment.

BE IT RESOLVED, that the Mayor and Council authorize the Department of Public Services to waive the bidding process and purchase two (2) 2008 Ford Crown Victoria Police Interceptors from Jorgensen Ford of Michigan; in conjunction, with police outfitting from Winder's Police Equipment for a total cost not to exceed \$71,000.

BE IT FURTHER RESOLVED, that the funds for this expenditure come from the Motor Pool Capital Equipment Fund for the vehicle purchases (661-932-983) in the 2008-09 Fiscal Budget and the police outfitting expenditures come from Account (101-305-983) Capital Purchases.

FURTHER BE IT RESOLVED, in accordance with the memo (inserted in minute book) issued by the City Manager dated 8-25-08; use of Drug Forfeiture Funds for acquisition of police vehicles is an allowable expenditure.

Motion unanimously carried.

**RESOLUTION 08-294 Storm Water Mgt. Agreement/Wayne County**

By Councilman Kandes, supported by Councilwoman Brady

WHEREAS, Chapter 7 of the Wayne County Storm Water Management Ordinance ("Wayne County Ordinance"), requires storm water management systems to be maintained in perpetuity to ensure that the systems function properly as designed; and

WHEREAS, pursuant to Chapter 4 of the Wayne County Ordinance, after reviewing and approving applications for storm water construction approval, Wayne County issues permits for the long-term maintenance of each storm water management system, which permits are executed by Wayne County and the public entity that assumes jurisdiction over and accepts responsibility for long-term maintenance of the storm water management system; and

WHEREAS, The City of Lincoln Park has agreed to assume jurisdiction over and accept responsibility in perpetuity for maintenance of all storm water management system(s) constructed within the City of Lincoln Park during the period of one year, to ensure that the storm water management systems function properly as designed and constructed; and

WHEREAS, The City of Lincoln Park designates the Director of Public Services of the City of Lincoln Park, as the person responsible for executing long-term maintenance permits on behalf of the City of Lincoln Park.

NOW THEREFORE BE IT RESOLVED, that the City of Lincoln Park assumes jurisdiction over and accepts responsibility for long-term maintenance of all storm water management systems constructed within the City of Lincoln Park, pursuant to the Wayne County Ordinance, the Administrative Rules, long-term maintenance plans for storm water management systems constructed within the City of Lincoln Park and the storm water construction approvals issued by Wayne County.

BE IT FURTHER RESOLVED, that approval be and is hereby granted, authorizing the Director of Public Services for Lincoln Park to enter into and execute, on behalf of the City of Lincoln Park, long-term maintenance permits issued by Wayne County for storm water management systems constructed within the City of Lincoln Park.

Motion unanimously carried.

## CITIZENS COMMUNICATIONS

## ORAL REPORTS OF THE MAYOR AND COUNCIL

## CITY MANAGER REPORT

There being no further business, the meeting adjourned at 9:45 p.m.

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FRANK VASLO, MAYOR

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DONNA BREEDING, CITY CLERK

