

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Frank Vaslo presiding

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

Invocation by Reverend Mary Tame of First United Methodist Church

PRESENT: Councilpersons Mario DiSanto, Joseph Kaiser, Donald Majors, Suzanne Moreno,
and Thomas Murphy. Councilman Mark Kandes entered the meeting at 7:55 p.m.

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

PROCLAIM the month of March as DeMolay Month

Mayor's Remarks

RESOLUTION 10-34 Minutes

By Councilman Majors, supported by Council President Kaiser

RESOLVED, that the minutes of the Regular Meeting held under the date of Tuesday, February 16, 2010 be approved as recorded.

Motion carried.

ABSTAINED: Councilman DiSanto

NOTED: Summons and Complaint received and filed in the matter of Duff vs. City of Lincoln Park

By Councilwoman Moreno, supported by Council President Kaiser that the minutes of the Public Hearing held February 16, 2010 at 6:30 p.m. regarding the CDBG 36th Program Year 2010 Proposed Budget are approved as printed.

Commercial Properties Beautification Award presented to Advanced Dental, 3611 Fort St.

RESOLUTION 10-35 Open Bids/Brochures 2010

By Councilman DiSanto, supported by Councilwoman Moreno

RESOLVED that the Mayor and Council authorize the City Clerk to open bid proposals marked "Brochures – 2010".

Motion unanimously carried.

RESOLUTION 10-36 Refer Above Bids

By Councilman DiSanto, supported by Councilman Majors

RESOLVED that the bid proposals marked "Brochures – 2010" be referred to the Parks and Recreation Director, Purchasing Director and Finance Director.

Motion unanimously carried.

RESOLUTION 10-37 Award Bid/Champaign Road Repairs

By Council President Kaiser, supported by Councilwoman Moreno

RESOLVED, that the bid from ABC Paving Company, for the Champaign Road Street Improvements, in the amount of \$164,892.50 is hereby accepted as the lowest bid received that meets all specifications. 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 \$181,381.75.

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 24935-75519 Street & Utility Replacement.

Motion carried.

NO: Councilpersons DiSanto and Murphy

Councilman Kandes entered the meeting.

RESOLUTION 10-38 Award Bid/2010 Lawn Maintenance

By Councilman DiSanto, supported by Councilwoman Moreno

WHEREAS, the contracting out of lawn maintenance for properties that the City is responsible for will prove to be cost-effective to the organization, as well as allow utilization of limited staff for other Public Service activities.

BE IT RESOLVED, the Mayor & Council hereby award the bid for lawn maintenance of properties that the City is responsible for in the 2010 mowing season to US Lawns, lowest bid – meeting specifications.

FURTHER, BE IT RESOLVED, that the Mayor and Council direct the funds to be taken from Account # 101-923-818 “Contractual”.

Motion unanimously carried.

RESOLUTION 10-39 Award Bid/2010 Concrete/Sidewalk Replacement

By Councilman DiSanto, supported by Councilman Kandes

BE IT RESOLVED, the Mayor and City Council hereby award the bid for the 2010 miscellaneous concrete work and sidewalk program to the lowest and qualified bidder, C&L Enterprises, for the attached unit pricing.

FURTHER, BE IT RESOLVED, that the Mayor and Council authorize the funds to be taken from Account # 592-920-818 “Water Contractual” and Account # 458-818 “ Contractual”

Motion unanimously carried.

RESOLUTION 10-40 Award Bid/2010 Tree Services

By Councilman Kandes, supported by Councilwoman Moreno

BE IT RESOLVED, the Mayor and City Council hereby award the bid for the 2010 Tree removals and stump grinding to the lowest overall price to E&J Tree Service for the attached unit pricing. (Inserted in minute book)

BE IT FURTHER RESOLVED, the Mayor and City Council hereby award the bid for the 2010 Tree trimming for the lowest overall price to Owen Tree Service for the attached unit pricing. (Inserted in minute book)

FURTHER, BE IT RESOLVED, that the Mayor and Council authorize the funds to be taken from Account # 592-920-818 “Water Contractual” and Account # 458-818 “ Contractual”

Motion unanimously carried.

RESOLUTION 10-41 Award Bid/Solar Traffic Arrow Boards

By Councilman DiSanto, supported by Councilman Kandes

BE IT RESOLVED, the Mayor & Council hereby award the bid for two (2) Traffic Arrow Boards to the low bidder- meeting specifications, Traffic Management, Inc., for a total cost of \$9,207.66.

FURTHER, BE IT RESOLVED, that the Mayor and Council direct the funds to be taken from Account #661.932.983.

Motion unanimously carried.

RESOLUTION 10-42 Accounts & Claims Payable

By Councilman DiSanto, supported by Councilman Kandes

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

Warrant Report: \$495,061.43

Motion unanimously carried.

RESOLUTION 10-43 Approve Traffic Control Order #10-84

By Councilman Kandes, supported by Councilwoman Moreno

RESOLVED, that Traffic Control Order #10-84 regarding the closure of the Harrison Street Bridge be approved. Per the recommendation of the Police Department.

Motion carried.

NO: Councilman Murphy

RESOLUTION 10-44 Approve Codified Ordinance Updates

By Councilman Kandes, supported by Council President Kaiser

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 (February 1, 2009) 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>
09-85A	4-20-09	606.03
09-86A	4-20-09	893.01 to 893.10
09-116A	5-18-09	424.01 to 424.03, 424.99
09-117A	5-18-09	420.01 to 420.03, 420.99
	11-3-09	Charter Ch. V, Sec. 5 and Sec. 10

The effective date of this resolution shall be the 2nd day of March, 2010.

Motion unanimously carried.

RESOLUTION 10-45 Prop. Charter Amend./Aug. Primary - DIED

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that notice is hereby given that a proposed Charter Amendment, regarding a millage Renewal be submitted to the electors of the City of Lincoln Park at a Special Election to be held on August 3, 2010.

FURTHER BE IT RESOLVED, that said notice states how both the Charter presently reads and the proposed Charter Amendment language.

NOTICE OF PROPOSED CHARTER AMENDMENT NO. 1

CHAPTER VII SECTION 5

RENEWAL POLICE AND FIRE MILLAGE

THE BALLOT QUESTION IS AS FOLLOWS:

Shall the City of Lincoln Park be authorized to continue to levy, 3.4591 mills in excess of the limitation imposed by law, restoring a portion of the Charter millage authorization previously approved by the electors, since reduced by the Headlee amendment, solely for Police and Fire purposes, for three (3) additional years (2011 through 2013)? If approved the millage renewal would generate approximately \$2,457,652 in 2011.

Shall the proposed millage renewal amendment be adopted?

YES

NO

NOW THEREFORE BE IT RESOLVED, by a 3/5 vote of the City Council of Lincoln Park, that Section 5 of Chapter VII of the City Charter be amended; the City has determined that if this Amendment is approved, it will become effective pursuant to MCLA 117.241 when filed with the County Clerk and the Secretary of State.

CHAPTER VII SECTION 5 OF CITY CHARTER

EXISTING CHARTER:

PROPOSED CHARTER AMENDMENT:

Authorize a tax of not to exceed 3.4591 mills for three years, 2008 through 2010, solely for police and fire purposes.

Authorize a Renewal of the Millage not to exceed 3.4591 mills for three (3) years 2011 through 2013, solely for police and fire purposes.

Councilman Kandes WITHDREW his motion, requesting this item be placed on the November 2, 2010 General Election Ballot.

RESOLUTION 10-46 Proposed Charter Amendment/Police & Fire

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that notice is hereby given that a proposed Charter Amendment, regarding a millage Renewal be submitted to the electors of the City of Lincoln Park at a Special Election to be held on November 2, 2010.

FURTHER BE IT RESOLVED, that said notice states how both the Charter presently reads and the proposed Charter Amendment language.

NOTICE OF PROPOSED CHARTER AMENDMENT NO. 1

CHAPTER VII SECTION 5

RENEWAL POLICE AND FIRE MILLAGE

THE BALLOT QUESTION IS AS FOLLOWS:

Shall the City of Lincoln Park be authorized to continue to levy, 3.4591 mills in excess of the limitation imposed by law, restoring a portion of the Charter millage authorization previously approved by the electors, since reduced by the Headlee amendment, solely for Police and Fire purposes, for three (3) additional years (2011 through 2013)? If approved the millage renewal would generate approximately \$2,457,652 in 2011.

Shall the proposed millage renewal amendment be adopted?

YES

NO

NOW THEREFORE BE IT RESOLVED, by a 3/5 vote of the City Council of Lincoln Park, that Section 5 of Chapter VII of the City Charter be amended; the City has determined that if this Amendment is approved, it will become effective pursuant to MCLA 117.241 when filed with the County Clerk and the Secretary of State.

CHAPTER VII SECTION 5 OF CITY CHARTER

EXISTING CHARTER:

Authorize a tax of not to exceed 3.4591 mills for three years, 2008 through 2010, solely for police and fire purposes.

PROPOSED CHARTER AMENDMENT:

Authorize a Renewal of the Millage not to exceed 3.4591 mills for three (3) years 2011 through 2013, solely for police and fire purposes.

Motion carried.

NO: Councilman Murphy

RESOLUTION 10-47 Proposed Charter Amendment/Library

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that notice is hereby given that a proposed Charter Amendment, regarding a millage Renewal be submitted to the electors of the City of Lincoln Park at a Special Election to be held on November 2, 2010.

FURTHER BE IT RESOLVED, that said notice states how both the Charter presently reads and the proposed Charter Amendment language.

NOTICE OF PROPOSED CHARTER AMENDMENT NO. 2

CHAPTER VII SECTION 5

RENEWAL LIBRARY MILLAGE

THE BALLOT QUESTION IS AS FOLLOWS:

Shall the City of Lincoln Park be authorized to continue to levy 0.35 mills in excess of the limitation imposed by law, restoring a portion of the Charter millage authorized previously approved by the electors, since reduced by the Headlee amendment, solely for Library purposes, for three (3) additional years (2011 through 2013)? If approved the millage renewal would generate approximately \$243,644 in 2011.

Shall the proposed millage renewal amendment be adopted?

YES

NO

NOW THEREFORE BE IT RESOLVED, by a 3/5 vote of the City Council of Lincoln Park, that Section 5 of Chapter VII of the City Charter be amended; the City has determined that if this Amendment is approved, it will become effective pursuant to MCLA 117.241 when filed with the County Clerk and the Secretary of State.

CHAPTER VII SECTION 5 OF CITY CHARTER

EXISTING CHARTER:

Authorize a tax of not to exceed 0.35 mill for three years, 2008 through 2010, solely for library purposes.

PROPOSED CHARTER AMENDMENT:

Authorize a Renewal of a millage not to exceed 0.35 mill for three (3) years 2011 through 2013, solely for library purposes.

Motion carried.

NO: Councilman Murphy

RESOLUTION 10-48 Amend Resolution #10-33/Rehab Loan

By Councilman Kandes, supported by Councilwoman Moreno

RESOLVED, that Resolution #10-33 dated 2/16/2010 shall be amended to read, "for an emergency loan not to exceed \$2,000.00".

Motion unanimously carried.

RESOLUTION 10-49 Charitable Solicitation/K of C Tootsie Roll Drive

By Council President Kaiser, supported by Councilman DiSanto

RESOLVED, that permission be granted to the Robert H. Jones Knights of Columbus, Council No. 3078 to conduct their Annual "Tootsie Roll Drive" on the street corners of Lincoln Park from March 26-28, 2010. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

RESOLUTION 10-50 City Medicare Plan - TABLED

By Council President Kaiser, supported by Councilman Kandes

WHEREAS, classified employees of the City of Lincoln Park and administrators are members of recognized collective bargaining associations under the Michigan Employment Relations Act, and WHEREAS, these recognized collective bargaining units did not negotiate Medicare personal cost as a post-retirement benefit and, therefore, there was no trade of interests between the parties, and WHEREAS, this optional post-employment benefit was granted by Council resolution 95-383 in 1995 at a time when the Michigan Municipal Tax System provided greater resources and funding to municipalities, and

WHEREAS, Post-Employment benefits cost for the city of Lincoln Park exceeded \$1,931,749 for health insurance and \$1,289,026 for prescription cost in 2008-09 with expected cost increases from these negotiated benefits to increase at least 5% each year for at least five years, and

WHEREAS, according to financial accounting standards, the City of Lincoln Park should be setting aside or pre-funding post retirement benefits annually with a \$2,400,000 million set aside in addition to the pay as you go benefits.

NOW, THEREFORE BE IT RESOLVED, that effective March 1, 2010, the City of Lincoln Park will discontinue the practice of reimbursing for Medicare Part B coverage. However, the City will continue to reimburse any employees/retirees presently receiving reimbursement at a capped rate not to exceed \$96.40, and

BE IT FURTHER RESOLVED, that notice of this termination shall be made to the employees/retirees by mail as soon as practical.

Motion by Councilman Murphy, supported by Council President Kaiser

RESOLVED, that the above resolution be TABLED and a study session scheduled for further discussion.

Motion carried.

NO: Councilman Kandes

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

CITY MANAGER REPORT

There being no further business before the Mayor & Council, the meeting adjourned at 9:34 P.M.

FRANK VASLO, MAYOR

DONNA BREEDING, CITY CLERK