

**REGULAR MEETING**

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

Pledge of Allegiance to the Flag

INVOCATION by Reverend Gary Schippling of Blessed Hope Church

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

ABSENT: Councilpersons Mark Kandes, and Thomas Murphy

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

Mayor's Remarks

**RESOLUTION 08-306 Minutes**

By Councilman DiSanto, supported by Councilman Myers

RESOLVED, that the minutes of the Regular Meeting held under the date of September 15, 2008 be approved as recorded.

Motion unanimously carried.

(Note: Study Session held September 15, 2008 at 8:41 p.m.)

PROCLAIM September 24, 2008 as Visiting Nurse Association of Southeast Michigan Day

PROCLAIM October 5-11, 2008 as Mental Illness Awareness Week

**RESOLUTION 08-307 Open Bids/Roof Repair/Replacement**

By Councilwoman Brady, supported by Councilman DiSanto

RESOLVED, that the City Clerk be authorized to open bid proposals received marked "ROOF REPAIR/REPLACEMENT."

Motion unanimously carried.

**RESOLUTION 08-308 Refer above Bids**

By Councilman DiSanto, supported by Councilwoman Brady

RESOLVED, that the bid proposals received marked "ROOF REPAIR/REPLACEMENT" be referred to the Purchasing Specialist, Director of Public Services and Finance Director for tabulation and recommendation.

Motion unanimously carried.

**RESOLUTION 08-309 Open Bids/Sodium Hypochlorite Tanks**

By Councilman Myers, supported by Councilman DiSanto

RESOLVED, that the City Clerk be authorized to open bid proposals received marked "SODIUM HYPOCHLORITE TANKS".

Motion unanimously carried.

**RESOLUTION 08-310 Refer above Bids**

By Councilman DiSanto, supported by Councilman McPartlin

RESOLVED, that the bid proposals received marked "SODIUM HYPOCHLORITE TANKS" be referred to the Purchasing Specialist, Director of Public Services and Finance Director for tabulation and recommendation.

Motion unanimously carried.

**RESOLUTION 08-311 Inter-Agency Agreement/Comm. Policing**

By Councilman McPartlin, supported by Councilman Myers

RESOLVED, that the standard Inter Agency Agreement dated July 1st, 2008 between the City of Lincoln Park and the Lincoln Park Police Department Community Policing Program, is hereby approved with a budget allocation of \$5,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 34<sup>th</sup> Program Year CDBG Budget Account Number 24934-75609 "Community Policing".

Motion unanimously carried.

**RESOLUTION 08-312 Sub-Recipient Agreement/Sr. Alliance**

By Councilman Myers, supported by Councilman DiSanto

RESOLVED, that the standard Sub Recipient Agreement dated July 1st, 2008 between the City of Lincoln Park and The Senior Alliance, is hereby approved with a budget allocation of \$3,201 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 24934-75604 "The Senior Alliance".

Motion unanimously carried.

**RESOLUTION 08-313 Attend Training/Ordinance Officer**

By Councilwoman Brady, supported by Councilman McPartlin

RESOLVED, that Mayor and Council authorize Code Enforcement Officer Adam Manchester to attend the Michigan Association of Animal Control Officers Fall Conference 2008 being held in Lansing, MI from September 30 to October 2, 2008. The cost will be approximately \$600.00. A Police Department vehicle will be used. Funds to come from the Police Department's Training Account—101.305.960.

Motion unanimously carried.

**RESOLUTION 08-314 Attend Training/Police Dept.**

By Councilwoman Brady, supported by Councilman McPartlin

RESOLVED, that Mayor and Council authorize Lt. John Martin to attend the Commission of Accreditation for Law Enforcement Agencies CALEA Fall Conference in Tulsa, Oklahoma from December 3 – 6, 2008. The costs are not to exceed \$2,000.00 which includes registration, lodging, airfare and a vehicle. An expense report will be completed upon return from the conference. Funds to come from the Police Department's Training Account—101.305.960.

Motion unanimously carried.

**RESOLUTION 08-315 Waive Bid/Purchase/SCBA Tanks**

By Councilman McPartlin, supported by Councilman Myers

WHEREAS, Fire Chief Ken Elmore has been previously approved to purchase SCBA air bottles through the 34<sup>th</sup> year CDBG funds and the normal cost of these air bottles is \$1096.96 per bottle. CDBG funds approved for these bottles is \$9,900.00 and

WHEREAS, these bottles are produced by the same manufacturer and compatible with existing equipment in use and a reduced cost rate of \$300.00 per bottle for 20 bottles at a final cost of \$6,000.00, and

WHEREAS, sole source documentation has been provided from the manufacturer regarding sales of equipment.

RESOLVED, that the bid process be waived due to sole source provider.

BE IT FURTHER RESOLVED, that Fire Chief Ken Elmore is directed to make said purchase under the CDBG 34<sup>th</sup> year guidelines.

Motion unanimously carried.

**RESOLUTION 08-316 Proposed Ord. Amend/Chapter 1410/State Code**

By Councilwoman Brady, supported by Councilman McPartlin

RESOLVED, that "AN ORDINANCE TO AMEND CHAPTER 1410 OF THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING CHAPTER 1410 IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 1410 ENTITLED STATE CONSTRUCTION CODES." be given its first and second reading

**THE CITY OF LINCOLN PARK ORDAINS:**

That the existing Chapter 1410 of the Codified Ordinances of the City of Lincoln Park be repealed in its entirety and a new Chapter 1410 STATE CONSTRUCTION CODES be adopted, which new Chapter shall read as follows:

**CHAPTER 1410 – STATE CONSTRUCTION CODES****1410.01 ADOPTION BY REFERENCE.**

Pursuant to the provisions of Section 3(k) of Act 270 of 1909, State of Michigan, as amended, Michigan Compiled Laws 117.3(k) and Section 8a of Act 230 of 1972, State of Michigan, as amended, Michigan Compiled Laws 125.1508a, the State of Michigan Building Code is hereby adopted by reference by the City of Lincoln Park for the purpose of regulating the erection, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures in the City of Lincoln Park. A complete copy of the code is available for inspection at the office of the Lincoln Park City Clerk.

**continued.**

1410.02 ENFORCEMENT BY SUPERINTENDENT OF THE BUILDING DEPARTMENT.  
Pursuant to the provisions of the Michigan Building, Electrical, Mechanical and Plumbing Codes, in accordance with Act 230 of the Public Acts of 1972, as amended, the Building Official (Superintendent of the Building Department) of the City of Lincoln Park is hereby designated as the official of the enforcing agency authorized to discharge the responsibility of the City of Lincoln Park under Act 230 of the Public Acts of 1972, State of Michigan. The City of Lincoln Park assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

1410.03 ESTABLISHMENT OF FEES.

All fees charged by the City of Lincoln Park for applications for permits, examination of plans, issuance of permits, inspections of construction, issuance of certificates of use and occupancy, inspection of premises, issuance of certificates of compliance, registration of licenses and contractors, applications for hearings or review by any board or commission, and other services required and performed by the City of Lincoln Park or any of its officers or employees shall be as established from time to time by resolution of the City Council.  
Motion unanimously carried.

**RESOLUTION 08-317 Proposed Ord. Amend./Chapter 1420/Bldg Dept**

By Councilwoman Brady, supported by Councilman DiSanto

RESOLVED, that "AN ORDINANCE TO AMEND SUBSECTION (d) (2) OF SECTION 1420.01 OF CHAPTER 14 – BUILDING AND HOUSING CODE, BE REPEALED IN ITS ENTIRETY AND REPLACED BY THE FOLLOWING 1420.01 (d) (2) WHICH NEW SUBSECTION SHALL READ AS FOLLOWS" be given its first and second reading

THE CITY OF LINCOLN PARK ORDAINS:

That, Subsection (d) (2) of Section 1420.01 of Chapter 14 – Building and Housing Code, be repealed in its entirety and replaced by the following 1420.01 (d) (2), which new subsection shall read as follows:

1420.01 (d) (2) The Manager shall report to and be subject to the general direction of the City Manager. He or she shall issue building permits and enforce and perform the duties of the Building Inspector in the absence of a Building Inspector or Assistant Building Inspector. He or she shall ensure the performance of those Department activities required to implement the City's urban renewal and /or code enforcement programs. He or she shall perform such other duties as are assigned to him or her from time to time by the Mayor and/or Council.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

CITY MANAGER REPORT

There being no further business, the meeting adjourned at 8:39 p.m.

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FRANK VASLO, MAYOR

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DONNA BREEDING, CITY CLERK