

Lincoln Park, Michigan
May 10, 2004

REGULAR MEETING

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

Pledge of Allegiance to the Flag.

Moment of Silence.

PRESENT: Councilpersons Valerie Brady, Mario DiSanto, Michael Higgins, Mark Kandes,
Thomas Murphy, and Frank Vaslo.

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

Mayor's Remarks

RESOLUTION 04-230 Minutes

By Councilman Vaslo, supported by Councilman Higgins.

RESOLVED, that the minutes of the Regular Meeting held under the date of May 3, 2004 be approved as recorded.

Motion unanimously carried.

Moved by Councilwoman Brady, supported by Councilman Vaslo that the minutes of the Special Meeting held May 3, 2004 at 6:10 p.m. regarding Lincoln Park Pride Administrator Position are approved as printed.

Moved by Council President Kandes, supported by Councilman Higgins that the minutes of the Special Meeting held May 3, 2004 at 7:00 p.m. regarding CDBG Street Sectioning & 2005 Roads Program are approved as printed.

RESOLUTION 04-231 Reappt. P. Roberts/Community Impr. Comm.

By Councilman Vaslo, supported by Councilman Murphy.

RESOLVED, that Patrick Roberts is hereby re-appointed to the Lincoln Park Community Improvement Commission, with a term to expire on May 1, 2007.

Motion unanimously carried.

RESOLUTION 04-232 Appt. B. Clancy/Community Impr. Comm.

By Councilman Vaslo, supported by Councilman Murphy.

RESOLVED, that Brian Clancy of 1096 LeBlanc is hereby appointed to the Lincoln Park Community Improvement Commission, with a term to expire on May 1, 2007.

Motion unanimously carried.

RESOLUTION 04-233 Appt. K. Carter/Community Impr. Comm.

By Councilman Vaslo, supported by Councilman Higgins.

RESOLVED, that Kathy Carter of 4177 Irene is hereby appointed to the Lincoln Park Community Improvement Commission, with a term to expire on May 1, 2007.

Motion unanimously carried.

RESOLUTION 04-234 Reappt. B. Heasley/Cable TV Prg. Adv. Bd

By Councilman Vaslo, supported by Councilman DiSanto.

RESOLVED, that Brian Heasley of 1822 Hanford be reappointed to the Lincoln Park Cable Television Program Advisory Board for a term to expire January 1, 2007.

Motion unanimously carried.

RESOLUTION 04-235 Reappt. C. Higgins/Cable TV Prg. Adv. Bd

By Councilman Vaslo, supported by Councilman DiSanto.

RESOLVED, that Charles Higgins of 1741 Myron, be reappointed to the Lincoln Park Cable Television Program Advisory Board for a term to expire January 1, 2006.

Motion unanimously carried.

RESOLUTION 04-236 Reappt. J. Roulo/Cable TV Prg. Advisory Bd.

By Councilman Vaslo, supported by Councilman Higgins.
RESOLVED, that James Roulo of 1515 Gregory, be reappointed to the Lincoln Park Cable Television Program Advisory Board for a term to expire January 1, 2007.
Motion unanimously carried.

RESOLUTION 04-237 Reappt. B. Wilcox-Barron/Cable TV Prg. Adv.

By Councilman Vaslo, supported by Councilman Higgins.
RESOLVED, that Barbara Wilcox-Barron of 768 Buckingham, be reappointed to the Lincoln Park Cable Television Advisory Board for a term to expire January 1, 2005.
Motion unanimously carried.

RESOLUTION 04-238 Reappt. M. Busen/Downtown Develop. Auth

By Councilman DiSanto, supported by Councilman Murphy.
RESOLVED, that Michael Busen, City of Lincoln Park business owner, be re-appointed to the City of Lincoln Park Downtown Development Authority, for a four (4) year term to expire May 1, 2008.
Motion unanimously carried.

Resolution to Reappoint A. Vizachero to Downtown Develop. Authority HELD one week.

RESOLUTION 04-239 Reappt. R. Fines/Planning Commission

By Council President Kandes, supported by Councilman Murphy.
RESOLVED, that Richard Fines be re-appointed to the Planning Commission for a term to expire May 1, 2007.
Motion unanimously carried.

RESOLUTION 04-240 Reappt. K. Kissel/Planning Commission

By Council President Kandes, supported by Councilman DiSanto.
RESOLVED, that Kevin Kissel be re-appointed to the Planning Commission for a term to expire May 1, 2007.
Motion unanimously carried.

RESOLUTION 04-241 Reappt. J. Turinsky/Planning Commission

By Council President Kandes, supported by Councilman Higgins.
RESOLVED, that Joseph Turinsky be re-appointed to the Planning Commission for a term to expire May 1, 2007.
Motion unanimously carried.

RESOLUTION 04-242 Reappt. G. Dziadosz/Zoning Bd of Appeals

By Council President Kandes, supported by Councilman Higgins.
RESOLVED, that Gary Dziadosz be re-appointed to the Zoning Board of Appeals for a term to expire May 1, 2007.
Motion unanimously carried.

RESOLUTION 04-243 Reappt. F. Nagy/Zoning Bd of Appeals

By Council President Kandes, supported by Councilman DiSanto.
RESOLVED, that Frank Nagy be re-appointed to the Zoning Board of Appeals for a term to expire May 1, 2007.
Motion unanimously carried.

INTRODUCTION of the Senior & Junior Miss Poppy from the American Legion Post 67.

RESOLUTION 04-244 Authorize American Legion Poppy Sale

By Councilman Vaslo, supported by Councilman DiSanto.
RESOLVED, that American Legion, Post 67, 1430 Southfield Rd., Lincoln Park, be granted permission to solicit on the streets of Lincoln Park for their Annual "Poppy Sale" on May 13, 14, & 15, 2004. All reporting provisions of the local ordinance to be timely observed.
Motion unanimously carried.

RESOLUTION 04-245 Open Bids/Dump Truck Engines

By Councilwoman Brady, supported by Councilman Murphy.
RESOLVED, that the City Clerk be authorized to open bid proposals received marked "Dump Truck Engines".
Motion unanimously carried.

RESOLUTION 04-246 Refer Bids/Dump Truck Engines

By Councilwoman Brady, supported by Councilman Murphy.
RESOLVED, that the bid proposals received marked "Dump Truck Engines" be referred to the Purchasing Agent, Superintendent of Department of Public Service and Controller for tabulation and recommendation.
Motion unanimously carried.

RESOLUTION 04-247 Open Bids/Lawn Trailers

By Councilwoman Brady, supported by Councilman Higgins.
RESOLVED, that the City Clerk be authorized to open bid proposals received marked "Lawn Trailers".
Motion unanimously carried.

RESOLUTION 04-248 Refer Bids/Lawn Trailers

By Councilwoman Brady, supported by Councilman Higgins.
RESOLVED, that the bid proposals received marked "Lawn Trailers" be referred to the Purchasing Agent, Superintendent of Department of Public Service and Controller for tabulation and recommendation.
Motion unanimously carried.

RESOLUTION 04-249 Award Bid/Official Newspaper

By Council President Kandes, supported by Councilman DiSanto.
RESOLVED, that the **News Herald Newspaper** be designated as the "**Official Newspaper**" for the City of Lincoln Park in the amount of \$16.25 per column inch for hard copy or \$15.25 per column inch if received by e-mail or disk.
FURTHER BE IT RESOLVED, that all advertisements for the City of Lincoln Park shall be placed in the Wednesday edition, unless modified by Council Resolution.
Motion unanimously carried.

RESOLUTION 04-217A Adopt Ord./Chpt 1610 Fire Prevention Code

By Councilman Murphy, supported by Councilman Higgins.
RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK, CHAPTER 1610, FIRE PREVENTION CODE, BE AMENDED BY ADOPTING THE 2003 INTERNATIONAL FIRE CODE", BE GIVEN ITS Third and Final Reading and be ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 1610, Fire Prevention Code, be amended by adopting the 2003 International Fire Code and that all references to the BOCA National Fire Prevention Code shall be amended to read 2003 INTERNATIONAL FIRE CODE.

Motion unanimously carried.

ADOPTED: May 10, 2004
PUBLISHED: May 19, 2004
EFFECTIVE: May 19, 2004

RESOLUTION 04-218A Adopt Ord./Chpt 1610 Sale of Fireworks

By Councilman Murphy, supported by Councilman Higgins.
RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK, FIRE PREVENTION CODE, CHAPTER 1610 SECTION F-2701.0 SALE AND DISCHARGE, BE AMENDED BY ADDING LANGUAGE TO SUBSECTION .01", be and is hereby given its Third Reading and be ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 1610, Fire Prevention Code, Section F-2701.01 be amended to include the following language:

Continued

Only Michigan legal fireworks as defined by Michigan State Police Fire Marshall Bulletin No. 12 are allowed to be sold. It shall be illegal to sell or use any fireworks at automobile service stations, gasoline service stations, or automotive repair garages. All fireworks which are allowed for sale pursuant per Section 2701.01 shall only be sold in a single tenant permanent structure with a fully operational sprinkler system which has been installed and tested according to the provisions of NFPA 13.

Motion unanimously carried.

ADOPTED: May 10, 2004
PUBLISHED: May 19, 2004
EFFECTIVE: May 19, 2004

RESOLUTION 04-250 Adopt Internet Usage Policy

By Councilman Vaslo, supported by Councilman Higgins.
RESOLVED, that the Internet Usage Policy is hereby ADOPTED.
Motion unanimously carried.

RESOLUTION 04-251 Set Public Hearing/Budgets

By Councilwoman Brady, supported by Councilman Higgins.
RESOLVED, that a Public Hearing for action on the General Fund, Motor Vehicle Highway, Water & Sewer, and Capital Construction Road Budgets for FY 2004-2005 and for setting the rate of taxation thereon be set for Monday, May 24, 2004 at 7:00 p.m., and
BE IT FURTHER RESOLVED, that the City Clerk be and is hereby instructed and authorized to publish the notice in the May 12, 2004, issue of the official City newspaper and to post proper notices regarding said hearing.
Motion unanimously carried.

RESOLUTION 04-252 Prepare Retainer Contr/Solicit Sewer Repair

By Councilwoman Brady, supported by Councilman Murphy.
WHEREAS, the City's sanitary and storm sewer systems are aging and portions of the system are in need of rehabilitation, and
WHEREAS, new State law requires that communities are to repair known defects in their sanitary sewer system in a timely manner, and
WHEREAS, that in the case of structural damage, partial collapses, or full collapse of the sewer, it is advantageous for the City to have a contractor on retainer to repair such problems on an as-needed basis.
BE IT RESOLVED, that Hennessey Engineers is authorized to prepare the specifications for the bid documents for a qualified sewer contractor to provide repair services for the City's sanitary and storm sewer systems on an as-needed basis for a two-year contract period.
BE IT FURTHER RESOLVED, that upon approval of the specifications by the DPS Superintendent and City Manager, Hennessey Engineers, Inc. is authorized to solicit bids for the contract.
BE IT FURTHER RESOLVED, that Hennessey Engineers will be compensated on an hourly basis per their current agreement with the City with a not-to-exceed value of \$1,500.00.
Motion unanimously carried.

RESOLUTION 04-253 Solicit Proposals/Council Point Park Peddler

By Councilman Higgins, supported by Councilman Murphy.
RESOLVED, that the Director of Parks and Recreation is directed to solicit proposals for the provision of seasonal food services at a non-fixed location in Council Point Park, said proposals to be presented to Mayor and Council by 4:00 p.m. on May 26, 2004.
Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 10:13 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK