

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 Mario DiSanto, Michael Higgins, Mark Kandes, Thomas McPartlin,
Thomas Murphy and Frank Vaslo

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

Mayor's Remarks

PROCLAMATION given to City Clerk, Donna Breeding, to recognize her 35 years of service to the City of Lincoln Park.

RESOLUTION 07-172 Minutes

By Council President Higgins, supported by Councilman Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of May 14, 2007 be approved as recorded.

ABSTAINED: Councilpersons DiSanto, Vaslo and Mayor Brown

Motion carried.

(NOTE: Study Session held May 14, 2007 at 8:20 p.m.)

PUBLIC HEARING re: Reprogramming of CDBG Funds called to order at 8:10 p.m., Mayor Steven Brown presiding.

PRESENT: Councilpersons Mario DiSanto, Michael Higgins, Mark Kandes, Thomas McPartlin,
Thomas Murphy and Frank Vaslo

ALSO PRESENT: Acting Director of Community Planning & Development Don Cook, City Attorney Ed Zelenak and City Clerk Donna Breeding

This is the second of two Public Hearings for the purpose of reprogramming approximately \$163,981.94 in CDBG funds. The public has been invited to attend.

Discussion – Proposed allotment as follows: \$100,000 for streets, and \$63,981.94 for utilities

Public Comments

Adjourn Public Hearing at 8:19 p.m.

Reconvene Regular Meeting

PUBLIC HEARING re: Dangerous Buildings 4036 Dix

CALLED TO ORDER

DISCUSSION: 4036 Dix

No Public Comment- owner of record not in attendance

Adjourn Public Hearing

Reconvene Regular Meeting

RESOLUTION 07-173 Extend Order of Demolition/4036 Dix

By Councilman DiSanto, supported by Council President Higgins

WHEREAS, the Mayor and City Council for the City of Lincoln Park have conducted Public Hearings concerning the status of the commercial structure located at 4036 Dix (old Security Bank Building), and have determined that the subject building is in need of critical repair.

NOW THEREFORE BE IT RESOLVED, that the owner of record and all agents and interested parties at 4036 Dix be given the period of ninety (90) days to bring said building up to all codes and structural requirements, including making said structure safe for use, and

BE IT FURTHER RESOLVED, that this matter may be brought for further consideration by this Mayor and City Council at any time should the building be unsafe, hazardous or dangerous, and that demolition may be ordered should the subject parcel's owner of record, interested parties and agents fail to comply with this order.

Motion unanimously carried.

RESOLUTION 07-174 Open Bid/Demolition 1059 Montie

By Councilman Murphy, supported by Councilman DiSanto

RESOLVED, that the City Clerk be authorized to open bid proposals received marked "DEMOLITION – 1059 Montie."

Motion unanimously carried.

RESOLUTION 07-175 Refer Above Bids

By Councilman Murphy, supported by Council President Higgins

RESOLVED, that the bid proposals received marked "DEMOLITION – 1059 Montie" be referred to the Purchasing Specialist, Building & Engineering Manager, and Finance Director for tabulation and recommendation.

Motion carried.

NAY: Councilman Kandes, "Bids too high."

RESOLUTION 07-176 Reprogram CDBG Funds

By Councilman McPartlin, supported by Council President Higgins

RESOLVED, that following two public hearings and the taking of testimony as to how certain CDBG funds should be reprogrammed, it is hereby determined that those funds shall be reprogrammed and used in the following manner:

Streets & Utilities \$163,981.94

Motion unanimously carried.

RESOLUTION 07-177 Change Order/Quandt Park Fencing

By Council President Higgins, supported by Councilman McPartlin

RESOLVED, that a change order in the amount of \$375.00 for the Quandt Park Fencing Project to install two (2) 26" x 18" fence panels to allow access to field lighting panel be approved.

Funds to come from CDBG Budget Account Number 24932-75506 Parks & Recreation Projects.

Motion unanimously carried.

RESOLUTION 07-178 Participation/Rehab Loan Program

By Councilman McPartlin, supported by Councilman Vaslo

RESOLVED, that the following citizens be approved for participation in the CDBG Residential Rehabilitation Program, for a loan not to exceed \$20,000.00.

#1284DL	630 Park – Jimmy Ferguson Basement Waterproofing, remodel kitchen and bathroom insulation
#1285LI	2146 Montie- Phoenix MacGregor Electrical updates, furnace and ductwork
#1286DL	1770 Garfield – Jerry Hammons New roof, gutters, trim, driveway, sidewalk
#1287DL	3008 Alper – Kathleen Cammarata Replace one window, repair porch, new tub and sink in bath, cement work
#1288DL	1715 Howard – Fredrick and Theresa Cornelius New vinyl siding and new driveway
#1289LI	2136 Old Goddard – Joseph and Nancy Denis New siding and trim on house

BE IT FURTHER RESOLVED; Donald T. Cook, Director of Community Planning and Development is hereby authorized and directed to process this application in accordance with the Policy and Procedures Guidelines previously approved. Funds to come from 32nd Program Year CDBG Budget Account Number 24932 720R.

Motion unanimously carried.

RESOLUTION 07-167A Adopt Ord. Amend/P & F Retirement Board

By Councilman Vaslo, supported by Councilman McPartlin

RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING SECTION 296.03 (e) (2) IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 296.03 (e) (2), WHICH NEW SECTION SHALL READ AS FOLLOWS:" be given its third reading and be ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That Section .03 (e) (2) of Chapter 296 of the Codified Ordinances of the City of Lincoln Park be repealed in its entirety, and replaced as follows:

296.03 (e) (2)

The Board shall elect from its own membership a Chairperson and a Vice-Chairperson, adopt its own rules of procedure and keep a record of the proceedings, all minutes to be filed in the office of City Clerk within 10 days after the Board has met. The Board shall hold meetings at least once each quarter as may be necessary. All meetings of the Board shall be posted in accordance to the Open Meeting Act and open to the public.

Motion carried.

NAY: Councilman Murphy

ADOPTED: May 21, 2007

PUBLISHED: May 30, 2007

EFFECTIVE: May 30, 2007

RESOLUTION 07-179 Set Closed Meeting/Labor Negotiations

By Councilman McPartlin, supported by Councilman DiSanto

RESOLVED, that a Closed Meeting of the Mayor and Council be held immediately following the Study Session on Tuesday, May 29, 2007, to be held in the Conference Room of City Hall regarding labor negotiations.

Motion unanimously carried.

RESOLUTION 07-180 Joint Management Committee/Amendment #4

By Councilman Murphy, supported by Councilman Kandes

WHEREAS, effective March 1, 1962, a contract was entered by and between the City of Belleville, City of Ecorse, City of Lincoln Park, City of River Rouge, City of Southgate, City of Wyandotte, City of Allen Park, City of Taylor, City of Dearborn Heights, City of Romulus, City of Riverview, Charter Township of Van Buren and Charter Township of Brownstown, (hereafter collectively called "the Municipalities," individually, "the Municipality"), being Cities and Townships located in the County of Wayne, Michigan and the County of Wayne, a Charter County, (hereafter called "The County") for the purposes of establishing the Downriver Sewage Disposal System, (hereafter "the System"), for the treatment and disposal of sanitary sewage emanating from the Municipalities, and

WHEREAS, that contract, as amended, provided for the operation of said System by the County, which contract has an expiration date of March 1, 2012, and

WHEREAS, the System has undergone a major expansion and renovation as a result of U.S. EPA and Michigan Department of Environmental Quality mandates which were set forth in a Consent Decree dated May 24, 1994 in the matter of *United States of America, et al vs. Wayne County Michigan, et al*, Civil Action No. 87-70992, filed in the U.S. District Court, Eastern District of Michigan, Southern Division, and

WHEREAS, as a result of said Consent Decree, including the amendments thereto, the System has undergone a major renovation and expansion, the parties have issued bonds in the aggregate amount of approximately \$350 million pursuant to a Financing Plan and Final Judgment entered in the above referenced matter on March 14, 1994, and

WHEREAS, as a result of said expansion and renovation, and the resulting issuance of bond obligations, all of which have substantially changed the System from that originally designed or contemplated at the execution of the original contract, the parties desire to properly reflect the rights and obligations of the parties as their interest presently appear, and

WHEREAS, the contract and past practices establish the County as the entity responsible for operating, managing and controlling the System, while the Municipalities are responsible for funding the operation, maintenance, expansion, renovation, rehabilitation and capital improvements to the System, and

WHEREAS, the County and Municipalities wish to adjust this relationship as to management, operation and control of the System, to allow the Municipalities more involvement in the operation, management and control of the System by forming a Joint Management Committee pursuant to the terms and conditions set forth in the Joint Management Committee Memorandum of Understanding, as revised (Exhibit 1), and

continued.

WHEREAS, the purpose of the Joint Management Committee Memorandum of Understanding is to set forth the composition, duties and responsibilities of a Joint Management Committee, which Committee was formed on a one year pilot/experimental basis on January 1, 2002, for the management and control of the System, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of two years, commencing January 1, 2003, upon the terms and conditions set forth in Section III, paragraph (1) of the Memorandum of Understanding, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of one year, commencing January 1, 2005, with an option to extend a second year commencing January 1, 2006 provided the option is exercised by the Municipalities and the County no later than 10 days prior to December 31, 2005, and

WHEREAS, the Municipalities and the County exercised their option and extended the term of the Memorandum of Understanding for a period of one year, commencing January 1, 2006; and

WHEREAS, the Municipalities and the County desire to extend the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised, for a period of two (2) years commencing January 1, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lincoln Park hereby approves of and authorizes the full and necessary participation in the Joint Management Committee pursuant to terms and conditions set forth in Exhibit 1.

The City hereby designates the DIRECTOR OF PUBLIC SERVICES as its JMC representative, and the BUILDING & ENGINEERING MANAGER as its alternate representative.

Motion unanimously carried.

RESOLUTION 07-181 Animal Shelter Agreement/Allen Park

By Councilman Murphy, supported by Councilman Vaslo

RESOLVED, that Mayor Steve Brown and City Clerk Donna Breeding be authorized to sign the Animal Shelter and Service Agreement with the City of Allen Park, Michigan.

Motion carried.

NAY: Councilman Murphy

RESOLUTION 07-182 Special Event Permit/Farmer's Market

By Councilman McPartlin, supported by Councilman Vaslo

RESOLVED, that Special Event Permit #4 be approved for Lincoln Park DDA & Fort-Visger Collaborative "Farmer's Market" to be held every Sunday, 9:00 a.m. to 2:00 p.m., from June 3, 2007 through October 28, 2007.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:57 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK