

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Rev. Mary Tame of First United Methodist Church

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

ABSENT: Councilperson Mark Kandes

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

Mayor's Remarks

RESOLUTION 07-40 Minutes

By Councilman Vaslo, supported by Councilman McPartlin

RESOLVED, that the minutes of the Regular Meeting held under the date of January 22, 2007 be approved as recorded.

Motion unanimously carried.

(NOTE: Study Session held 1/22/07 at 8:50 p.m.)

(NOTE: Closed Mtg. held 1/22/07 immediately following the Study Session)

By Councilman DiSanto, supported by Councilman McPartlin that the minutes of the Public Hearing held 1-22-07 at 6 p.m. regarding 33rd Program Year Community Development Block Grant Funding be approved as printed.

RESOLUTION 07-41 Set Public Hearing/Alley Vacation #844

By Councilman McPartlin, supported by Council President Higgins

WHEREAS, the Mayor and Council have been requested to vacate a certain alley in the City of Lincoln Park, Wayne County, Michigan, hereinafter described; and

WHEREAS, it is deemed advisable to vacate this certain alley described as follows, to-wit:

That part of the 16' public alley which is parallel to and south of Montie Rd. beginning at Lot 220 also Nly ½ of vacated alley of O'Connor and Harrison's Maplelawn Sub. extending west to Nly lot line of Lot 235 of Marion Manor Subdivision as recorded in PC 74 L 44 P 19 of the Wayne County Records.

Full width of said alley to be retained as an easement for the installation and maintenance of public utilities

BE IT FURTHER RESOLVED, that the City Council shall meet on the **12th day of March, 2007, at 8:15 P.M.**, in the John A. Aloisi Council Chambers of the City Hall, 1355 Southfield Rd., Lincoln Park, to hear objections to the vacation of said alley as above described,

BE IT FURTHER RESOLVED, that this resolution, as notice of the aforementioned meeting, be published in the official newspaper of the City of Lincoln Park, as required by Charter.

Motion unanimously carried.

RESOLUTION 07-42 Design/Watermain Replacement-River Dr.

By Councilman Vaslo, supported by Mayor Brown

WHEREAS, the Federal Government has supplied the City with a \$983,928.00 grant to improve the roadway of River Drive.

WHEREAS, the watermain in this area is under the middle of the road and has experienced numerous breaks throughout the years.

WHEREAS, the Mayor and Council wish to replace this section of watermain and have engineering design and construction services begin immediately so replacement may be completed by the Fall of 2007, prior to the replacement of the roadway.

BE IT RESOLVED, the Mayor and Council authorize OHM Consulting Services to provide engineering design & construction services for the River Drive Watermain Replacement Project for total cost not to exceed \$134,500.00.

BE IT FURTHER RESOLVED, the Mayor and City Council authorize the funds for this proposal to be appropriated from Account # 592-928-818 "Contractual Services".

Motion unanimously carried.

RESOLUTION 07-43 Design/River Dr. Street Replc.

By Councilman Vaslo, supported by Council President Higgins

WHEREAS, the Federal Government has supplied the City with a \$983,928.00 grant to improve the roadway of River Drive.

WHEREAS, the City desires engineering design and construction services to begin immediately so the project may be bid out in late Fall of 2007 and begin construction in the Spring of 2008.

BE IT RESOLVED, the Mayor and Council authorize OHM Consulting Services to perform engineering design & construction services for the River Drive Street Improvement Project for a total cost not to exceed \$268,900.00.

BE IT FURTHER RESOLVED, the Mayor and City Council authorize the funds for this proposal to be appropriated from Account # 450-000-818 "Contractual Services"

Motion carried.

NAY: Councilman Murphy, "Will not approve major road that is an overlay."

RESOLUTION 07-44 Cable Budget/Scholarships

By Council President Higgins, supported by Councilman McPartlin

RESOLVED, that the Cable TV Fund Budget for Fiscal Year 2006/07, Account #214 734 826, be amended to provide for expenditures of the Cable Commission Scholarship Program; and FURTHER RESOLVED, that \$4,000 be appropriated from the Cable TV Fund Balance for this purpose, approving payment of \$2,000 to Baker College on behalf of Ashleigh Fryman from Account #214-734-826 and approve payment of \$2,000 to Michigan State University on behalf of Christopher T. Bilinski from Account #214-734-826 (1 yr. scholarship).

BE IT FURTHER RESOLVED, that the City Council may annually appropriate an amount for the purpose of cable operations and no expenditures may be made unless a sufficient appropriation exists. All expenditures shall be made in accordance with the Uniform Accounting and Budget Act of the State of Michigan and the City Charter and Codified Ordinances where applicable.

NOW FURTHER BE IT RESOLVED, that the adopted budget included a \$12,399 contribution to fund balance. This action will reduce this contribution to \$8,399 if adopted. Any additional expenditures will require the budget to be amended.

Motion carried.

NAYS: Councilman Vaslo and Mayor Brown

RESOLUTION 07-45 Increase Zoning Board Fees

By Councilman Vaslo, supported by Mayor Brown

RESOLVED, that the application fees for the Zoning Board of Appeals to be set at \$400.00 for both residential and commercial properties.

By Councilman Murphy, supported by Council President Higgins

RESOLVED, that the above resolutions be amended setting the ZBA fees at \$225.00 for both residential and commercial properties.

Motion carried.

NAY: Mayor Brown

RESOLUTION 07-46 Joint Fire Services/Resolution of Intent

By Mayor Brown, supported by the Full Council

WHEREAS the Council finds it to be in the interest of public health, safety and welfare to investigate and explore all opportunities to provide improved fire and rescue services for the citizens of the City of Lincoln Park ("City"); and

WHEREAS, preliminary studies have disclosed that substantial improvements may possibly be made in fire and rescue services for the citizens of the City if its Fire Department were consolidated with the departments of up to four neighboring cities; and

WHEREAS said preliminary studies have shown that such a consolidation will not increase the initial cost to the taxpayers and that in the longer term could result in more efficient operations and reduced costs; and

WHEREAS said preliminary studies have indicated that such a consolidation may result in improved safety and protection for firefighters; and

WHEREAS numerous questions including, but not necessarily limited to, union contracts, non-union personnel, management, structure, equipment and facilities must be answered before it will be possible for the Council to make a decision concerning whether or not it should vote to put the issue on a ballot for a vote of the citizens; and

WHEREAS finding answers to these numerous questions and determining the feasibility of such a consolidation requires that an interim board be appointed and authorized to take steps to explore options, research issues and negotiate with interested parties; and

continued

WHEREAS the Council finds that the City should be represented on said interim board; and WHEREAS the City Councils of Southgate, Allen Park, Melvindale and Wyandotte are considering this same resolution;

NOW, THEREFORE; BE IT RESOLVED that the Council hereby approves participation by the City with the said cities in the study of a plan to form a fire district and establish a fire authority which could serve the City and up to four (4) other cities with a single consolidated fire department and appoints Mayor Brown, or a person to be designated by the Mayor and Council as per standard procedures as its representative on the interim board of directors.

BE IT FURTHER RESOLVED that the City Council expects the interim board to take all necessary and reasonable actions to accomplish the following:

- A. Reach a tentative labor agreement with the fire fighters.
- B. Make provisions for management and all non-union personnel.
- C. Plan for the deployment of equipment and personnel.
- D. Set out details of the financing of the fire district.
- E. Take all other steps needed to implement the consolidated fire department.

BE IT FURTHER RESOLVED that the Council shall give due consideration to the plan which the interim board shall present.

BE IT FURTHER RESOLVED that participation in this study does not constitute a commitment to participate in any fire district or consolidated fire department, which may result from this study, and the City hereby reserves, the right to withdraw from this study and/or any consolidated fire department at any time.

BE IT FURTHER RESOLVED that, in the event the Council finds the plan presented by the interim board to be meritorious, it shall take legal steps necessary to put the matter to a vote of the people of the City as soon as feasible.

Motion unanimously carried.

RESOLUTION 07-47 Solicit Bids/Happenings Brochures

By Councilman Murphy, supported by Councilman DiSanto

RESOLVED, that the Mayor and Council authorize the Purchasing Specialist to solicit bids per specifications provided by the Parks and Recreation Director for 2007, 2008 and optional 2009 Summer, Fall and Winter Happenings Brochure. Funds are allocated in the Parks and Recreation Department Account.

Motion unanimously carried.

RESOLUTION 07-48 Solicit Bids/Quandt Park Fencing

By Council President Higgins, supported by Councilman McPartlin

RESOLVED, that Acting Director of Community Planning & Development Don Cook is hereby authorized to solicit bids for fencing at Quandt Park based upon his written specifications. Funds to come from CDBG Budget Account #24932-75506 Parks and Recreation Projects.

Motion unanimously carried.

RESOLUTION 07-49 Res. Rehab Loan Participants

By Councilman McPartlin, supported by Council President Higgins

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

- #1271LI William Graff Sr. – 1353 Pagel
Sewer replacement, new roof on garage
- #1272DL Richard Campbell – 1518 Ethel
Remove bathtub, install handicapped accessible walk-in shower,
install chair lift to upper level, install handrails on porch
- #1273DL Cecile Molner – 2127 McLain
Emergency Roof and furnace replacement
- #1274DL Mark and Cassandra Mierka – 1430 University
City code corrections, new porch, siding, roof on garage

BE IT FURTHER RESOLVED, Donald T. Cook, Director of Community Planning and Development is hereby authorized and directed to process these applications in accordance with the Policy and Procedures Guidelines previously approved. Funds to come from 31st Program Year CDBG Budget Account Number 24931 720R.

Motion unanimously carried.

RESOLUTION 07-50 Set Hearing/Dang. Bldg. 1465 Stewart (garage)

By Councilman DiSanto, supported by Council President Higgins

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1465 STEWART (garage only), said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as CASE # 06-14, which was held on November 15, 2006 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of it's findings and a copy of it's order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of February 26, 2007, at 8:00 pm, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1465 Stewart (garage only), Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Acting Building Superintendent is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution; and

BE IT FURTHER RESOLVED, that the Acting Building Superintendent shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances; and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 07-51 Set Publ Hearing/Dang. Bldg. 1676 Brest

By Councilman DiSanto, supported by Councilman McPartlin

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1676 BREST, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as CASE # 06-02, which was held on November 15, 2006 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of it's findings and a copy of it's order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of February 26, 2007, at 8:00 PM, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1676 Brest, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Acting Building Superintendent is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution; and

BE IT FURTHER RESOLVED, that the Acting Building Superintendent shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances; and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 07-52 Set Public Hearing/Brownfield Application

By Councilman McPartlin, supported by Council President Higgins

BE IT RESOLVED, that the Mayor and City Council schedule a public hearing on February 26, 2007 at 8:00 p.m. at the City Council Chambers, 1355 Southfield Road, for the purpose to solicit public comment on a Brownfield application for the site at Dix & Southfield roads.

Motion unanimously carried.

RESOLUTION 07-53 Brownfield Plan Amend #3/Dix & Emmons

By Councilman Murphy, supported by Council President Higgins

RESOLVED, that Mayor and Council approve the Brownfield Plan Amendment No.3 and the agreement for Dix & Emmons, with a total tax abatement of \$342,000. This applies an additional \$245,000. to the \$97,000. previously approved on July 10th, 2006 by Amendment No. 2.

Motion unanimously carried.

RESOLUTION 07-54 Proposed Ord. Amend. Chapter 1420

By Councilman DiSanto, supported by Councilman McPartlin

RESOLVED, that an Ordinance to amend the Codified Ordinances of the City of Lincoln Park by repealing the existing Sections.02, .06, .08, .11 and .12 of CHAPTER 1420 BUILDING DEPARTMENT in their entirety and by amending all references to the Superintendent of the Building Department to read **Manager of Building and Engineering**, be given its first and second reading.

THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 1420 of the Codified Ordinances of the City of Lincoln Park be amended by repealing the existing Sections .02,.06,.08,.11 and.12 of Chapter 1420 in their entirety and by amending all references to the Superintendent of the Building Department to read **Manager of Building and Engineering**.

Motion unanimously carried.

RESOLUTION 07-55 Approve Lot Split/Industrial Sub.

By Councilman DiSanto, supported by Councilman Vaslo

BE IT RESOLVED, that a split of Parcel ID 45-003-15-0018-301 be approved. This will result in this parcel which contains seven lots (lots 18 – 24) to be split into two separate parcels. One parcel will contain Lots 18 – 23 and the other parcel will contain Lot 24. At this time, the new legal descriptions will be determined by Wayne County upon submission of a Certified Resolution.

Motion carried.

NAYS: Councilpersons Higgins and Murphy

RESOLUTION 07-56 LP Jr. Rails Fundraiser

By Councilman DiSanto, supported by Councilman McPartlin

RESOLVED, that the Lincoln Park Jr. Rails be granted permission to sell flats of flowers and vegetable plants in the municipal parking lot adjacent to 2040 Fort St. on May 13, 2007 from 7a.m. to 4 p.m. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:54 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK

