

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Father Gerard Cupple of St. Henry's Church

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

ABSENT: Councilperson Mario DiSanto

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

Mayor's Remarks

RESOLUTION 07-68 Minutes

By Councilman McPartlin, supported by Councilman Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of February 20, 2007 be approved as recorded.

Motion carried.

ABSTAIN: Councilpersons Higgins and Vaslo

(NOTE: Study Session held February 20, 2007 at 8:42 p.m.)

(NOTE: Closed Meeting held February 20, 2007 at 9:24 p.m. re: Trial Strategy)

PUBLIC HEARING re: Brownfield Redevelopment #4

CALLED TO ORDER

Discussion - Tom Zimmer of WG - Lincoln Park, LLC in attendance

No Public Comment:

Adjourn Public Hearing

PUBLIC HEARING re: Dangerous Buildings - 1465 Stewart (garage only) & 1676 Brest

CALLED TO ORDER

Discussion re: 1465 Stewart – garage only: Representative for owner Mr. Lombardi in attendance

Public Comment: Neighbor wants demolition

Continue Hearing re: 1676 Brest to March 5, 2007

Adjourn Public Hearing

Reconvene Regular Meeting

RESOLUTION 07-69 Award Bid/Retention Basin Cleaning

By Councilman Kandes, supported by Councilman McPartlin

RESOLVED, that Inland Waters, Inc. be awarded the bid for removal and disposal of sludge in the sanitary basin, for an award amount of \$89,406.93, plus a 10% contingency of \$8,940.69, for a total not to exceed price of \$98,347.62.

BE IT FURTHER RESOLVED, that funds come from Account #592.500.818, "Contractual Services".

Motion unanimously carried.

RESOLUTION 07-70 Award Bid/Lions Park Site Restoration

By Councilman McPartlin, supported by Council President Higgins

RESOLVED, that the bid from STE Construction Service's, Inc., for the clearing, filling and temporary site restoration of Lion's Park is hereby accepted as the lowest bid received, for a total amount \$76,987.50. This is a unit price project and the final quantities of materials placed on the site will determine the final contract amount.

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 Number 24930-75506 and 24931-75506 Parks & Recreation Projects.

Motion unanimously carried.

RESOLUTION 07-71 Open Bids/Brochures – 2007

By Councilman Kandes, supported by Councilman Murphy

RESOLVED, that the City Clerk be authorized to open bid proposals received marked “BROCHURES – 2007”

Motion unanimously carried.

RESOLUTION 07-72 Referral of Above Bids

By Council President Higgins, supported by Councilman Kandes

RESOLVED, that the bid proposals received marked “BROCHURES – 2007” be referred to the Purchasing Specialist, Director of Parks & Recreation, and Finance Director for tabulation and recommendation.

Motion unanimously carried.

RESOLUTION 07-73 Approve Brownfield Redevelopment #4

By Councilman Vaslo, supported by Councilman McPartlin

WHEREAS, the Mayor and City Council of the City of Lincoln Park, Michigan has established the City of Lincoln Park Brownfield Redevelopment Authority (the “Authority”), public body corporate, on July 8, 2002, pursuant to the Brownfield Redevelopment Financing Act, being Act No. 381 of Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City Council, Amendment No. 4 to the Brownfield Plan (the “Plan”) pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the City Council of the City of Lincoln Park, MI held a Public Hearing on the Amendment No. 4 to the Brownfield Plan for the property, at Southfield & Dix, following the publication of notices in the manner required by Section 13 (10) of the Act; and

WHEREAS, the Authority has, at least twenty (20) days before the meeting of the Mayor and City Council, at which this resolution has been considered, provided public notice in the local newspaper, the News Herald, and fully informed all citizens which are affected by the fiscal and economic implications of the Brownfield Plan No. 4, and the City Council has provided to all citizens a reasonable opportunity to express their views and recommendations in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Mayor and City Council has made the following determinations and findings:

- A. The Amendment No. 4 Plan to the City of Lincoln Park Brownfield Plan constitutes a public purpose under the Act
- B. The Amendment No. 4 Plan meets all requirements for a Brownfield Plan set forth in Section 13 of the Act; and
- C. The costs of the eligible activities approved by the Mayor and City Council in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- D. The amount of such approved captured taxable value estimated by the Plan is reasonable.

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the citizens of Lincoln Park, the Mayor and City Council desires to proceed with the approval of the Amendment No. 4 to the City of Lincoln Park, MI Brownfield Redevelopment Authority Plan in an amount not to exceed \$ 990,000.00 for demolition and clean-up, all costs to be verified by the City as true, accurate and reasonable.

NOW, THEREFORE BE IT RESOLVED,

- 1. Plan Approved. Pursuant to the authority vested in the Mayor and City Council of the City of Lincoln Park, MI by the Act, and pursuant to and in accordance with the provision of Section 14 of the Act, the Plan is hereby approved in the form of Amendment No. 4 site at Southfield & Dix to the City of Lincoln Park Brownfield Redevelopment Authority Plan in an amount not to exceed \$990,000.00 for demolition and clean-up, all costs to be verified by the City as true, accurate and reasonable.
- 2. Severability. Should any section, clause or phrase of the resolution be declared by the Courts to be invalid, the same shall not affect the validity of this resolution as a whole nor any part thereof other than part so declared to be invalid.
- 3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this resolution are hereby repealed.

Motion carried.

NAY: Councilman Kandes

RESOLUTION 07-74 Approve Lot Combo/Split – Loire Lawn Sub

By Councilman Vaslo, supported by Councilman Murphy

BE IT RESOLVED that the combination of Parcel ID's 45-010-04-0085-001, 45-010-04-0098-000, 45-010-04-0099-001, 45-010-04-0118-300 of the Loire Lawn Sub and then the split of the combined parcels into two new parcels be approved. The new Parcel ID's and Legal Descriptions will be determined by the County.

Motion unanimously carried.

RESOLUTION 07-75 Demolish Dang. Bldg./ 1465 Stewart (garage only)

By Councilman McPartlin, supported by Councilman Murphy

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 to Demolish Dangerous Building at 1676 Brest HELD until March 5, 2007

RESOLUTION 07-76 Participation/Residential Rehab Loan Program

By Councilman Murphy, supported by Councilman McPartlin

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

#1275DL	Joseph and Julie Bencik – 1658 LeBlanc Siding, roof, insulation, carpet
#1276DL	Adam Mullican – 866 Mayflower Windows, electrical updates, cement work, gutters, kitchen updates
#1277DL	James and MaryAnne Hinson- 1466 Fort Park New siding and windows

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 07-77 Approve Settlement Agreement/Sleep Inn

By Councilman Murphy, supported by Councilman Kandes

RESOLVED, that the settlement agreement between Mahashiv vs Lincoln Park et al between the plaintiff (Sleep Inn) and the City in the amount of \$20,000.00 be accepted.

Motion unanimously carried.

RESOLUTION 07-78 Authorize Contract/Jail Cell Phones

By Councilman Murphy, supported by Councilman McPartlin

RESOLVED, that Mayor and Council authorize Mayor Brown and City Clerk Donna Breeding to sign a six year agreement with Paytel to provide Jail Cell phones for the Lincoln Park Police Department. Paytel to replace all current jail phones with the latest version of flush wall mounted phones and the City to receive a 40% Commission on all paid calls.

Motion unanimously carried.

RESOLUTION 07-79 Solicit Bids/Public Restroom/Police Dept.

By Councilman Murphy, supported by Councilman Vaslo

RESOLVED, that the Mayor and Council authorize Human Resources (the Purchasing Specialist) to solicit bids for the renovation, of the Lincoln Park Police Department Public Restroom; per specifications provided Wilkie & Zanley Architectural Firm.

Motion unanimously carried.

RESOLUTION 07-80 Authorization to Solicit/K of C Tootsie Roll Drive

By Councilman Vaslo, supported by Council President Higgins

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 30 - April 1, 2007. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

Resolution to Reject Compensation Commission Determination HELD.

RESOLUTION 07-81 Set Closed Meeting/Labor Negotiations

By Councilman Vaslo, supported by Councilman Kandes

RESOLVED, that a Closed Meeting of the Mayor and Council be held immediately following the City Council Meeting on Monday, February 26, 2007, to be held in the Conference Room of City Hall regarding labor negotiations.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:20 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK