

**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 Joe Hunley, Youth Pastor, Bethel Assembly of God

**PRESENT:** Councilpersons Mariano DiSanto, Jeanne Hancock, Mark Kandes, Donald Mandernach, Virginia Mondon and Thomas Murphy

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

Mayor's remarks

**RESOLUTION 03-419 Minutes**

By Councilwoman Mondon, supported by Councilman Mandernach

RESOLVED, that the minutes of the Regular Meeting held under the date of August 18, 2003 be approved as recorded.

Motion unanimously carried.

PUBLIC HEARING REGARDING A GRANT FROM THE MICHIGAN STATE POLICE, HAZARDOUS MITIGATION PLAN, CALLED TO ORDER AT 8:10 P.M., Mayor Steven M. Brown presiding.

**PRESENT:** Councilpersons Mariano DiSanto, Jeanne Hancock, Mark Kandes, Donald Mandernach, Virginia Mondon and Thomas Murphy.

**ALSO PRESENT:** City Engineer Rob Rochon, Emergency Management Director Gordon Loveday, City Attorney Ed Zelenak and City Clerk Donna Breeding

The purpose of this Public Hearing is to discuss the Hazardous Mitigation Plan, which will identify hazards and risks to the community. Potential Hazards were prioritized as follows:

Power Failure

Severe Weather

Infrastructure Failure

West Niles Virus/Health Issues

The Plan establishes goals and objections for Fiscal Year 2004-2005. The report contains mitigation remedies which should be incorporated in the City Master Plan.

The Emergency Management Director has applied for a \$50,000.00. The City's match would be 30% of which a portion may be offset by in-kind service.

No Public Comment.

Public Hearing adjourned at 8:15 P.M.

Regular Meeting Reconvened.

**RESOLUTION 03-420 Award Bid/City Parking Lot Project**

By Councilwoman Mondon, supported by Councilman DiSanto

WHEREAS, the lowest qualified bidder for the "**City Parking Lot Replacement Project**" is Tiseo Brothers, Inc, and

WHEREAS, the committee that was established by the Mayor and Council has reviewed the bids for the "**City Parking Lot Replacement Project**" and is recommending awarding the contract to **Tiseo Brothers, Inc.**

BE IT RESOLVED, that the Mayor and Council award the "**City Parking Lot Replacement Project**" contract to Tiseo Brothers, Inc. for total unit price bid of **\$575,393.50**. Which includes the replacement of the parking lot and entrance drives at the Community Center, resurfacing of a portion of the service drive behind the Community Center, replacement of the parking lot and

**continued**

sidewalk in front of City Hall, and replacement of a portion of the parking lot and driveway around the Police Station. It also includes a budget of \$26,400.00 for Hennessey Engineers' inspection fees that is paid directly to Hennessey Engineers by the city, and  
 BE IT RESOLVED, that Hennessey Engineers is authorized to perform contract administration for the project per their current agreement with the city, and  
 BE IT RESOLVED, that per the current agreement, Hennessey Engineers be compensated at the following percentages of construction cost: 2% for construction staking, 1.5% for quality control testing, and 1.7% for construction management, and  
 BE IT RESOLVED, that the Mayor and Council authorize the City Controller to establish a contingency fund for the project of 10% of the construction cost to cover any unforeseen changes or additions to the contract, and  
 BE IT RESOLVED, that the Mayor and Council authorize the Mayor and City Clerk to sign all contracts on behalf of the city.  
 Motion unanimously carried.

**RESOLUTION 03-421 Accounts & Claims Payable**

By Councilman Mandernach, supported by Council President Kandes  
 RESOLVED, that the Accounts & Claims Payable as presented by the Controller to the Mayor & Council be approved as follows:

**Warrant Report:     \$574,805.53**

Motion unanimously carried.

**RESOLUTION 03-422 Lift hiring freeze/Police Dept.**

By Councilwoman Hancock, supported by Councilwoman Mondon  
 RESOLVED, that the Mayor and Council authorize that the hiring freeze be suspended to permit the hiring of one probationary patrol officer to fill the vacancy which was caused by the retirement of Patrol Officer Joseph Larker on August 1, 2003 at 4:00 p.m., and  
 BE IT RESOLVED, that upon the hiring of one probationary patrol officer, the hiring freeze will be reinstated, and  
 BE IT FURTHER RESOLVED, that the Police Department's Budget be increased by **\$53,215**.  
 Motion unanimously carried.

**RESOLUTION 03-423 Attend Seminar/Fire Dept.**

By Councilwoman Hancock, supported by Councilman Mandernach  
 RESOLVED, that **Chief Mark L. Hendricks, and Fire Inspectors Lt. Gilbert Solis and Lt. Joseph Cannon**, be allowed to attend the 54<sup>th</sup> Annual Michigan Fire Inspector's Society Fall Educational Seminar to be held at the Kellogg Center for continuing education, Michigan State University in East Lansing, Michigan **on September 9 through 12, 2003**. Costs for registration not to exceed \$870.00, lodging expenses not to exceed \$975.00, costs for meal not to exceed \$650.00 and transportation costs are limited to fuel, not to exceed \$50.00 as transportation will be provided by a City vehicle. Total costs not to exceed \$2,545.00. Funds to come from Account 101-340-960, Training.  
 Motion unanimously carried.

**RESOLUTION 03-424 Auth. to solicit/Girl Scouts**

By Councilwoman Hancock, supported by Councilman Mandernach  
 RESOLVED, that the **Michigan Metro Girl Scout Council** be authorized to conduct their Annual **Calendar-Nut Sale September 22 thru November 16, 2003** & their **cookie sale December 15, 2003 thru March 14, 2004** in the City of Lincoln Park. All reporting provisions of the local ordinance to be timely observed.  
 Motion unanimously carried.

**RESOLUTION 03-425 Solicit/Deeper Life Church/DIED**

RESOLVED, that **Deeper Life Church**, 6611 Maxwell St., Detroit, MI has requested permission to solicit funds on the street corners of Lincoln Park on September 4-6, 2003. all reporting provisions of the local ordinance to be timely observed.  
**MOTION DIED DUE TO LACK OF SUPPORT.**

**RESOLUTION 03-426 Approve Sub Recipient Agreement/First Step**

By Councilwoman Mondon, supported by Councilman Mandernach

RESOLVED, that the standard Sub Recipient Agreement dated July 24<sup>th</sup>, 2003 between the City of Lincoln Park and **The First Step Domestic Violence Program**, is hereby approved with a budget allocation of \$2,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 29<sup>th</sup> Program Year CDBG Budget Account Number 24929-75607 "First Step Program".

Motion unanimously carried.

**RESOLUTION 03-427 Renew Liability & Property Pool Insurance**

By Councilwoman Hancock, supported by Councilman Mandernach

WHEREAS, the City of Lincoln Park has reviewed the insurance market and the limited availability of municipal liability coverage, and recognized the cost-saving benefit of continuing in the **Michigan Municipal Liability and Property Pool** as placed through the Michigan Municipal League, and

WHEREAS, the City of Lincoln Park recognizes the benefit of continuing the MML Pool in the defense of civil action,

THEREFORE BE IT RESOLVED, that the Mayor and City Clerk are authorized to execute a renewal contract with the Michigan Municipal Liability and Property Pool for one year in the amount of \$624,192, and policies to expire on August 29, 2004.

Motion unanimously carried.

**RESOLUTION 03-428 Support Continued Steel Tariffs**

By Mayor Brown, supported by the Full Council

WHEREAS, in 2001, the United States International Trade Commission investigated charges that foreign steel exporters were illegally dumping their products into the American steel market, and

WHEREAS, this investigation resulted in the ITC finding that steel imports have caused serious harm to the domestic steel industry and recommended that tariffs be leveled against certain imported steel products, and

WHEREAS, President George W. Bush accepted the ITC findings and implemented modified tariffs of 30%, 24% and 18% over a three-year period, and

WHEREAS, the American Steel producers and the United Steelworkers of America have been using this three-year period to launch an aggressive restructuring of the steel industry. Their efforts include industry consolidation, changing work rules, investing to upgrade technology and productivity, meeting the challenge of legacy costs and addressing global over capacity, and

WHEREAS, American steel producers are just now beginning to reap the fruits of these efforts and are returning the industry to strength and viability;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council go on record as supporting the fight to save our steel industry, and

BE IT FURTHER RESOLVED, that the Mayor and Council would like to encourage the President of the United States to keep the steel tariffs in place to allow steel producers and the Union time to complete the industry's restructuring, and

FINALLY, BE IT RESOLVED, that a copy of this resolution be forwarded to the President of the United States and the United States International Trade Commission.

Motion unanimously carried.

**RESOLUTION 03-429 Attend Meeting/Assessor's Office**

By Council President Kandes, supported by Councilman DiSanto

RESOLVED, that **Joni G. Fielder** attend the Summer Quarterly Meeting of the Southeastern Chapter, Michigan Assessor's Association on **Thursday, August 28, 2003**, in Southfield, Michigan from 11:00 a.m. to 2:30 p.m. The meeting cost of \$20.00 will be taken from Account #101-202-960 (Training School).

Motion unanimously carried.

**RESOLUTION 03-430 Adopt DDA Strategic Plan**

By Councilman Mandernach, supported by Councilman Murphy

RESOLVED, that the City of Lincoln Park adopt the Beckett & Raeder Lincoln Park Downtown Development Authority Strategic Plan 2002-2012 dated November 7, 2002.

Motion carried.

NAY: Councilwoman Hancock

**RESOLUTION 03-431 Authize payment/Foreclosed Property/WC**

By Council President Kandes, supported by Councilwoman Mondon

RESOLVED, that the City Controller's Office is authorized to prepare a check payable to the Wayne County Treasurer to facilitate the purchase of certain judicially foreclosed parcels as approved in Resolution #03-390.

Motion unanimously carried.

**RESOLUTION 03-432 Vacancy 25<sup>TH</sup> District Court Judge**

By Councilwoman Hancock, supported by Councilwoman Mondon

WHEREAS, **25<sup>th</sup> District Court Judge Joseph H. DeLaurentiis** has announced his intention to retire as 25<sup>th</sup> District Court Judge, effective September 2, 2003, and

WHEREAS, Judge DeLaurentiis, who has served the citizens of the City of Lincoln Park first as Assistant City Attorney and then as District Judge, takes this opportunity of retirement to pursue new horizons in life, and the Mayor and City Council wishes him well for years of tremendous service to the community, and

WHEREAS the 25<sup>th</sup> District Court is a busy venue that has been ably served by two district judges since its statutory inception, and the court personnel and judicial participants need a continuation of the standards of excellence that have come to be expected of the court, and

WHEREAS, Assistance City Attorney David J. Zelenak, who has served this city honorably and admirably since 1968 as a volunteer commissioner, activist, consultant on parks and forestry and city lawyer, has expressed his interest in being appointed to fill the vacancy occasioned by the retirement of Judge DeLaurentiis, and

WHEREAS, Governor Jennifer Granholm is the appointing authority who will fill the vacancy caused by the retirement of Judge DeLaurentiis,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Lincoln Park, the funding agency of the 25<sup>th</sup> District Court, do hereby petition Governor Granholm to expeditiously fill the vacancy on the bench, and to appoint thereto **Assistant City Attorney David J. Zelenak**.

Motion unanimously carried.

## CITIZENS COMMUNICATIONS

## ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 10:00 p.m.

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STEVEN M. BROWN, MAYOR

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DONNA BREEDING, CITY CLERK