

**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 Rev. John Peck of Bethel Assembly of God

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

**RESOLUTION 06-175 Minutes**

By Council President Higgins, supported by Councilman DiSanto

RESOLVED, that the minutes of the Regular Meeting held under the date of May 8, 2006 be approved as recorded.

Motion unanimously carried.

**PROCLAIM** MAY 21, 2006 THROUGH MAY 27, 2006 NATIONAL PUBLIC WORKS WEEK

**PROCLAMATION** to Justin Curtis

**RESOLUTION 06-176 Accounts & Claims Payable**

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that the Accounts & Claims Payable as presented by the Director of Finance to the Mayor & Council be approved as follows:

Warrant Report: \$226,072.81

Motion unanimously carried.

Resolution for Trial Implementation of ADP Payroll Services HELD.

**RESOLUTION 06-177 Designate Clean-Up Fix-Up Weeks**

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that the Mayor and Council do hereby designate the weeks of May 22, 2006 through June 3, 2006, excluding May 29, 2006, as "Clean-Up, Fix-Up Weeks" for residents of our City.

BE IT RESOLVED, that residents may dispose of six bushels per household, per week, of general household waste, to EXCLUDE ANY hazardous materials, i.e., shingles, paint, insulation, chemicals, cleaning solvents, fertilizers, weed killers, dirt, sod, antifreeze, oil, batteries, automobile parts, or any appliance containing Freon.

Motion unanimously carried.

**RESOLUTION 06-178 Designate Street Administrator**

By Councilman Kandes, supported by Councilman McPartlin

WHEREAS, Section 13(7) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

THEREFORE, BE IT RESOLVED that this Honorable Body designates Robert J. Bartok, as the single Street Administrator for the City of Lincoln Park in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Motion unanimously carried.

**RESOLUTION 06-179 Auth. to Sign State Permits**

By Councilman Kandes, supported by Councilman DiSanto

WHEREAS, the City of Lincoln Park, hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes applications to the Michigan Department of Transportation,

**continued**

Whereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct operate, use and/or maintain utility or other facilities, or to conduct other activities on, over and under State trunkline right of ways at various locations within and adjacent to its corporate limits,

NOW, THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents and employees thereof, pursuant to a maintenance contract for any and all claims of every kind for injuries to, or death of any and all persons and, or loss of, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, or by reason of the presence of the GOVERNMENTAL BODY'S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over and/or under the State trunkline right of way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities
2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors, or any other person not a party to the PERMIT, without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.
4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.
5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled, or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken,

BE IT RESOLVED, that the following position or positions are hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within State trunkline rights of way on behalf of the GOVERNMENTAL BODY:

**ROBERT J. BARTOK, DIRECTOR OF PUBLIC SERVICES**  
**WILLIAM TURNER, FIELD SUPERVISOR**  
**RONALD DePALMA, FIELD SUPERVISOR**

Motion unanimously carried.

**RESOLUTION 06-180 Lot Combination/Outer Dr. Property**

By Councilman Murphy, supported by Councilman McPartlin

BE IT RESOLVED that the Combination of City owned Lots, Parcel ID's 001-03-0084-000, 001-03-0089-001, 001-03-0090-000 and 001-04-0251-000 be approved.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

**RESOLUTION 06-181 Review Bank Proposals/FAILED**

By Councilman Murphy, supported by Councilman McPartlin

RESOLVED, that the firm of Plante & Moran be retained to review all bank proposals.

YEAS: Councilpersons DiSanto, McPartlin and Murphy

NAYS: Councilpersons Higgins, Kandes, Vaslo and Mayor Brown

There being no further business, the meeting adjourned at 9:45 p.m.

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STEVEN M. BROWN, MAYOR

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DONNA BREEDING, CITY CLERK

