

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Frank Vaslo presiding

Pledge of Allegiance to the Flag

Moment of silence

PRESENT: Councilpersons Mario DiSanto, Joseph Kaiser, Mark Kandes, Donald Majors,
Suzanne Moreno and Thomas Murphy

ALSO PRESENT: City Attorney Ed Zelenak and Deputy Clerk Janice Hochberg

Mayor's remarks

RESOLUTION 2010-321 Minutes

By Councilman Kandes, supported by Councilwoman Moreno

RESOLVED, that the minutes of the Regular Meeting held under the date of December 6, 2010 be approved as recorded.

Motion carried.

ABSTAIN: Councilman Murphy

PRESENTATION of Holiday Decorating Award to Tim & Linette Goin, 4103 Duplex, Richard & Jennie Kozler, 1692 Goddard and Duane & Susan Wisniewski, 647 Detroit

MAYORAL APPOINTMENTS:

Reappoint Donald McTaggart to the Housing Commission. Term to expire 12-31-15

Appoint Thomas Mandernach to the Public Safety Commission. Term to expire 1-1-2016

RESOLUTION 2010-322 Accounts & Claims Payable

By Councilman DiSanto, supported by Councilman Kandes

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

Warrant Report: \$556,621.01

Motion unanimously carried.

RESOLUTION 2010-323 Property Transfer to DDA/2205 Fort St.

By Councilman Kandes, supported by Councilman Majors

RESOLVED, that the property known as 2205 Fort Street, Lincoln Park, Michigan 48146, acquired through Tax Foreclosure, owned by the City of Lincoln Park is hereby transferred to the Lincoln Park Downtown Development Authority, the LPDDA shall reimburse the City for its costs, if any, and the Mayor and City Clerk are hereby authorized and directed to execute a Quit Claim deed to transfer said property to the LPDDA

Motion unanimously carried.

RESOLUTION 2010-324 Recognize Non-Profit Org./LP Jr. Rails

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that the request from Lincoln Park All American Football Leaguers, also known as the Lincoln Park Jr. Rails, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be approved.

Motion unanimously carried.

RESOLUTION 2010-325 Continuation/Joint Management Committee

By Councilman Kandes, supported by Councilman DiSanto

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

continued

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

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 extended 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; and

WHEREAS, the Municipalities and the County further extended 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, 2009; and

WHEREAS, the County and Municipalities are in the process of negotiating a new Service Agreement to replace the one expiring on March 1, 2012 and the Municipalities desire to extend the existence and operation of the Joint Management Committee past the December 31, 2010 expiration date of the Memorandum of Understanding for an additional term of one (1) year commencing January 1, 2011 and concluding December 31, 2011 during the ongoing negotiations between the Downriver Utility Wastewater Authority and Wayne County.

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 City Attorney as its alternate representative. This Resolution shall take immediate effect. Motion unanimously carried.

RESOLUTION 2010-326 Traffic Control #10-86/Stop Signs

By Councilman Kandes, supported by Councilman DiSanto
RESOLVED, that Traffic Control Order #10-86, as amended, regarding placement of Stop Signs on River Drive at LeBlanc be approved per the recommendation of the Police Department.
Motion unanimously carried.

RESOLUTION 2010-327 Codified Ordinance Updates

By Councilman DiSanto, supported by Councilman Kandes
WHEREAS, American Legal Publishing Corporation has completed its most recent updating of the Codified Ordinances of the City; and
WHEREAS, various resolutions of a general and permanent nature have been passed by Council since the date of the last updating of the Codified Ordinances (December 1, 2009) and have been included in the Codified Ordinances of the City;
THEREFORE, RESOLVED, that:

Section 1. The editing, arrangement and numbering or renumbering of the following resolutions and parts of resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
10-13A	2-16-10	610.99
10-14A	2-16-10	1061.99
10-15A	2-16-10	676.07
10-64	4-5-10	1476.01 to 1476.20
10-65A	4-19-10	1280.05
10-66A	4-19-10	1290.10
10-67A	4-19-10	1296.03
2010-107A	5-17-10	660.08

The effective date of this resolution shall be the 21st day of December, 2010.
Motion unanimously carried.

RESOLUTION 2010-328 Board of Review/Protest by Letter

By Councilman Murphy, supported by Councilman Kandes
WHEREAS, The General Property Tax Act, Act 206 of 1893, as amended, MCL 211. 30(4) Board of Review; provides that a non-resident taxpayer may file his or her appearance, protest and papers in support of the protest by letter and his or her personal appearance is not required, and
WHEREAS, the City of Lincoln Park desires to afford resident taxpayers the same conveniences as non-resident taxpayers.
THEREFORE BE IT RESOLVED, that a resident taxpayer may file his or her appearance, protest and papers in support of the protest by letter and his or her personal appearance is not required.
BE IT FURTHER RESOLVED, that upon adoption of this resolution, the City shall include a statement notifying taxpayers of this option in each assessment notice under section 24c and on each notice or publication of the meeting of the board of review.
Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business before the Mayor & Council, the meeting adjourned at 7:56 p.m.



FRANK VASLO, MAYOR

JANICE S. HOCHBERG, DEPUTY CLERK