

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 Jerry Cupple of St. Henry's Catholic Church

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 03-202 Minutes

By Councilwoman Hancock, supported by Councilwoman Mondon

RESOLVED, that the minutes of the Regular Meeting held under the date of April 28, 2003 be approved as recorded.

Motion unanimously carried.

By Councilwoman Mondon, supported by Councilwoman Hancock, that the minutes of the Special Meeting held 04-28-03 at 7:00 p.m., re: LP Pride and Related Services be approved as printed.

PRESENTATION of VFW Post 552 Poppy King (Bobby Butski) and Queen (Stella Qualls).

RESOLUTION 03-203 VFW Poppy Sale

By Councilwoman Mondon, supported by Councilwoman Hancock

RESOLVED, that the VFW Post 552, 1125 Fort St., Lincoln Park, be granted permission to solicit on the street of Lincoln Park for their Annual "Poppy Sale" on May 8, 9 & 10, 2003. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

RESOLUTION 03-198A Ord. Amend/Public Vehicles

By Councilwoman Mondon, supported by Councilman Mandernach

RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING SECTION .08 (a) (1) AND (2) OF CHAPTER 882 AND REPLACING IT WITH A NEW SECTION .08 (a) (1) AND (2)", be given its third reading in its entirety and **ADOPTED**.

THE CITY OF LINCOLN PARK ORDAINS:

That Section .08 (a) (1) and (2) of Chapter 882, TAXICABS & MOTOR VEHICLES FOR HIRE, of the Codified Ordinances of the City of Lincoln Park be amended by repealing the existing Section .08 (a) (1) and (2) and adopting a new Section .08 (a) (1) and (2) which new section shall read as follows:

882.08 DRIVER'S LICENSES

(a) Application Procedure

- (1) Each person driving a taxicab or motor vehicle for hire must be duly licensed as such by the State of Michigan with a valid Chauffeur or CDL license
- (2) Each applicant for a driver's license must:
 - A. Be twenty-one years of age or over;
 - B. Be of sound physique and good eyesight, and not subject to any medical other infirmity of body or mind which might render him or her unfit for the safe operation of a public vehicle;
 - C. Be able to read and write the English language;
 - D. Be clean in dress and person and not addicted to the use of intoxicating liquor or controlled substances;
 - E. Provide a current copy of his or her Michigan Driver's License record free of any convictions for drug or alcohol offenses for the previous five (5) years prior to this license application, and no convictions for Driving While License Suspended due to a bad driving record for the previous two (2) years prior to said license application.

continued

- F. Have a driving record free of more than three (3) moving violations for the previous two (2) years prior to said application
- G. Be free of any misdemeanor convictions for assaultive behavior, criminal sexual conduct or theft within the past ten (10) years prior to said application and be free of any felony conviction for the past fifteen (15) years, unless otherwise exempted by the Chief of Police
- H. Produce, on forms to be provided by the Police Department, certificates of his or her good character from two reputable citizens who have known him or her personally and observed his or her conduct during the one month next preceding the date of his or her application.
- I. Fill out, upon a blank form to be provided by the Police Department, a statement giving his or her full name; residence; place of residence for five years previous to moving to his or her present address; age; height; color of eyes and hair; place of birth; length of time he or she has resided at his or her present address; and whether or not a citizen of the United States. Such statement shall be signed and sworn to by the applicant and filed with the Police Department as a permanent record.

Motion unanimously carried

ADOPTED: May 5, 2003
PUBLISHED: May 14, 2003
EFFECTIVE: May 14, 2003

RESOLUTION 03-199A Ordinance Amend/Solicitors & Canvassers

By Councilman Mandernach, supported by Councilwoman Mondon

RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING SECTION .06 (a) (b) AND (c) OF CHAPTER 876 AND REPLACING IT WITH A NEW SECTION .06 (a) (b) AND (c)," be given its third reading in its entirety and ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That Section .06 (a) (b) and (c) of Chapter 876, SOLICITORS AND CANVASSERS, of the Codified Ordinances of the City of Lincoln Park be amended by repealing the existing Section .06 (a) (b) and (c) and adopting a new Section .06 (a) (b) and (c) which new section shall read as follows:

876.06 INVESTIGATIONS; LICENSE ISSUANCE

- (a) Upon receipt of an application for a permit and license under this chapter, the original shall be referred to the Chief of Police or his designee who shall cause such investigation of the applicant's criminal and business history to be made as he or she deems necessary for the protection of the public welfare.
- (b) If, as a result of such investigation, the applicant's criminal and business history is found to be unsatisfactory, the Chief of Police shall endorse on such application his or her disapproval and reasons for the same and shall return the application to the City Clerk who shall notify the applicant that his or her application is disapproved and that no permit or license will be issued.
- (c) If, as a result of such investigation, the criminal and business history of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his or her approval, to the applicant for the carrying on of the business applied for and return the application to the City Clerk who shall, upon payment of the prescribed license fee deliver to the applicant his or her permit and issue a license.

Motion unanimously carried.

ADOPTED: May 5, 2003
PUBLISHED: May 14, 2003
EFFECTIVE: May 14, 2003

RESOLUTION 03-200A Ord Amendment/Hawkers & Peddlers

By Councilwoman Hancock, supported by Councilwoman Mondon

RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING SECTION .04 (a), (b), (c) AND (d) OF CHAPTER 836 AND REPLACING IT WITH A NEW SECTION .04 (a), (b), (c) AND (d)", be given its third reading in its entirety and ADOPTED.

continued

THE CITY OF LINCOLN PARK ORDAINS:

That Section .04 (a), (b), (c) and (d) of Chapter 836, HAWKERS AND PEDDLERS, of the Codified Ordinances of the City of Lincoln Park be amended by repealing the existing Section .04 (a), (b) and (c) and (d) and adopting a new Section .04 (a), (b), (c) and (d) which new section shall read as follows:

836.04 LICENSE ISSUANCE, INVESTIGATIONS

- (a) The application shall be referred to the Chief of Police or his designee who shall cause such investigation of the applicant's criminal history and business history to be made as he or she deems necessary for the protection of the public welfare.
- (b) The applicant shall have all motor vehicles used in the course of business inspected for safety and fitness by the Traffic Division of the Police Department. Said applicant shall present a current Michigan Department of State Drivers License record with the application.
- (c) If, as a result of the investigation, the applicant's criminal and business history is found to be unsatisfactory, the Chief of Police shall endorse on such application his or her disapproval and reasons for the same, and shall return the application to the City Clerk who shall notify the applicant that his or her application is disapproved and that no permit or license will be issued.
- (d) If, as a result of such investigation, the criminal and business history of the applicant are found to be satisfactory, the Chief of Police shall endorse his or her approval on the application and shall return the application to the City Clerk who shall issue to the applicant the prescribed license.

Motion unanimously carried.

ADOPTED: May 5, 2003
PUBLISHED: May 14, 2003
EFFECTIVE: May 14, 2003

RESOLUTION 03-204 Investigation/Appl. Fees-Specialty Licenses

By Councilman DiSanto, supported by Councilman Mandernach

WHEREAS, amendments to the Municipal Code have been adopted by the Mayor and Council relating to investigation/applications for the following: Public Vehicle Licenses, Solicitors and Canvassers, Hawkers and Peddlers, and Junk Dealers Licenses.

THEREFORE, BE IT RESOLVED, that the investigation/application fee for each of the specialty licenses indicated above be established at **\$25. each**. Per the recommendation of the City Attorney, Police Department and the City Clerk's Office.

Motion unanimously carried.

RESOLUTION 03-205 Accounts & Claims Payable

By Councilwoman Mondon, supported by Councilman Mandernach

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

Warrant Report: \$537,760.81
withholding check #8632 in the amount of **\$254.14**.

Motion unanimously carried.

RESOLUTION 03-206 Designate Official Newspaper

By Councilwoman Mondon, supported by Councilwoman Hancock

RESOLVED, that the **News Herald Newspaper** be designated as the "**Official Newspaper**" for the City of Lincoln Park in the amount of \$16.25 per column inch for hard copy or \$15.25 per column inch if received by e-mail or disk.

FURTHER BE IT RESOLVED, that all advertisements for the City of Lincoln Park shall be placed in the Wednesday edition, unless modified by Council Resolution.

Motion unanimously carried.

RESOLUTION 03-207 Set Clsd. Mtg/Labor Negotiations

By Council President Kandes, supported by Councilman DiSanto

RESOLVED, that a Closed Meeting of the Mayor and Council be scheduled for **Monday, May 12, 2003 at 6:30 p.m.**, to be held in the Conference Room of City Hall, for the purpose of discussing labor negotiations.

Motion unanimously carried.

RESOLUTION 03-208 Authorize Police Auction

By Councilwoman Hancock, supported by Councilwoman Mondon
RESOLVED, that the Lincoln Park Police Department be authorized to hold a Public Auction on **Saturday, June 7, 2003 at 9 a.m.** for the purpose of disposing of bicycling and miscellaneous items. The auction will be held at the Department of Public Service Building, located at 500 Southfield Rd., Lincoln Park, MI.
Motion unanimously carried.

RESOLUTION 03-209 Grant Used Auto Dealers License/590 S'field

By Councilwoman Hancock, supported by Councilman Mandernach
RESOLVED, that **Cochran Motors, 590 Southfield Rd.**, Lincoln Park, be granted their **"2003 Used Auto Dealers License"**. Per the recommendation of the Police Dept., Fire Dept. and Building Department.
Motion unanimously carried.

RESOLUTION 03-210 Grant Used Auto Dealers License/616 S'field

By Councilwoman Hancock, supported by Councilman Mandernach
RESOLVED, that **Class Auto, Inc., 616 Southfield Rd.**, Lincoln Park, be granted their **"2003 Used Auto Dealers License"**. Per the recommendation of the Police Department. Fire Dept. and Building Department.
Motion unanimously carried.

RESOLUTION 03-211 Special Event Permit/LPHS Softball

By Councilwoman Mondon, supported by Councilman DiSanto
RESOLVED, that a Special Event Permit be approved for the **"Cruisin Downriver Event"** to be held in the City of Lincoln Park on June 28, 2003, for the following participant:

#1 L.P.H.S. Softball

(fee waived per Councilwoman Mondon, will pay after the event)

Motion unanimously carried.

RESOLUTION 03-212 Transfer Funds/Cable Commission

By Councilwoman Mondon, supported by Council President Kandes
RESOLVED, that **\$2,000.00** be transferred from the Cable Commission to the Memorial Day Parade Committee. Funds to come from Account #101-000-370CC.
Motion unanimously carried.

RESOLUTION 03-213 Solicit bids/Emmons Sanitary Sewer Repair

By Councilman DiSanto, supported by Councilman Mandernach
WHEREAS, the city recently completed the cleaning and televising of the 36-inch sanitary sewer along **Emmons Avenue** and determined that there are potential flow problems with the sewer,
AND

WHEREAS, it is always in the best interest of the city to correct sewer problems in a timely manner.

THEREFORE, BE IT RESOLVED, that the Mayor and Council authorize Hennessey Engineers, Inc. to prepare the plans and specifications to complete the repair of the 36-inch sanitary sewer along Emmons Avenue.

BE IT FURTHER RESOLVED, that the Mayor and Council authorize Hennessey Engineers, Inc. to solicit bids for the project after the DPS Superintendent has approved the plans and specifications.

BE IT FURTHER RESOLVED, that Hennessey Engineers, Inc. will be compensated per their current agreement with the city and funds for the cost of the work will be appropriated from the Emergency Sewer Replacement Reserve item of the budget, Account Number 592 527 980R.

Motion unanimously carried.

RESOLUTION 03-214 Solicit bids/Street Sectioning Project

By Councilwoman Mondon, supported by Councilman Murphy
RESOLVED, that Patricia Lulko, Personnel & Purchasing Director and William Hatley, CDBG Director, are hereby authorized and directed to solicit bids for the **replacement of street sections on Lafayette Street north of Cicotte Street** to be paid for with 29th year CDBG budget funds, using specifications approved by Street Superintendent Bob Torck.
Motion unanimously carried.

RESOLUTION 03-215 Solicit bids/gutter cleaning

By Councilwoman Mondon, supported by Councilman Mandernach

WHEREAS, that the City of Lincoln Park wants to take a pro-active stance against the **West Nile Virus** and encourages its citizens to do so as well; and

WHEREAS, standing water is a primary source for mosquito breeding and therefore elimination of such is a preventive measure.

THEREFORE, BE IT RESOLVED, that the Purchasing Agent be authorized to solicit bids on behalf of the homeowners for **gutter cleaning service**.

Motion carried.

NAY: Councilman DiSanto

REPORT – CMOM UPDATE – CITY ENGINEER

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:42 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK