

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Thomas E. Karnes presiding

Pledge of Allegiance to the Flag – led by the Order of DeMolay

Invocation by Reverend Russell Bone of Lincoln Park Church of Christ

PRESENT: Councilpersons Mario DiSanto, Deborah Henderson, Mark Kandes, and Thomas Murphy.

ABSENT: Councilpersons Larry Kelsey, and Elliott Zelenak

ALSO PRESENT: City Manager Joseph Merucci, Asst. City Attorney Amy Higgins and City Clerk Donna Breeding

Mayor's remarks

PROCLAIMED the month of March as DeMolay month.

PRESENTED a Certificate of Recognition to Thomas H. Hale on his 100th birthday

RESOLUTION 2014-89 Approve Consent Agenda

By Council President Murphy, supported by Councilman Kandes

RESOLVED, that the following items listed under the consent agenda be approved as presented to the Mayor and City Council

1. Approval of Minutes:
 - a. Regular Meeting held February 18, 2014 at 7:30 pm
 - b. Public Hearing held February 18, 2014 at 6:30 pm
 - c. Special Meeting held February 13, 2014 at 6:30 pm
2. Appointment – Housing Commission/Gilbert
3. Lot Combination/ Lincolnshire No.2 Sub – lots 686, 687 & 688
4. Participation/Residential Rehab Loan Program

Motion unanimously carried.

ca-1a **RESOLUTION 2014-90 Minutes/Regular Meeting**

RESOLVED, that the minutes of the Regular Meeting held under the date of February 18, 2014 be approved as recorded.

ABSTAINED: Kandes

Approved

ca-1b **RESOLUTION 2014-91 Minutes/Public Hearing**

RESOLVED, that the minutes of the Public Hearing held under the date of February 18, 2014 at 6:30 pm regarding 2014/15 CDBG Budget be approved as recorded.

ABSTAINED: Kandes

Approved

ca-1c **RESOLUTION 2014-92 Minutes/ Special Meeting**

RESOLVED, that the minutes of the Special Meeting held under the date of February 13, 2014 at 6:30 pm regarding Labor Negotiations be approved as recorded.

Approved

ca-2 **RESOLUTION 2014-93 Appointment/Housing Commission/Gilbert**

RESOLVED, that Gordon Gilbert is reappointed to the Housing Commission with a term to expire December 31, 2018.

Approved

ca-3 RESOLUTION 2014-94 Lot Comb./Lincolnshire No. 2 Sub/lot 686-688

BE IT RESOLVED that the lot combination of:

Parcel #45-017-06-0688-001

NG688A W 18.50 ft of lot 688 also S 1/2 adj vac alley LINCOLNSHIRE NO 2 SUB PC 121 169 L47 P32 WCR

Parcel #45-017-06-0686-002

NG686B NG687 E 9 ft of lot 686 also lot 687 also S 1/2 adj vac alley LINCOLNSHIRE NO 2 SUB PC 121 169 L47 P32 WCR be approved.

Approved.

ca-4 RESOLUTION 2014-95 Participation/Residential Rehab Program

RESOLVED, that the following citizens be approved for participation in the CDBG Residential Rehabilitation Loan Program, for a loan not to exceed \$20,000.00. Funds to come from the 37th Program Year CDBG Budget Account Number 24937 720R.

1361DL Beverly Beaudrie – 1631 Buckingham

Correct lead-based paint hazards and code violations if necessary. Repair basement walls and update bathroom

1362DL Felicia Flores – 1770 College

Emergency furnace replacement

1363DL Barbara Suddarth – 2059 University

Correct lead-based paint hazards and code violations if necessary. Waterproof basement walls, install attic insulation

BE IT FURTHER RESOLVED that, Donald T. Cook, Director of Community Planning & Development is hereby authorized and directed to process this application in accordance with the Policy and Procedures Guidelines previously approved.

Approved

RESOLUTION 2014-96 Prop. Ordinance Amend/Ch 862/Pawnbrokers

By Councilwoman Henderson, supported by Mayor Karnes

RESOLVED, that “AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE CHAPTER 862, ENTITLED PAWN BROKERS BY REPEALING AND REPLACING SECTIONS .02, .06, .10, .12, AND AMENDING SECTION .11”, be given its first and second reading by TITLE ONLY.

THE CITY OF LINCOLN PARK ORDAINS:

That the Codified Ordinances be amended by repealing certain sections of Chapter 862, after their final reading.

Motion unanimously carried.

RESOLUTION 2014-79A Adopt Ordinance Amend./Ch 1482/Rental

By Council President Murphy, supported by Mayor Karnes

RESOLVED, that “AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE, CHAPTER 1482, BY AMENDING AND/OR REPEALING AND REPLACING CERTAIN SECTIONS OF CURRENT RENTAL DWELLING ORDINANCE be given its third and final reading by TITLE ONLY. Said amendments having been posted 72 hours prior to introduction.

THE CITY OF LINCOLN PARK ORDAINS:

That the Codified Ordinance, Chapter 1482 Rental Dwellings be amended by repealing and replacing certain sections and adding additional stipulations to the current ordinance. Said text amendments are hereby Adopted, and are available for public viewing in the Building Department.

(Overview of changes)

- Under the proposed ordinance you will need to be registered, inspected and have a certificate of compliance prior to occupancy.
- The requirements are now listed in the beginning of the ordinance in 1482.03 and then expanded upon in later sections.
- Penalties: the old Ordinance provided for all civil infractions (1482.99), the new proposes civil infractions for the first two infractions within 12 months, then provides for a misdemeanor for the third infraction within a 12 month period .

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- A few minor additions to the registration process, driver’s license for owner/resident agent for example. 1482.04 (a).
- Unify time periods all three years for inspections/ certificate of compliance. 1482.06 (a) 4, and 1482.07 (e).
- Most references to fees are removed and replaced by language indicating that these fees will be set from time to time by Mayor and Council. 1482.05 and 1482.08.
- It shall be the burden of the prospective landlord and tenant to establish by a preponderance of the evidence that the family relationship described herein exists.

Motion carried.

NO: Councilman Kandes

ADOPTED: March 3, 2014

PUBLISHED: March 12, 2014

EFFECTIVE: March 12, 2014

RESOLUTION 2014-78A Adopt Ord. Amend/Ch 275/City Library

By Council President Murphy, supported by Councilman Kandes

RESOLVED, that “ AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF LINCOLN PARK BY REPEALING CHAPTER 275 AND REPLACING IT WITH A NEW CHAPTER 275 ENTITLED, CITY LIBRARY AND LIBRARY BOARD OF DIRECTORS”, be given its third and final reading and be ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That the Codified Ordinances of the City of Lincoln Park be amended by repealing and replacing Chapter 275.

City Library and Library Board of Directors

275.01 ESTABLISHMENT OF CITY LIBRARY; LIBRARY BOARD OF DIRECTORS

The City of Lincoln Park establishes a City Library and Library Board of Directors in accordance with the terms of Public Act No. 164 of 1877(MCL 397.201 et seq.).

275.02 COMPOSITION; TERMS OF OFFICE; COMPENSATION; REMOVALS; VACANCIES.

The City Library Board of Directors shall be composed of five members, appointed by the Mayor with the concurrence of the Council. Membership on the Board of Directors shall be honorary and the members shall serve without compensation. The term of each member shall be for three years except that in the initial appointment two members of the first Board of Directors shall serve for the term of one year, two for a term of two years and two for a term of three years, the determination of which members shall serve for which terms shall be made by lot. All members shall hold office until their successors are appointed. Members shall possess those qualifications for appointive officers of the City outlined in Chapter 4 of the Charter.

Members may be removed by the Mayor for inefficiency, neglect of duties or malfeasance in office, and for missing three consecutive regular meetings of the Board of Directors without having first been properly excused by the Board of Directors in a manner provided in the bylaws. Vacancies otherwise than through expiration of term shall be filled in a like manner as original appointments for the unexpired term.

275.03 ORGANIZATION; RULES AND REGULATIONS; MEETINGS.

The Library Board of Directors shall, immediately after appointment, meet and organize by the election of one of its members as President and by the election of such other officers as it deems necessary. It shall adopt bylaws for the orderly conduct of its meetings and for proper execution of its functions. Meetings of the Board of Directors will be held monthly and as often as may be deemed necessary by the President. Minutes of proceedings of the Board of Directors shall be maintained and copies thereof shall be transmitted regularly to the Clerk’s office.

The Board of Directors may adopt rules and regulations governing the execution of its functions as may be deemed necessary.

275.04 POWERS AND DUTIES.

The Library Board of Directors shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and, in conjunction with the Department of Public Works, of the supervision, care, and custody of the grounds, rooms, or buildings constructed, leased, or set apart for that purpose: Provided, That all moneys received for such library shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said city, upon the properly authenticated vouchers of the library board. Said board shall have power to purchase or lease grounds, to occupy, lease, or erect an

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appropriate building or buildings for the use of said library; shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation; and shall also have power to remove such appointees; and shall, in general, carry out the spirit and intent of this act in establishing and maintaining a public library and reading room.

275.05 ANNUAL BUDGET; ANNUAL REPORT.

The City Council shall make an annual appropriation for the operation and maintenance of the City Public Library and such appropriation shall be deposited in the 'library fund'. The Board of Directors shall make, at the end of each and every year from and after the organization of such library, a report to the city council, stating the condition of their trust at the date of such report the various sums of money received from the library fund and from other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand; the number added by purchase, gift, or otherwise during the year; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character and kind of such books, with such other statistics, information, and suggestions as they may deem of general interest. All such portions of said report as relate to the receipt and expenditure of money, as well as the number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.

275.06 USE OF FACILITIES.

The City Library shall be maintained for the use and benefit of the inhabitants of the City, subject to the rules and regulations governing the operation of the City Library, and the City Library Board of Directors may exclude from the use of its facilities any and all persons who shall willfully violate such rules.

275.07 RECEIPT OF GIFTS, CONTRIBUTIONS, DONATIONS.

Any person desiring to make donations of money, personal property, or real estate for the benefit of such library, shall have the right to vest the title to money or real estate so donated in the Board of Directors created under this act, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise, or bequest of such property; and as to such property, the said Board shall be held and considered to be special trustees

Motion unanimously carried.

ADOPTED: March 3, 2014

PUBLISHED: March 12, 2014

EFFECTIVE: March 12, 2014

RESOLUTION 2014-97 Telephone System Audit

By Council President Murphy, supported by Mayor Karnes

RESOLVED, the City Council approve the Master Service Agreement with Abilita to review the city's telecommunication system and authorize the Mayor to sign the agreement.

Motion unanimously carried.

RESOLUTION 2014-98 Damaged Fort St. Planter Box

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, the City Council approve the removal of the damaged planter box from an accident on November 3, 2013 in front of 2041 Fort Street at a cost of \$8,725.00 and authorize the Lincoln Park Downtown Development authority to sign the Phase III, bulletin No. 1.

Motion unanimously carried.

RESOLUTION 2014-99 Solicit Bids/2014 Concrete/Sidewalk Repair

By Councilman DiSanto, supported by Councilman Kandes

BE IT RESOLVED, the Mayor and City Council hereby authorize the Director for the Department of Public Services to solicit bids for miscellaneous concrete work and sidewalk restoration program for year 2014.

Motion unanimously carried.

RESOLUTION 2014-100 Solicit Bids/Storm Sewer Repair

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, that the City Manager be authorized to solicit bids for the Mill St. east of Fort St. storm sewer system extension.

Motion unanimously carried.

RESOLUTION 2014-101 Award Bid/Progress Ave Reconstruction

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that Hard Rock Concrete be awarded the bid for the 2013 CDBG Progress Street Reconstruction Project in the amount of \$220,456.00. This is a unit price project and the final quantities of materials used will determine the final contract amount, therefore a contingency amount of \$22,046.00 is being added with a total cost not to exceed \$242,502.00 as they are the lowest best bidder that meets all specifications. A 10% retention of the project cost shall be held to verify completion pursuant to the contract.

BE IT RESOLVED, that \$49,778 be transferred from CDBG account number 24937-720R Residential Rehab to CDBG account number 29439-75519 Streets & Utilities, and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute documents necessary to accomplish this work. Funds to come from Account Numbers 24939-75519 & 24938-75519 Streets & Utilities.

Motion unanimously carried.

RESOLUTION 2014-102 Reject Bids/Retention Basin Strainer Project

By Councilman DiSanto, supported by Councilman Kandes

BE IT RESOLVED, that the Mayor and City Council hereby **Rejects** all bids received for the 2014 Retention Basin Strainer Removal, Refurbishment Repairs, and Re-installion Project.

Motion unanimously carried.

RESOLUTION 2014-103 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: \$1,347,013.50

Motion unanimously carried.

CITY MANAGER’S REPORT

DEPARTMENT HEAD REPORT

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2014-104 Adjournment

By Council President Murphy, supported by Councilwoman Henderson

RESOLVED, that the meeting be adjourned at 9:05 p.m.

Motion unanimously carried.

THOMAS E. KARNES, MAYOR

DONNA BREEDING, CITY CLERK