

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Reverend Patrick Bossio, Sr. of CHRIST Family Church

PRESENT: Councilpersons Mario DiSanto, Deborah Henderson, Mark Kandes, Larry Kelsey,
Thomas Murphy and Elliott Zelenak

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

Mayor's remarks

RESOLUTION 2014-243 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. Approve Minutes - Regular Meeting held June 2, 2014
2. Approve 2014 Annual "Used Auto Dealer Licenses"
3. Special Event Permits
 - a. McCaffery's – 4210 Fort St. – Cruisin' Downriver
 - b. Cottage Inn Pizza – 3356 Fort St. - Cruisin' Downriver
 - c. Belmar Lanes – 4035 Fort St. - Cruisin' Downriver (DENIED)
 - d. McCaffery's – 4210 Fort St. – Beach Bash
4. Attend Training/Animal Control Officer
5. Charitable Solicitation/LPHS Cheerleaders
6. Solicit Bids/Happenings Brochure
7. Participation Residential Loan Program

Motion unanimously carried.

ca-1a **RESOLUTION 2014-244 Minutes/Regular Meeting**

RESOLVED, that the minutes of the Regular Meeting held under the date of June 2, 2014 be approved as recorded.

Approved

ca-2 **RESOLUTION 2014-245 Approve 2014 Used Auto Dealer Licenses**

RESOLVED, that "Annual 2014 Used Auto Dealers License" be approved for the following:

Downriver Motor Sales	2315 Dix
Dix Auto Parts	3298 Dix
LA Trading	4036 Dix
RJ Power Sports	4181 Dix (no outside storage)
Big Mike Auto Sales	1266 Fort St.
Templeton Auto Sales	1276 Fort St.
Jack's Automotive Sales	3108 Fort St.
Cruise Classic Auto Sales	1704 John A Papalas Dr. (no outside storage)
Service First Auto Sales	1780 Southfield

Approved

ca-3a **RESOLUTION 2014-246 Special Event Permit/4210 Fort**

RESOLVED, that Special Event Permit #11 be approved for the 2013 "Cruisin Downriver Event" to be held in the City of Lincoln Park on June 27 & 28m 2014 from 10:00a.m. to 11:00 p.m. for McCaffery's Bar - 4210 Fort St. under the following conditions:

1. Special Event to cease at 11:00 p.m. per Municipal Code 666.04
2. Applicant shall be responsible for clean-up of all debris associated with event from surrounding properties

Approved

ca-3b

RESOLUTION 2014-247 Special Event Permit/3356 Fort

RESOLVED, that Special Event Permit #12 be approved for the 2014 "Cruisin Downriver Event" to be held in the City of Lincoln Park on June 27 & 28, 2014 from 3:00 p.m. to 11:00 p.m. for Cottage Inn Pizza, 3356 Fort St.

Approved

ca-3c

RESOLUTION 2014-248 DENY Special Event Permit/4035 Fort

RESOLVED, that Special Event Permit #13 for the 2014 "Cruisin Downriver Event" to be held in the City of Lincoln Park on June 27 & 28, 2014 for Belmar Lanes, 4035 Fort St. be DENIED due to unpaid water bills in the amount of \$2189.59

Approved

ca-3d

RESOLUTION 2014-249 Special Event Permit/4210 Fort

RESOLVED, that Special Event Permit #14 be approved for McCaffery's "Beach Party" to be held in the City of Lincoln Park on August 8, 2014 from 10:00 a.m. to 11:00 p.m. for McCaffery's Bar - 4210 Fort St. under the following conditions:

1. Special Event to cease at 11:00 p.m. per Municipal Code 666.04
2. Applicant shall be responsible for clean-up of all debris associated with event from surrounding properties

Approved

ca-4

RESOLUTION 2014-250 Attend Training/Animal Control

RESOLVED, that Mayor and Council authorize Animal Control Officer Adam Manchester to attend the MPAW (Michigan Partnership for Animal Welfare) Training Conference in Frankenmuth, MI on Thursday, June 26, 2014 to Friday, June 27, 2014. The cost for meals and lodging will be paid for by MPAW. A Police Department vehicle will be used.

Approved

ca-5

RESOLUTION 2014-251 Charitable Solicitation/LPHS Cheerleaders

RESOLVED, that the Lincoln Park High School Cheerleaders, 1701 Champaign, Lincoln Park, MI be granted permission to request donations on the streets of Lincoln Park on June 22 and June 29, 2014 for their "Cheer Camp Fundraiser". All reporting provisions of the local ordinance to the timely observed.

Approved

ca-6

RESOLUTION 2014-252 Solicit Bids/Happenings Brochure

RESOLVED, that the Parks & Recreation Director is authorized to solicit bids for printing the "Happenings" brochure utilizing 2014 promotional tax funds.

Approved

ca-7

RESOLUTION 2014-253 Participation/Residential Rehab Program

RESOLVED, that the following citizen 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 38th Program Year CDBG Budget Account Number 24938 720R.

1367DL Janice Ladd – 2174 Garfield

Lead based paint and code corrections if necessary, new roof, siding, gutters and windows

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 2014-254 Award Bid/Road Maintenance-TABLED

By Councilman DiSanto, supported by Councilman Kelsey

BE IT RESOLVED, that the Mayor and City Council hereby award the bid for the 2014 Road Maintenance Bid to Highway Maintenance & Construction Co., as submitted, for any/all work not-to-exceed unit pricing.

BE IT RESOLVED, that the Mayor and City Council hereby authorize Highway Maintenance & Construction Co. to perform various Road Maintenance Work, assigned by the Director of Public Services, to the Major and Local Roadways for the 2014 Construction Season for a total cost not-to-exceed \$100,000.

continued.

BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 202-464-818 (Major Roads Contractual Services) and 203-464-818 (Local Roads Contractual Services).

FURTHER, BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign all pertinent contract documents.

By Council President Murphy, supported by Councilman DiSanto

RESOLVED, that the above motion be TABLED

Motion carried.

NO: Mayor Karnes

RESOLUTION 2014-255 Change Order/2014 Concrete Restoration

By Councilman DiSanto, supported by Councilman Kelsey

BE IT RESOLVED, that the Mayor and City Council hereby approve Change Order #1 to Resolution #2014-134 for a new total not-to-exceed cost of \$122,625.00.

FURTHER, BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 592-920-818 (water) and Account #202-464-818 (roads).

Motion unanimously carried.

RESOLUTION 2014-256 DPS Review Committee

By Council President Murphy, supported by Councilwoman Henderson

WHEREAS, a resolution was passed (2014-185 to establish a committee/DPS Review on May 5, 2014).

WHEREAS, the resolution stated that up to two council people would be selected from the council to serve on this committee, and

NOW, THEREFORE, BE IT RESOLVED that the Council hereby appoints Councilman Kelsey and Councilwoman Henderson as the Council's representatives to this committee.

WHEREAS, a number of citizens would also serve on this committee along with the two councilpersons.

NOW, THEREFORE, BE IT RESOLVED, the number of citizens will be five. The concerned citizens will submit their names and reasons for wanting to be on the committee to the Mayor. The Council will then review that list to determine who would serve on this committee. The open period to apply will be 10 days excluding Saturdays and Sundays or holidays from the time the notice goes out. The Council appointments will take place within 30 days of the close of the application period.

NOW, THEREFORE BE IT FURTHER RESOLVED that after the committee has been formed, it will post a meeting notice and agenda to invite all interested parties to express their concerns about the DPS Department. The committee will also hear from the management team at DPS on the concerns the residents have brought to the meeting.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the committee will make recommendations to the whole council for action or inaction on its recommendations to correct problems brought to it by the residents.

Motion carried.

NO: Councilman Zelenak

RESOLUTION 2014-257 Addendum/Rizzo/Curb Cart Services

By Councilman Kelsey, supported by Councilman Kandes

RESOLVED, that the Mayor and City Clerk are hereby authorized to sign the Addendum for curb side, solid waste collection with Rizzo Environmental Services.

FURTHER BE IT RESOLVED, that the new rates under "Option 3" of the original bid shall commence the first month following the date when a majority of carts are delivered, as approved August 5, 2013.

Motion carried.

NO: Councilpersons Henderson and Kandes

RESOLUTION 2014-258 Farmer's Market/Non-profit status

By Councilman Kandes, supported by Councilwoman Henderson

WHEREAS, effective May 28, 2014 the Internal Revenue Service under section 501 (c) (3) approved a non-profit status application.

THEREFORE, BE IT RESOLVED, that the Friends of Lincoln Park Farmers Market, 1359 Chandler Ave., Lincoln Park, MI be recognized as a "non-profit" organization by the Mayor and Council of the City of Lincoln Park.

Motion unanimously carried.

RESOLUTION 2014-259 Extend Community Center Lease/FEPI

By Councilman DiSanto, supported by Councilman Kelsey

RESOLVED, that the City of Lincoln Park enters into a one year agreement to Family Entertainment Properties, Inc. to manage the City Ice Rink.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute all necessary document to enter into the agreement.

Motion unanimously carried.

RESOLUTION 2014-260 Authorize ground lease agreement/AT&T

By Councilman Kelsey, supported by Councilman Kandes

RESOLVED, that the Mayor and City Clerk are authorized to execute a non-exclusive ground lease and easement agreement with AT&T Wireless, including but not limited to the following terms:

- (1) \$7,200 annually for the first year, with lease payments due annually at the beginning of each year,
- (2) a 3% escalator per year,
- (3) an initial five year lease with the option for five (5) additional five (5) year leases,
- (4) the City's right to keep its existing equipment on the tower and to locate additional equipment, as long as it does not interfere with the AT&T Wireless equipment,
- (5) AT&T Wireless may terminate the agreement annually upon three (3) months notice, but only after the initial five year term,
- (6) lease to commence August 1, 2014 and
- (7) the parties agree to each maintain their own insurance on their respective equipment.

Motion unanimously carried.

RESOLUTION 2014-261 Ban/Donation Bins

By Councilman Kandes, supported by Councilman Kelsey

RESOLVED, that the Mayor and Council authorize the City Attorney to initiate and complete all required procedural steps and have appropriate language to present to the Mayor and Council to ban for-profit and non-profit donation bins in the City of Lincoln Park. Donation bins next to non-profit brick and mortar stores and paper recycling would be excluded.

Motion carried.

NO: Mayor Karnes

RESOLUTION 2014-262 Schedule Study Session Parks & Recreation

By Councilman Kandes, supported by Council President Murphy

RESOLVED, that the Mayor and Council authorize a study session to discuss grant opportunities for Parks and Recreation. The study session will be on August 4, 2014 at 6:30 pm in the John A Aloisi Council Chambers, 1355 Southfield Rd. The Mayor and Council is requesting a copy of the 5 year Parks and Recreation Master Plan, the attendance of the Parks and Recreation Director and to send an invitation to the members of the Parks and Recreation Commission.

Motion carried.

NO: Mayor Karnes

RESOLUTION 2014-263 Interim Building Superintendent

By Council President Murphy, supported by Councilman Kandes

WHEREAS, the Mayor and Council have received notification from the current Building and Engineering Manager that he will be leaving on June 27th, and

WHEREAS, in order to maintain the continuity of the Building Dept. the Mayor and Council take the necessary steps to replace the Building and Engineering Manager.

RESOLVED, that the HR Coordinator be instructed to advertise for the position of Building and Engineering Manager.

BE IT RESOLVED, that according to the policy of Ethical Conduct a former Councilmember may not be employed for a period of one year. However, time is of the essence and the city must maintain a licensed building official.

THEREFORE, BE IT RESOLVED, that a position of Interim Building Manager be created at the hourly rate of \$32.00.

NOW, THEREFORE, BE IT RESOLVED, that Joseph Kaiser be appointed Interim Building Manager until a full-time individual is hired.

Motion unanimously carried.

RESOLUTION 2014-264 Accounts & Claims Payable

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

Warrant Report: \$ 910,238.99

Motion carried.

ABSTAINED: Councilman Kandes on Check # 52402

NO: Councilman Kelsey on Check #52445

DEPARTMENT HEAD REPORT

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2014-265 Move into Closed Session

By Councilman Kandes, supported by Councilman DiSanto
RESOLVED, that the Council move into Closed Session to discuss pending litigation
Motion unanimously carried.

RESOLUTION 2014-266 Adjournment

By Council President Murphy, supported by Councilwoman Henderson
RESOLVED, that the meeting be adjourned at 9:38 p.m.
Motion unanimously carried.

THOMAS E. KARNES, MAYOR

DONNA BREEDING, CITY CLERK