

Lincoln Park, Michigan
August 1, 2016

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 Russell Bone of Lincoln Park Church of Christ

PRESENT: Councilpersons Chris Dardzinski, Mario DiSanto, Larry Kelsey, Thomas Murphy and Elliott Zelenak

ABSENT: Councilperson Mark Kandes

ALSO PRESENT: City Manager Matt Coppler, Asst. City Attorney Amy Higgins, and City Clerk Donna Breeding

Mayor's remarks

NOTE: Change Item #2g on the Consent agenda to 839 Lincoln and remove Item #3

RESOLUTION 2016-218 Approve Consent Agenda

By Council President Murphy, supported by Councilman DiSanto

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 July 18, 2016
2. Set Public Hearings – Dangerous Buildings
 - a. 985 Garfield
 - b. 1533 Morris
 - c. 1933 Moran
 - d. 980 White
 - e. 1737 Garfield
 - f. 1738 Garfield
 - g. 839 ~~White~~ Lincoln
3. ~~Reject Bids/Pagel St. Construction – REMOVED~~
4. Reject Bid/Retention Basin Pond Protection Project

Motion unanimously carried.

ca-1

RESOLUTION 2016-219 Approve Minutes/Regular Meeting

RESOLVED, that the minutes of the Regular Meeting held under the date of July 18, 2016 be approved as recorded.

Approved

ca-2a

RESOLUTION 2016-220 Set Public Hearing/Dang. Bldg/985 Garfield

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **985 GARFIELD, Case #DB16-11** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be demolished immediately, and** WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2b

RESOLUTION 2016-221 Set Public Hearing/Dang. Bldg/1533 Morris

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1533 MORRIS, Case #DB16-12** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **\$10,000 surety bond immediately, brought to code within 6 months or demolish immediately,** WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2c

RESOLUTION 2016-222 Set Public Hearing/Dang. Bldg/1933 Moran

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1933 MORAN, Case #DB16-13** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be demolished immediately, and** WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter

as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2d

RESOLUTION 2016-223 Set Public Hearing/Dang. Bldg/980 White

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **980 WHITE, Case #DB16-14** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be demolished immediately, and**

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and

WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2e

RESOLUTION 2016-224 Set Public Hearing/Dang. Bldg/1737 Garfield

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1737 GARFIELD, Case #DB16-15** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be demolished immediately, and**

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and

WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2f

RESOLUTION 2016-225 Set Public Hearing/Dang. Bldg/1738 Garfield

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1738 GARFIELD, Case #DB16-16** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be demolished immediately, and**

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and

WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-2g

RESOLUTION 2016-226 Set Public Hearing/Dang. Bldg/839 Lincoln

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **839 LINCOLN, Case #DB16-17** is a dangerous building under Ordinance 1444, and issued its ORDER that the structure **be inspected in 10 days to determine if it can be repaired or demolish immediately**,

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of its findings and a copy of its ORDER with the Council and has requested the Council to take the necessary action to demolish the structure, and

WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **August 15, 2016**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Approved

ca-4

RESOLUTION 2016-227 Reject Bid/Retention Basin Pond Protection

WHEREAS, the City of Lincoln Park is in receipt of one bid for the Retention Basin Pond Protection Project which came in above the engineers estimated costs.

BE IT RESOLVED, the Mayor and City Council reject the bid and authorize Hennessey Engineers Inc. to resolicit bids for this project in the fall of 2016.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Approved

RESOLUTION 2016-228 Emergency Voting Precinct Relocation

By Councilman Dardzinski, supported by Council President Murphy

WHEREAS, the Lincoln Park Public School notified the City Clerk's Office on Tuesday, July 26, 2016 that Keppen School that is used for Precinct #14 by the voters of Lincoln Park is not accessible for the August 2, 2016 Primary Election, and

WHEREAS, in accordance with the Michigan Election Law 168.662 (4) the local governing body is charged with approving any and all changes in voting precinct locations.

THEREFORE, BE IT RESOLVED, the Mayor and Council hereby approved the **TEMPOARY RELOCATION** of Precinct #14 (normally located at Keppen School) to the Kennedy Memorial Building Room A located at 3240 Ferris at London. Per the recommendation of the City Clerk. Motion unanimously carried.

RESOLUTION 2016-229 Waive Bid/Purchase DPS Truck

By Councilman Dardzinski, supported by Councilman DiSanto

WHEREAS, the Department of Public Services is requesting to purchase one 2016 F-250 Ford Pickup Truck.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council waive the City's bid requirements and authorize DPS Director John Kozuh to honor the State bidding process and purchase one 2016 Ford F-250 pickup truck from Gorno Ford for a total cost not-to-exceed \$26,140.00. The funds for this vehicle expenditure to come from the Capital Improvement Fund expenditures Account Number 401-001-983000.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

RESOLUTION 2016-230 Solicit Bids/Const. Mgt./Retention Basin

By Councilman Dardzinski, supported by Council President Murphy

WHEREAS, the City of Lincoln Park Mayor and City Council concurs with immediate concrete repairs to Lincoln Park Retention Basin's cell no.1.

NOW, THEREFORE BE IT RESOLVED, the Mayor and City Council authorize Hennessey Engineers, Inc. to Design and place out to immediate bid this project, and provide Construction Management for the total amount of \$35,000.00, to be paid out of Account No.420-923-983000.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

RESOLUTION 2016-231 Approve Special Event/Historical Comm.

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that Special Event Permit #17 be approved for the Lincoln Park Historical Society to host an Opening Reception Event for the "Gary Grimshaw Exhibit" to be held on August 13, 2016 from 4 p.m. – 7 p.m. on the grounds of the Lincoln Park Historical Museum, 1335 Southfield Rd.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

RESOLUTION 2016-232 Prop. Ord. Amend./Ch. 1444 Dang. Buildings

By Mayor Karnes, supported by Council President Murphy

WHEREAS, the Mayor and City Council wish to promote the health, safety and welfare of the people of the Lincoln Park by enhancing the City Code that addresses the maintenance and safety of certain buildings and structures; and

NOW THERE BE IT RESOLVED, that 'AN ORDINANCE TO AMEND PART FOURTEEN OF THE CODIFIED ORDINANCES FOR THE CITY OF LINCOLN PARK BY

INCORPORATING AN AMENDMENT TO TITLE SIX, MISCELLANEOUS BUILDING REGULATIONS, CHAPTER 1444 DANGEROUS BUILDINGS SECTION 1444.04, NOTICE OF DANGEROUS OR UNSAFE CONDITIONS, SECTION 1444.05, HEARING BOARD ON DANGEROUS BUILDINGS AND CODE APPEALS, SECTION 1444.07 ORDERS TO DEMOLISH OR MAKE SAFE, SECTION 1444.08, NONCOMPLIANCE WITH NOTICE;REMEDY OF CITY', be given it first and second reading by TITLE ONLY.

THE CITY OF LINCOLN PARK ORDAINS:

That Part Fourteen of the Codified Ordinances for the City of Lincoln Park Title Six, Miscellaneous Building Regulations, Chapter 1444 Dangerous Buildings be amended by adding, repealing and replacing certain sections.

Motion unanimously carried.

RESOLUTION 2016-233 Authorize Annual Audit Services

By Council President Murphy, supported by Councilman Kelsey

RESOLVED, that the firm of Plante & Moran, PLLC be retained to perform an audit of the City's financial records as prescribed by State Law and to serve as consultants for various financial and operational advice and guidance, as directed by the City Manager and Mayor and City Council for an amount not to exceed the approved FY 2016/17 budgeted amount of \$91,840.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Transition Advisory Board

Motion carried.

NO: Councilman Dardzinski

RESOLUTION 2016-234 First Right of Refusal Properties

By Councilman Dardzinski, supported by Council President Murphy

WHEREAS, Michigan Public Act 123 of 1999 provides local units of government the right of first refusal for tax-foreclosed properties within its jurisdiction;

WHEREAS, the City of Lincoln Park has been notified by the Wayne County Treasurer of tax-foreclosed properties that will be sold at public auction unless the City exercises its right to purchase any of said properties; and

WHEREAS, The Mayor and City Council believes acquiring certain parcels that are to be foreclosed upon by Wayne County will stabilize the neighborhoods where they are located and provide reinvestment into those properties that might not otherwise take place.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Council of the City of Lincoln Park exercises its right of first refusal for tax-foreclosed properties listed on Attachment "A", (inserted in minute book) pursuant to Michigan Public Act 123 of 1999; and

BE IT FURTHER RESOLVED, The City Manager is authorized to immediately solicit for proposals from qualified individuals or companies for acquisition of and reinvestment into those properties that the City of Lincoln Park will be acquiring through its right of first refusal and present the results at the earliest time possible to the Mayor and Council for their consideration; and

BE IT FURTHER RESOLVED, that the above actions given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

RESOLUTION 2016-235 Award Bid/Pagel St. Construction

By Council President Murphy, supported by Councilman DiSanto

BE IT RESOLVED, that the Mayor and City Council award the Pagel Avenue Reconstruction and Water Main Replacement Project to RVP Construction Inc. in the amount of \$899, 958. It is recommended that a ten (10) percent contingency be given bringing the total to \$989,954.

BE IT FURTHER RESOLVED, that the Mayor and Council authorize the funds to be taken from Account 450-000-818000 Road Construction Fund; and

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

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

RESOLUTION 2016-236 Accounts & Claims Payable (over \$25,000)

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the Accounts and Claims Payable for those items greater than \$25,000 pursuant to Emergency Manager Order 60 be approved as follows:

City of Riverview	June 2016 Dumping/Limbs/Brush	\$31,346.48
Safebuilt Inc.	June 2016 Building Services	\$75,030.30

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Transition Advisory Board

Motion unanimously carried.

Councilman Zelenak excused himself from the meeting at 9:10 p.m.

CITY MANAGER REPORT

DEPARTMENT HEAD REPORT – DPS/Hennessey Engineers

CITIZEN COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2016-237 Adjournment

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the meeting be adjourned at 9:35 p.m.

Motion unanimously carried.

THOMAS E. KARNES, MAYOR

DONNA BREEDING, CITY CLERK