

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Reverend Debbie Stottele of Harvest Community Church of Nazarene

PRESENT: Councilpersons Tracy Bush, Mario DiSanto, Joseph Kaiser, Mark Kandes,
Suzanne Moreno and Thomas Murphy

ALSO PRESENT: City Manager Joseph Merucci, Attorney Fred Frank and City Clerk Donna
Breeding

Mayor's remarks

Presented Pride in Property Awards to 3164 Dix and 1607 Myron

Presented a Certificate of Appreciation to Fred Wilson for his hard work and dedication

RESOLUTION 2013-279 Approve Consent Agenda

By Councilman DiSanto, supported by Council President Murphy

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 July 15, 2013
 - b. Study Sessions held July 15, 2013
 1. 2013 Infrastructure Millage
 2. S2 Grant Phase 1
2. Approve Special Event permit for Lincoln Park Days
3. Solicit bids for KMB waterproofing & drainage repair
4. Approve participation in Residential Rehab Loan program

Motion unanimously carried.

ca-1 **RESOLUTION 2013-280 Minutes**

RESOLVED, that the minutes of the following meetings be approved as recorded:

- Regular Meeting held July 15, 2013
- Study Session held July 15, 2013 regarding 2013 Infrastructure Millage
- Study Session held July 15, 2013 regarding S2 Grant Phase I

Approved

ca-2 **RESOLUTION 2013-281 Special Event Permit/LP Days**

RESOLVED, that the Special Event Permit #15 be approved for "Lincoln Park Days" to be held in the City of Lincoln Park on August 23-25, 2013 at Youth Center Park, under the following conditions:

DPS will set-up and clean-up during regular working hours, as long as the Exchange Club has volunteers to clean the area of trash & debris during the event. If overtime becomes necessary, the Exchange Club will be charged based on time and material.

Approved

ca-3 **RESOLUTION 2013-282 Solicit Bids/KMB Waterproofing**

RESOLVED, that Donald Cook, Director of Parks & Recreation, is hereby authorized to solicit sealed bids for Memorial Park Bandshell waterproofing/drainage repairs with Building/Engineer Manager Dennis Chegash providing the bid specifications and documents. Funds to come from 2012 Wayne County Parks Agreement for Memorial Park Bandshell Improvements.

Approved

ca-4

RESOLUTION 2013-283 Participation/Residential Rehab

RESOLVED, that the following citizen be approved for participation in the CDBG Residential Rehabilitation Loan Program and/or the Wayne County HOME Rehab 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 or HOME Account Number 249001-975H.

#1353DL Roxann Zimmerman – 1945 LeBlanc
New roof, siding, 2 windows, lead based paint corrections and
electrical code updates

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 2013-284 Final Budget Amendment/FY12-13

By Councilwoman Bush, supported by Councilwoman Moreno

RESOLVED, that the Director of Finance be and is hereby authorized to make adjustments to the Generally Appropriated Revenues and Expenditure budgets for Fiscal Year 2012/12 as submitted. Motion unanimously carried.

RESOLUTION 2013-285 Automated Rubbish Collection

By Councilwoman Moreno, supported by Mayor Krause

WHEREAS, the City recently entered into a refuse collection contract with Rizzo Environmental Services, and

WHEREAS, one of the options the City requested a bid price was for 96 gallon curb cart service, and

WHEREAS, the City Council believes that converting to this type of service is not only financially beneficial to the City and its residents, but should also help in controlling rodents, and

WHEREAS, Rizzo Environmental Services is offering to provide these carts at no additional charge to the City.

NOW, THEREFORE, BE IT RESOLVED, the City Council approves the change to curb cart collection and authorizes the city administration to work with Rizzo Environmental Services to implement the conversion and for the new rates to begin on the first of the month following the date when a majority of the carts are delivered.

Motion carried.

NO: Councilman Kandes

RESOLUTION 2013-286 DENY Block Party/1300 Capitol

By Council President Murphy, supported by Councilwoman Bush

RESOLVED, that the residents of the 1300 block of Capitol (between Fort Park and Fort St.) be DENIED permission to have a block party on Saturday, August 31, 2013, per the recommendation of the Police Department due to the excessive amount of Police contacts in the immediate area.

Motion unanimously carried.

RESOLUTION 2013-287 Establish City Public Library

By Councilwoman Bush, supported by Councilwoman Moreno

WHEREAS, the City of Lincoln Park has been operating the Lincoln Park Library as a part of the Wayne County Library system; and

WHEREAS, the City would like to investigate alternatives to being a member of the Wayne County Library System, which may provide library services to the residents of the City at a lower cost to the City; and

WHEREAS, on April 1st, 2013, Res. # 2013-123 the Lincoln Park City Council established the Library Reorganization Committee, an Ad Hoc committee composed of Councilwoman Bush, Finance Director Lisa Griggs, the Chair and Vice Chair of the Library Commission, and Lincoln Park Librarian Filomena Sgambati, for the sole purpose of providing Council with a recommendation regarding Library services delivery and structure going forward; and

WHEREAS, the Committee met on several occasions, and

WHEREAS, the Committee prepared a document, entitled LINCOLN PARK PUBLIC LIBRARY Reorganization Committee, and presented this recommendation document to Council during a Study Session held on June 4, 2013; and

continued

WHEREAS, the Committee recommended leaving the Wayne County Library System and forming a City Public Library pursuant to Public Act 164 of 1877, MCL 397.201.
 NOW THEREFORE BE IT RESOLVED, that the Lincoln Park City Council adopts the committee's recommendation to leave the Wayne County System and establish a City Public Library which will enable Council to levy up to one mill by resolution for the "library fund".
 BE IT FURTHER RESOLVED, that the office of the City Attorney is directed to prepare an ordinance creating a public library pursuant to the terms of MCL 397.201, and draft any such additional documents to effectuate same.

Motion carried.

NO: Councilpersons DiSanto, Murphy and Mayor Krause

City Attorney Ed Zelenak entered at 8:40 p.m.

RESOLUTION 2013-288 Appropriate Funds/Roads

By Councilman DiSanto, supported by Council President Murphy

WHEREAS, the City is anticipated to have an approximate \$2 million fund balance in the Major Road fund at the conclusion of the 2013/14 fiscal year; and

WHEREAS, it is the recommendation of Councilmember DiSanto that the City appropriate \$1,000,000.00 for repairs and rehabilitation to the City's major streets.

NOW, THEREFORE, BE IT RESOLVED, that the City Administration meet with the City's engineers and DPS Director immediately to commence the work this construction season.

By Councilwoman Bush, supported by Councilwoman Moreno that the above resolution be TABLED.

YES: Councilpersons Bush, Kaiser, Moreno

NO: Councilpersons DiSanto, Kandes, Murphy and Mayor Krause

MOTION TO TABLE FAILED

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED that the above resolution be amended as follows:

WHEREAS, the City is anticipated to have an approximate \$2 million fund balance in the Major Road fund at the conclusion of the 2013/14 fiscal year, and

WHEREAS, it is the recommendation of Councilmember DiSanto that the City appropriate \$500,000.00 for repairs and rehabilitation to the City's major streets until further review of the fund, at which time the appropriation may change.

NOW, THEREFORE, BE IT RESOLVED, that the City Administration meet with the City's engineers and DPS Director immediately to commence the work this construction season.

Motion carried.

NO: Councilwoman Moreno

RESOLUTION 2013-289 Award Bid/Happenings Brochure

By Councilwoman Bush, supported by Mayor Krause

RESOLVED, that Accuform Printing & Graphics, Inc. be awarded the bid for the Parks and Recreation Happenings Brochure for 2013 Fall, Winter, 2014 Spring/Summer Issues at 12 pages per issue, 16,000 copies per issue for a total cost of \$5,997.97 with the price for additional pages in 4 page increments at \$499.00 per issue as they are the lowest bidder to be in the best interest of the City of Lincoln Park that meets all specifications. Funds to come from 2013 Promotion Tax and expensed to account number 101-708-901 Advertising.

Motion carried.

NO: Council President Murphy

RESOLUTION 2013-290 Support 25th District Court Work Program

By Mayor Krause, supported by Council President Murphy

WHEREAS, the 25th District Court Judge Michael Ciungan has decided to implement a court work program, and

WHEREAS, Judge Ciungan has included funding in the Court's current fiscal year budget, and

WHEREAS, Judge Ciungan has determined and established the program to be revenue neutral.

NOW, THEREFORE, BE IT RESOLVED, the Lincoln Park City Council agrees and endorses Judge Ciungan's decision to institute the court work program this fiscal year.

Motion unanimously carried.

RESOLUTION 2013-291 Fort St. Streetscape/Phase II

By Council President Murphy, supported by Mayor Krause

RESOLVED, that the City of Lincoln Park hereby agrees to and does accept the jurisdiction and maintenance responsibilities for the proposed benches and trash receptacles that will be placed within the right-of-way of Southfield Road, near the Fort Street Intersection as part of the Fort Street Streetscape Project – Phase II; and

BE IT FURTHER RESOLVED, that the City of Lincoln Park does hereby agree to indemnify, save harmless and defend Wayne County against all law claims, suits and judgments of every name and description arising out of the construction of the proposed benches and trash receptacles within the right-of-way of Southfield Road, near the Fort Street Intersection as part of the Fort Street Streetscape Project – Phase II; and

BE IT FURTHER RESOLVED, that the City of Lincoln Park does hereby authorize Bob Bartok to sign any and all documents, including the Wayne County Permit, associated with the above described project.

Motion unanimously carried.

RESOLUTION 2013-292 CDBG Sewer/Street Improvements-2013

By Councilman DiSanto, supported by Councilwoman Bush

RESOLVED, that Hennessey Engineers is authorized to design the specifications for the 2013 CDBG Sanitary Sewer Improvements in the amount of \$5,800 and the 2013 CDBG Street Improvements in the amount of \$9,700 for a total cost not to exceed \$15,500. Funds to come from account number 24939-75519 & 24938-75519 Streets & Utilities.

BE IT FURTHER RESOLVED, that Don Cook, Director of Community Planning & Development is authorized to solicit bids for the projects when the specifications are completed.

Motion unanimously carried.

RESOLUTION 2013-293 Approve Ballot Language/Road Bond

By Councilwoman Bush, supported by Councilwoman Moreno

WHEREAS, the Mayor and City Council (the “City Council”) wish to ask the voters of the City of Lincoln Park (the “City”) to consider the approval of the issuance of general obligation unlimited tax bonds in the amount of not to exceed Twenty Million Dollars (\$20,000,000), in one or more series, payable in not to exceed 10 years from the date of issuance of each series, for the purpose of paying all or part of the cost of improvements to the roads and capital infrastructure of the City (the “Project”); and

WHEREAS, the City Council has determined that a proposal to issue the bonds for the Project shall be submitted to the qualified electors of the City at an election to be held in the City on Tuesday, November 5, 2013; and

WHEREAS, in order for the bond proposal to be submitted to the qualified electors, it is necessary for the City Council to certify the ballot wording of the proposal to the City Clerk and to the County Clerk of the County of Wayne (the “County Clerk”), as required by Act 116, Public Acts of Michigan, 1954, as amended (the “Michigan Election Law”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached hereto as Exhibit A and incorporated herein by reference shall be submitted to a vote of the qualified electors of the City of Lincoln Park, County of Wayne, State of Michigan, at the election to be held on Tuesday, November 5, 2013.
2. The ballot wording of the bond proposal is hereby certified to the City Clerk and to the County Clerk. The City Clerk is hereby authorized and directed to file this resolution and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission by no later than Tuesday, August 27, 2013.
3. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election as required by the Michigan Election Law; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the bond proposal at the election, which ballots shall contain the proposal appearing herein, or the proposition shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.

continued

4. The estimated millage rate in the first year and simple average annual millage rate set forth in Exhibit A, which have been prepared for the City by Bendzinski & Co., Municipal Finance Advisors, financial advisors to the City, are reasonable estimates of such millage rates based on current assumptions in the financial advisors' independent professional judgment.

5. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

The following proposition will be submitted to the electors of the Cit of Lincoln Park at the November 5, 2013 General Election:

BALLOT LANGUAGE
City of Lincoln Park Bond Proposal

Shall the City of Lincoln Park, County of Wayne, Michigan, borrow the principal sum of not to exceed Twenty Million Dollars (\$20,000,000) and issue its general obligation unlimited tax bonds therefor, in one or more series, payable in not to exceed ten (10) years from the date of issue of each series, for the purpose of paying the cost of acquiring, constructing and installing improvements to the roads and capital infrastructure of the City and appurtenances and attachments thereto? If approved, the estimated millage to be levied in 2014 is 2.6441 mills (\$2.6441 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 3.7074 mills (\$3.7074 per \$1,000 of taxable value).

Motion carried.

NO: Council President Murphy

RESOLUTION 2013-294 Accounts & Claims Payable

By Councilwoman Bush, 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: \$1,157,816.53

Motion unanimously carried.

CITY MANAGER'S REPORT

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2013-295 Set Study Session/American Water Company

By Council President Murphy, supported by Councilman DiSanto

RESOLVED, that a Study Session be scheduled for August 19, 2013 at 7:00 p.m. in the John A. Aloisi Council Chambers, 1355 Southfield Rd. with American Water Company.

Motion carried.

NO: Councilman Kandes

RESOLUTION 2013-296 Move into Closed Session

By Council President Murphy, supported by Councilwoman Bush

RESOLVED, that the Mayor and Council move into Closed Session to discuss collective bargaining matters.

Motion unanimously carried.

RESOLUTION 2013-297 Study Session

By Mayor Krause, supported by Council President Murphy
RESOLVED, that a study session regarding the Honeywell contract be held immediately after the closed session.
Motion carried.
NO: Councilwoman Bush

STUDY SESSION

ALSO PRESENT: Attorneys Ed Zelenak & Fred Frank
DISCUSSION regarding the Honeywell Contract.
Study Session concluded

RESOLUTION 2013-298 Letter of Understanding/IAFF

By Councilwoman Bush, supported by Councilwoman Moreno
WHEREAS, the Lincoln Park Public Safety Commission has approached the members of the IAFF Local 1292, regarding the possible reduction of the seven man daily staffing requirement; and
WHEREAS, the IAFF Local 1292 has agreed to reduce the daily staffing level to five; and
WHEREAS, the City will continue to review and analyze Emergency Medical Service as currently provided; and
WHEREAS, the two parties have willingly come to this mutual understanding
Motion unanimously carried.

RESOLUTION 2013-299 Set Special Meeting

By Councilwoman Bush, supported by Councilwoman Moreno
RESOLVED, that a Closed Session be scheduled Wednesday, August 7, 2013 at 7:30 p.m., in the John A. Aloisi Council Chambers, 1355 Southfield Rd. regarding contract negotiations.
Motion unanimously carried.

RESOLUTION 2013-300 Adjournment

By Council President Murphy, supported by Councilman DiSanto
RESOLVED, the meeting be adjourned at 10:30 p.m.
Motion unanimously carried.

PATRICIA KRAUSE, MAYOR

DONNA BREEDING, CITY CLERK