

Lincoln Park, Michigan
August 15, 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 Gary Schippling of Blessed Hope Church

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

ABSENT: None

ALSO PRESENT: City Manager Matt Coppler, City Attorney Ed Zelenak, and City Clerk Donna
Breeding

Mayor's remarks

RESOLUTION 2016-238 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 August 1, 2016
2. Inter-Agency Agreement – Code Enforcement
3. Inter-Agency Agreement – Senior Center
4. Inter-Agency Agreement – Community Policing
5. Inter-Agency Agreement – Crime Awareness
6. Sub Recipient Agreement – Guidance Center
7. Approve Block Party – 1400 Progress
8. Special Event/Bethel Assembly of God

Motion unanimously carried.

ca-1 **RESOLUTION 2016-239 Approve Minutes/Regular Meeting**

RESOLVED, that the minutes of the Regular Meeting held under the date of August 1, 2016 be
approved as recorded.

Approved

ABSTAINED: Councilman Kandes

ca-2 **RESOLUTION 2016-240 Inter-Agency Agreement/Code Enforcement**

RESOLVED, that the standard Interagency Agreement dated July 1st, 2016 between the City
of Lincoln Park and the Lincoln Park Police Department Code Enforcement Program, is
hereby approved with a budget allocation of \$60,000 and the Mayor and City Clerk are
hereby authorized and directed to execute said Agreement on behalf of the City. Funds to
come from 42nd Program Year CDBG Budget.

Approved

ca-3 **RESOLUTION 2016-241 Inter-Agency Agreement/Sr. Center**
RESOLVED, that the standard Interagency Agreement dated July 1st, 2016 between the City of Lincoln Park and the Lincoln Park Senior Center, is hereby approved with a budget allocation of \$13,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 42nd Program Year CDBG Budget Account #24942-75613 Sr. Center.
Approved

ca-4 **RESOLUTION 2016-242 Inter-Agency Agreement/Comm. Policing**
RESOLVED, that the standard Interagency Agreement dated July 1st, 2016 between the City of Lincoln Park and the Lincoln Park Police Department Community Policing Program, is hereby approved with a budget allocation of \$50,000 and the Mayor and City Clerk are

1.

CONTINUED

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hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 42nd Program Year CDBG Budget.
Approved

ca-5 **RESOLUTION 2016-243 Inter-Agency Agreement/Crime Awareness**
RESOLVED, that the standard Interagency Agreement dated July 1st, 2016 between the City of Lincoln Park and the Lincoln Park Police Department Crime Awareness Program, is hereby approved with a budget allocation of \$10,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 42nd Program Year CDBG Budget.
Approved

ca-6 **RESOLUTION 2016-244 Sub-Recipient Agreement/Guidance Center**
RESOLVED, that the standard Sub Recipient Agreement dated July 1, 2016 between the City of Lincoln Park and the Guidance Center, is hereby approved with a budget allocation of \$2,500 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from the 42nd Program Year CDBG Budget Account Number 24942-75614 Guidance Center.
Approved

ca-7 **RESOLUTION 2016-245 Approve Block Party/1400 Progress**
RESOLVED, that the residents of the 1400 block of Progress (between Fort Park & Lafayette) be granted permission to have a block party on Saturday, August 20, 2016 from 8:00 a.m. until 9:00 p.m. under the following conditions:

1. That the street be barricaded at each end and closed to vehicular traffic.
2. That the party be over by 9:00 P.M. or dusk, whichever comes first, and the street be reopened to traffic.

Per the recommendation of the Police Department.

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

ca-8

RESOLUTION 2016-246 Special Event/Bethel Assembly of God

RESOLVED, that Special Event Permit #18 be approved for Bethel Assembly of God to host an outdoor concert on August 12, 2016 from 5 p.m. – 10 p.m. at the Lincoln Park Bandshell, 3240 Ferris Ave.

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

PUBLIC HEARING re: Dangerous Buildings

CALLED TO ORDER

DISCUSSION: 985 Garfield

PUBLIC COMMENT – Property owner in attendance

DISCUSSION: 1533 Morris

NO PUBLIC COMMENT – No party of interest in attendance

DISCUSSION: 1933 Moran

PUBLIC COMMENT - Party of interest in attendance

DISCUSSION: 980 White

PUBLIC COMMENT – Property owner in attendance

DISCUSSION: 1737 Garfield

PUBLIC COMMENT – Neighbors in attendance

DISCUSSION: 1738 Garfield

NO PUBLIC COMMENT – No party of interest in attendance

DISCUSSION: 839 Lincoln

NO PUBLIC COMMENT – Neighbors in attendance

ADJOURN PUBLIC HEARING

RECONVENE Regular Meeting

2.

CONTINUED

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RESOLUTION 2016-232A Adopt Amend/Ch 1444/Dangerous Bldgs

By Councilman DiSanto, supported by Mayor Karnes

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.

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, MISCELLANOUS BUILDING REGULATIONS, CHAPTER 1444 DANGEROUS BUILDINGS SECTION .04, NOTICE OF DANGEROUS OR UNSAFE CONDITIONS, SECTION .05, HEARING BOARD ON DANGEROUS BUILDINGS AND CODE APPEALS, SECTION .07 ORDERS TO DEMOLISH OR MAKE SAFE, SECTION .08, NONCOMPLIANCE WITH NOTICE;REMEDY OF CITY’, be given it third and final reading and be ADOPTED.

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 as follows:

1444.04 NOTICE OF DANGEROUS OR UNSAFE CONDITIONS; Affidavit

Issuance. Notwithstanding any other provision of this chapter, when the whole or any part of any building or structure is found to be in a dangerous or unsafe condition, the Superintendent of the Building Department shall issue a notice, in writing, of the dangerous and unsafe condition to each owner of or party in interest in the alleged dangerous building in whose name the property appears on the last local tax assessment records.

It shall be unlawful for the owner of any premises who has received a notice or upon whom a notice has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the notice have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice issued by the Superintendent of Building and shall furnish to the Superintendent of Building a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice.

Contents; Hearings. The notice shall specify the time and place of a hearing on the condition of the building or structure, at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished or otherwise made safe.

Service; Filing.

(1) Such notice shall be in writing and shall be served upon the person to whom it is directed personally or by certified mail, return receipt requested, addressed to each owner or party in interest at the address shown on the tax records, at least ten days before the date of the hearing described in the notice. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

(2) The Superintendent shall file a copy of the notice of the dangerous and unsafe condition of any building or structure with the Hearing Board on Dangerous Buildings and Code Appeals.

(3) At the same time that the owner is notified of the hearing, the Superintendent of the Building Department shall request the city attorney to file a copy of the notice and order with the register of deeds office of the county.

1444.05 HEARING BOARD ON DANGEROUS BUILDINGS AND CODE APPEALS.

Appointments; Composition; Terms of Office. A Hearing Board on Dangerous Buildings and Code Appeals shall be appointed for the purpose of conducting hearings required by this chapter. The Board shall consist of five members who shall be appointed by the Mayor, subject to approval of Council, and who shall serve at the pleasure of the Mayor and Council. Each member of the Board shall be appointed for a three-year term. However, the original members shall be appointed for one, two and three-year terms respectively. Of the two additional members appointed pursuant to Resolution 87-431, passed August 3, 1987, one shall be appointed for an original term of two years and the other for three years.

Powers and Duties. The Board, in addition to all its powers and duties set forth in this chapter, shall act and serve as the Code Appeals Board.

continued.

Hearings; Vote. The Board shall hold meetings at a minimum on a quarterly basis, and if necessary on an as needed basis. Three ~~Four~~ members of the Board must be present in order to

conduct hearings or to hear appeals. A majority vote of the five members of the Board constitutes a decision of the Board.

1444.07 ORDERS TO DEMOLISH OR MAKE SAFE.

If it is determined by the Hearing Board on Dangerous Buildings and Code Appeals that a building or structure should be demolished or otherwise made safe, it shall so order, fixing a time not to exceed ~~ninety~~ sixty days from the date of the order for compliance therewith.

1444.08 NONCOMPLIANCE WITH NOTICE; REMEDY OF CITY.

(1) If an owner, agent or party in interest fails to appear or neglects or refuses to comply with the order provided for in Section 1444.07, the Hearing Board on Dangerous Buildings and Code Appeals shall file a report of its findings and a copy of its order with Council and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of the findings and order of the Board shall be served on each owner or party in interest in the manner prescribed in this chapter.

(2) Council shall, upon receipt of the order and findings of the Board, fix a date for a hearing to review the findings and order of the Board, and shall give notice to each owner or party in interest in the manner prescribed in this chapter of the time and place of the hearing. At the hearing, each owner or party in interest shall be given the opportunity to show cause why the building should not be demolished or otherwise made safe. Council shall either approve, disapprove or modify the order for the demolition or making safe of the building or structure and shall direct the Superintendent of Public Works to comply with the order as approved or modified forthwith after twenty days after the hearing.

(3) A decision from the city council modifying a demolition order to allow repair or alteration to the building will require that the building's owner, occupant, or lien holder complete all of the following

(A) Within 14 days of the city council's decision, post a cash or surety bond with the city treasurer's office in an amount equal to the Superintendent of Building's estimate of the cost to demolish the building;

(B) Within 14 days of the city council's decision, apply with the building department for all permits necessary for the repairs to the building and pay all permit fees;

(C) Obtain a certificate of occupancy from the building department within six months from the date that the permits are issued, or within any extensions of time that the building department may grant not to exceed an additional six months. No extension shall be granted if no work had not begun during the initial six month period.

(D) If the property owner and/or permit holders fail to comply with the provisions of subsection (3) of this section in the time required therein, the city shall retain all cash deposits to apply to the cost of demolition, the excess amount, if any, to be returned to the owner.

(E) If the costs of demolition exceed the amount of any cash deposition, the city will be permitted to exercise all other procedures for collection of such costs permitted in this Code or state law.

Motion unanimously carried.

ADOPTED: August 15, 2016
PUBLISHED: August 24, 2016
EFFECTIVE: August 24, 2016

RESOLUTION 2016-247 Order of Demolition/985 Garfield

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 985 GARFIELD, said order being issued subsequent to a hearing of the facts

pertaining to this matter and identified as DBB 16-11, 985 GARFIELD, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing. **continued.**

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CONTINUED

AUGUST 15, 2016

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 985 GARFIELD, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park under the following stipulations:

Owner must post a \$15,000 surety bond and show a good faith plan within 20 days; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion carried.

NO: Councilman Kelsey

RESOLUTION 2016-248 Order of Demolition/1533 Morris

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1533 MORRIS, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-12, 1533 MORRIS, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1533 MORRIS, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park With the following stipulations:

Owner must post a \$10,000 surety bond, pull building permits immediately and complete work within 180 days as provided by statute; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-249 Order of Demolition/1933 Moran

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1933 MORAN, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-13, 1933 MORAN, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing. **continued.**

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CONTINUED

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NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1933 MORAN, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-250 Order of Demolition/980 White

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the front porch structure located at 980 WHITE, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-14, 980 WHITE, which was held on

JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said front porch structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the front porch structure located at 980 WHITE, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-251 Order of Demo/1737 Garfield

By Council President Murphy, supported by Councilman Kelsey

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1737 GARFIELD, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-15, 1737 GARFIELD, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1737 GARFIELD, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

continued.

6.

CONTINUED

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BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-252 Order of Demo/1738 Garfield

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 1738 GARFIELD, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-16, 1738 GARFIELD, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 1738 GARFIELD, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-253 Order of Demolition/839 Lincoln

By Council President Murphy, supported by Councilman DiSanto

WHEREAS, the Dangerous Building and Code Appeals Board issued an order to demolish the structure located at 839 LINCOLN, said order being issued subsequent to a hearing of the facts pertaining to this matter and identified as DBB 16-17, 839 LINCOLN, which was held on JULY 14, 2016 in accordance with Section 1444.04 of the Codified Ordinances of the City of Lincoln Park; and

WHEREAS, the Dangerous Building and Code Appeals Board has filed a report of its findings and a copy of its order with this Council and with each party having a recorded interest in the subject property; and

WHEREAS, the City Council has established the date of AUGUST 15, 2016, the date for a hearing to review the findings and order of said Board, the owner or party of interest having been

given the opportunity to show cause why said structure should not be demolished, and the Council having duly held such hearing.

NOW, THEREFORE BE IT RESOLVED, that said order of the Dangerous Building and Code Appeals Board to demolish and remove the structure located at 839 LINCOLN, Lincoln Park MI, is hereby approved by the Council of the City of Lincoln Park; and

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to comply with the order of the Board as approved by Council after 20 days from the date of this resolution, and

continued.

7.

CONTINUED

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BE IT FURTHER RESOLVED, that the Director of Public Works shall determine the date of demolition and shall notify each party of interest as required by Section 1444.10 of the Codified Ordinances, and

BE IT FURTHER RESOLVED, that the cost of the demolition shall be assessed against the real property on which said structure is located, such costs shall be reported to the City Assessor who shall place said lien.

Motion unanimously carried.

RESOLUTION 2016-254 Disposal of Surplus Property

By Councilman Kelsey, supported by Councilman Dardzinski

WHEREAS, the City of Lincoln Park has vehicles that have been scavenged for parts to keep other city vehicles road worthy and functioning, and are no longer road worthy; and

WHEREAS, it is the recommendation of the Director of Public Service that the vehicles be declared surplus and sold for the greatest value.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council declare the following vehicles to be surplus equipment and sold in the prescribed manner with the proceeds from this sale to be placed in Account Number 410-001-649000 (Sales of Used Equipment).

4-31 2001 F150 Pickup Truck VIN-1FTRX17W11NB94982

4-1 2001 F150 Pickup Truck VIN- 1FTRX17WX1NB94481

4-22 2009 Crown Victoria VIN- 2FAHP71V99X112978

4-91 2002 Ford Windstar VIN-2FMZA51472BA96922

M-68 1994 Ford Dump L-8000 VIN-1FDYK82EXRVA26864

M-43 2001 E-350 Van VIN-1FTSS34F51HB37991

Old 471 1999 Miller McCoy,E-450 VIN-1FDXE40F7XHA40823

BE IT FURTHER RESOLVED, the Director of Public Services is authorized to offer the aforementioned surplus equipment for sale through public auction; and

BE IT FURTHER RESOLVED, prior to the auction of this surplus property, the Director of Public Service set an acceptable minimum bid for each item that shall be met and if the minimum bid is not received or no bid is received for a particular item, the Director shall be authorized to sale the items for salvage value; 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 2016-255 Attend Training/ Exec Dev/Police Dept.

By Council President Murphy, supported by Councilman Kelsey

RESOLVED, that Mayor and Council authorize Chief Raymond Watters and Deputy Chief Joseph Lavis to attend the “Michigan Police Executive Development Seminar” being offered by the FBI and the Michigan Chapter of the FBI National Academy Associates at Garland Lodge in Lewiston, Michigan beginning Monday, September 19, 2016 through Friday, September 23, 2016. The cost of training, training materials, lodging and meals for both Officers is \$1,990.00. A Police Department vehicle will be used.

BE IT FURTHER RESOLVED, Funds to come from the Police Department’s MCOLES Training Account 101.000.370PT.

Motion unanimously carried.

RESOLUTION 2016-256 Attend Training/Evidence Mgt/Police Dept.

By Councilman Kelsey, supported by Councilman DiSanto

RESOLVED, that Mayor and Council authorize Detective John Stearns to attend the “Police Property/Evidence Room Management” course being offered by Macomb Criminal Justice Training Center in Clinton Township, MI beginning Monday, August 29, 2016 to Tuesday, August 30, 2016. The training is \$325.00. Meals will be subject to the Travel Policy. A Police Department vehicle will be used.

BE IT FURTHER RESOLVED, Funds to come from the Police Department’s Narcotic Forfeiture Training Account 265.320.960.

Motion unanimously carried.

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CONTINUED

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RESOLUTION 2016-257 Attend Training/ Firearms/Police Dept.

By Councilman Kelsey, supported by Councilman DiSanto

BE IT RESOLVED, that the Mayor and Council authorize Officer Stearns and Officer Samson to attend the “2016 Firearms Instructor Class”, offered by the Michigan State Police. The training takes place at the Detroit Police Department in Detroit, Michigan August 8-12, 2016. Cost of the training for both attendees is \$500.00, meals will be subject to the travel policy and a Police Department vehicle will be used for the commute; and

BE IT FURTHER RESOLVED, Funds to come from the Police Department’s MCOLES training fund Account #101-000-370PT.

Motion unanimously carried.

RESOLUTION 2016-258 Attend Training/ Fire Inspector Conference

By Councilman Kelsey, supported by Councilman DiSanto

WHEREAS, The Lincoln Park Fire Department is requesting approval for Chief Dyer to attend the 67th Annual Michigan Fire Inspector Fall Conference at the Kellogg Hotel and Conference Center in East Lansing, MI. The conference will be held September 13, 2016 to September 16, 2016.

WHEREAS, Chief Dyer will be attending a 4 day course that is full of critical information to be successful in today’s challenging work environment. This will have an impact on the 2016/2017 fiscal year budget in the amount of \$900.00; this includes the conference, hotel and meals. The fire department has already included the cost of the conference into their 2016/2017 fiscal year budget.

NOW, THEREFORE, BE IT RESOLVED, that approval be granted for Fire Chief Dyer to attend the 67th Annual Michigan Fire Inspector Society Conference in East Lansing, MI.
Motion unanimously carried.

RESOLUTION 2016-259 Attend Training/CBRNE/Fire Dept.

By Councilman Kelsey, supported by Councilman Dardzinski
WHEREAS, The Lincoln Park Fire Department is requesting approval for Chief Dyer and Lt. Heim to attend a training seminar in Anniston, AL. The training is scheduled for October 16, 2016 to October 22, 2016.

WHEREAS, Chief Dyer will be attending the Emergency Medical Operations for Chemical , Biological, Radiological, Nuclear or Explosive, (CBRNE). The course is targeted to assist personnel with emergency medical operations during a CBRNE incident. This will only impact the 2016/2017 fiscal year budget for a maximum of 3 back fill days depending on our staffing situation. This training course will be paid by Federal Emergency Agency, (FEMA). This is to include airfare, meals and accommodations.

NOW, THEREFORE, BE IT RESOLVED, that approval be granted for Chief Dyer and Lt. Heim to attend the Emergency Medical Operations for CBRNE Incidents in Anniston, AL.
Motion unanimously carried.

RESOLUTION 2016-260 Budget Amendment/Retention Basin Repairs

By Councilman Kelsey, supported by Councilman Dardzinski
RESOLVED, that the Finance Director be and is hereby authorized to make the following adjustments to the FY 2016/17 expenditure line items as follows:

	<u>Account Number:</u>	<u>Current Budget:</u>	<u>Proposed Amendment:</u>
<u>Water & Sewer Capital Improvement Fund:</u>			
Transfer In from			
Reserve	420-001-691592	\$ 0.00	\$ 350,000.00
Contractual Services	420-923-983000	\$820,000.00	\$1,170,000.00

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

Motion unanimously carried.

RESOLUTION 2016-261 First Right of Refusal Property/Developer

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, Wayne County has notified the City of Lincoln Park of, pursuant to Michigan Public Act 123 of 1999, 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 City Council, under the authority of Section 222.04 of the Codified Codes of the City of Lincoln Park, seeks to ensure the collection of taxes, special assessments or charges levied against certain lots of real property that have been foreclosed upon by Wayne County for delinquent taxes by purchasing certain parcels (Attachment "A") and transferring them through a competitively bid agreement to a qualified developer; and

WHEREAS, the Mayor and City Council believe will secure payment of the outstanding taxes, special assessments and charges for each property and stabilize the neighborhoods where they are located, providing reinvestment into those properties; and

BE IT RESOLVED, that the Mayor and City Council selects JSR Funding, LLC as the developer to work with the City to exercise the Right of First Refusal under the conditions that all monies are funded in advance by the developers involved and that no properties will be transferred for a price below the outstanding amount owed in delinquent taxes.

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to execute all documents necessary for executing the Right of First Refusal transaction with Wayne County for the parcels listed on Attachment "A" (inserted in minute book) and the development agreement with JSR Funding, LLC; 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 2016-262 First Right of Refusal Property/ CDBG

By Councilman Dardzinski, supported by Councilman Kelsey

WHEREAS, Wayne County has notified the City of Lincoln Park of, pursuant to Michigan Public Act 123 of 1999, 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 City Council, under the authority of Section 222.04 of the Codified Codes of the City of Lincoln Park, seeks to ensure the collection of taxes, special assessments or charges levied against certain lots of real property that have been foreclosed upon by Wayne County for delinquent taxes by purchasing certain parcels (Attachment "A"); and

WHEREAS, The Mayor and City Council believe will secure payment of the outstanding taxes, special assessments and charges for each property and stabilize the neighborhoods where they are located; and

BE IT RESOLVED, that the Mayor and City Council authorizes the acquisition of the properties listed on Attachment "A" by utilizing the appropriate Community Development Block Grant program for funding the transaction as part of the City's right of first refusal for properties that have been foreclosed upon by Wayne County; and

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to execute all documents necessary for executing the Right of First Refusal transaction with Wayne County for the parcels listed on Attachment "A" (inserted in minute book) and take all necessary steps as required by the rules and regulations of the Community Development Block Grant program ; 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.

CONTINUED

AUGUST 15, 2016

RESOLUTION 2016-263 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:

Hennessey Engineers Inc	2016 Pagel St Reconstruction	\$ 65,678.50
	2016 Asphalt Resurfacing	
Habitat for Humanity	New construction costs	\$ 60,759.17
	851 Park	
Habitat for Humanity	New construction costs	\$ 60,383.45
	857 Park	
KS Statebank	Annual payment for 2015	\$ 57,966.57
	Dodge Chargers	
GV Cement	2016 Concrete Sectioning	\$ 65,014.92

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.

CITY MANAGER REPORT

DEPARTMENT HEAD REPORT – Building Dept/Safebuilt

CITIZEN COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2016-264 Adjournment

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the meeting be adjourned at 10:30 p.m.

Motion unanimously carried.

 THOMAS E. KARNES, MAYOR

 DONNA BREEDING, CITY CLERK

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