

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 Dr. Russell Bone of Lincoln Park Church of Christ

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

ALSO PRESENT: City Manager Joseph Merucci, Attorney Ed Zelenak and City Clerk Donna
Breeding

Mayor's remarks

1. Proclamation to Lincoln Park Church of Christ on their 88th Anniversary
2. Making a Difference Award presented to the Lions Club for building
the Picnic Shelter at Lions Park
3. Recognition of Employer Support of the National Guard and Reserves

RESOLUTION 2013-305 Condolences/Mike Myers

By Mayor Krause, supported by the Full Council

WHEREAS, the Mayor and Council express their grief at the unfortunate and untimely death of Michael Myers. Mr. Myers served as a Councilman of the City of Lincoln Park from 2007 to 2009 and also dedicated countless hours volunteering to help the City.

BE IT RESOLVED, that the Mayor and Council pass this resolution in honor of the memory of Councilman Michael Myers and express their sympathy to his family.

Motion unanimously carried.

RESOLUTION 2013-306 Approve Consent Agenda

By Councilwoman Bush, 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. Approval of Minutes:
 - a. Regular Meeting held August 5, 2013
 - b. Study Session held July 31, 2013
 - c. Special Meeting held August 7, 2013
2. Approve interagency agreement /Citizen's Patrol Watch
3. Approve interagency agreement/Community Policing
4. Approve interagency agreement/Senior Center
5. Approve sub-recipient agreement/The Guidance Center
6. Approve sub-recipient agreement/First Step Domestic Violence
7. Approve block party/1500 University
8. Approve block party/2200 Progress
9. Approve Annual 2nd Hand Dealer License/ 1456 Fort St.
10. Purchase Service Credit for Municipal Employees
 - a. Bandy
 - b. Judge

Motion unanimously carried.

ca-1

RESOLUTION 2013-307 Minutes

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

- Regular Meeting held August 5, 2013
- Study Session held July 31, 2013
- Special Meeting held August 7, 2013

Approved

ca-2

RESOLUTION 2013-308 Interagency Agreement/CPW

RESOLVED, that the standard Inter Agency Agreement dated July 1st, 2013 between the City of Lincoln Park and the Lincoln Park Police Department Citizens Patrol Watch, is hereby approved with a budget allocation of \$1,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 39th Program Year CDBG Budget Account #24939-75608.

Approved

ca-3

RESOLUTION 2013-309 Interagency Agreement/Comm. Policing

RESOLVED, that the standard Inter Agency Agreement dated July 1st, 2013 between the City of Lincoln Park and the Lincoln Park Police Department Community Policing 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 39th Program Year CDBG Budget Account #24939-75609.

Approved

ca-4

RESOLUTION 2013-310 Interagency Agreement/Sr. Center

RESOLVED, that the standard Inter Agency Agreement dated July 1st, 2013 between the City of Lincoln Park and the Lincoln Park Senior Center/Parks & Recreation, is hereby approved with a budget allocation of \$25,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 39th Program Year CDBG Budget Account Number 24939-75613 "Sr. Center Staffing".

Approved

ca-5

RESOLUTION 2013-311 Sub-Recipient Agreement/Guidance Ctr.

RESOLVED, that the standard Sub Recipient Agreement dated July 1, 2013 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 39th Program Year CDBG Budget Account Number 24939-75605 The Guidance Center.

Approved

ca-6

RESOLUTION 2013-312 Sub Recipient Agreement/First Step

RESOLVED, that the standard Sub Recipient Agreement dated July 1, 2013 between the City of Lincoln Park and First Step Domestic Violence, is hereby approved with a budget allocation of \$5,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from the 39th Program Year CDBG Budget Account Number 24939-75607 First Step Domestic Violence.

Approved

ca-7

RESOLUTION 2013-313 Block Party/1500 University

RESOLVED, that the residents of the 1500 block of University (between Howard and Lafayette) be granted permission to have a block party on Saturday, August 31, 2013 from 12:00 p.m. until 5:00 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.

Approved

ca-8

RESOLUTION 2013-314 Block Party/2200 Progress

RESOLVED, that the residents of the 2200 block of Progress (between Bailey and N. Wayne) be granted permission to have a block party on Saturday, September 28, 2013 from 2:00 p.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.

Approved

ca-9 **RESOLUTION 2013-315 Secondhand Dealer/1456 Fort St.**
 RESOLVED, that renewal of a “2013 Secondhand Dealers License” be approved for the following
 location: Lincoln Park Jewelry & Exchange 1456 Fort St
 Per the recommendation of the Police Chief.
Approved

ca-10 a. **RESOLUTION 2013-316 Purchase ME Service Credit/Bandy**
 WHEREAS, pursuant to the MERS Plan Document with the City of Lincoln Park, the purchasing
 of additional service credit for up to three years is allowable for employees of the Defined Benefit
 Plan, and
 WHEREAS, such purchases are to be paid up front at the time of service credit purchase and
 shared by the Employee and Employer pursuant to the collective bargaining agreement,
 WHEREAS, such purchases must be approved by the Governing Body and,
 WHEREAS, the cost for William Bandy is calculated at \$45,121.00, for three years of service and
 the City’s portion of this is \$34,646.77 to be paid out of account numbers 202-923-722SC and
 203-923-722SC,
 WHEREAS, such purchases of service credit requires certain operational resolutions and standard
 form resolutions of agreement .
 NOW, THEREFORE, BE IT RESOLVED that the City of Lincoln Park hereby approves the
 following Resolutions as presented by MERS in content and form:
 1. RESOLUTION FOR ADDITIONAL CREDITED SERVICE
 AND BE IT FURTHER RESOLVED, that the Finance Director is hereby authorized by this
 resolution to sign the MERS application for additional credited service and to issue all required
 letters and documents consistent with the purchasing of service credit along with the check for the
 cost of the City portion of service credit as required.
Approved

ca-10 b. **RESOLUTION 2013-317 Purchase ME Service Credit/Judge**
 WHEREAS, pursuant to the MERS Plan Document with the City of Lincoln Park, the purchasing
 of additional service credit for up to three years is allowable for employees of the Defined Benefit
 Plan and,
 WHEREAS, such purchases are to be paid up front at the time of service credit purchase and shared
 by the Employee and Employer pursuant to the collective bargaining agreement,
 WHEREAS, such purchases must be approved by the Governing Body and,
 WHEREAS, the cost for Mark Judge is calculated at \$58,166.00, for three years of service and the
 City’s portion of this is \$44,705.42 to be paid out of account number 101-923-722SC,
 WHEREAS, such purchases of service credit requires certain operational resolutions and standard
 form resolutions of agreement.
 NOW, THEREFORE, BE IT RESOLVED, that the City of Lincoln Park hereby approves the
 following Resolutions as presented by MERS in content and form:
 1. RESOLUTION FOR ADDITIONAL CREDITED SERVICE
 AND BE IT FURTHER RESOLVED, that the Finance Director is hereby authorized by this
 resolution to sign the MERS application for additional credited service and to issue all required
 letters and documents consistent with the purchasing of service credit along with the check for the
 cost of the City portion of service credit as required.
Approved

RESOLUTION 2013-318 Authorization/Layoffs/Firefighters

By Councilwoman Bush, supported by Councilman Kandes
 WHEREAS, the City of Lincoln Park is facing a financial deficit in the 2013/14 budget year and
 in the foreseeable years; and
 WHEREAS, the City of Lincoln Park must address this financial deficit and reduce expenditures
 in the General Fund; and
 WHEREAS, regrettably, the City has not been able to reach an agreement with its Firefighters
 Union; and
 WHEREAS, the Mayor and Council authorizes the City Manager to issue layoff notices to the five
 (5) least senior personnel in the Bargaining Unit; and
 WHEREAS, the notice will be provided to the individual member and a copy furnished to the
 Lincoln Park Firefighters Association; and

continued

WHEREAS, the notice will provide that they will be laid off within thirty (30) calendars days after issuance of said notice; and

WHEREAS, the City Manager will also subsequently provide a report and recommendation at the next Council meeting on the demotions which will result because of the layoffs;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lincoln Park will reduce its Fire Department workforce by five (5) fulltime positions through layoff.

Motion unanimously carried.

RESOLUTION 2013-319 Joint Fire/EMS Services

By Councilwoman Moreno, supported by Councilwoman Bush

WHEREAS, the City of Lincoln Park is facing a financial deficit in the 2013/14 budget year and in future years; and

WHEREAS, the City of Lincoln Park is legally required to address this financial deficit and reduce expenditures in the General Fund; and

WHEREAS, the City is facing a financial crisis, which is unprecedented in its nature; and

WHEREAS, this resolution is necessitated by the financial crisis facing the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council direct City Manager Joseph Merucci to immediately begin discussions with neighboring communities regarding the delivery of Fire and EMS Services from those communities; the City Manager will report to the City Council no later than the end of August with an update on his contact with neighboring communities.

Motion unanimously carried.

RESOLUTION 2013-320 Financial Review for MI Dept of Treasury

By Council President Murphy, supported by Councilwoman Bush

WHEREAS, the City has been in negotiations with its many employee groups, and

WHEREAS, progress has been slow and only one of the City's employee groups has agreed to a concessionary contract, and

WHEREAS, the current year budget was adopted with the belief that the City's template of concessionary collective bargaining agreements would be in place on July 1, 2013, and

WHEREAS, for each month that passes and new collective bargaining contracts are not in place, the City loses approximately \$141,000 in anticipated savings.

NOW, THEREFORE, BE IT RESOLVED, that the City Council directs the City Manager to prepare a resolution for City Council consideration at the September 3, 2013 Regular City Council Meeting, that will request the State of Michigan, Department of Treasury to conduct a preliminary financial review of the City's finances.

Motion unanimously carried.

RESOLUTION 2013-321 Adopt Ord. Amend/Zoning Map

By Councilwoman Bush, supported by Mayor Krause

RESOLVED, that "AN ORDINANCE TO CONDITIONALLY AMEND THE OFFICIAL ZONING MAP CHAPTER 1266. 02 OF THE CITY OF LINCOLN PARK. THE ORDINANCE INVOLVES THE CONDITIONAL REZONING CLASSIFICATION PARCEL #ID # 82-45-013-04-0120-301, COMMONLY KNOWN AS 3108 -3110 FORT STREET" be ADOPTED and given immediate EFFECT upon publication.

THE CITY OF LINCOLN PARK HEREBY ORDAINS:

THAT THE ZONING ORDINANCE FOR THE CITY OF LINCOLN PARK, SPECIFICALLY THE ZONING MAP OF THE CITY WITH RESPECT TO THE ZONING CLASSIFICATION OF THE PROPERTY KNOWN AS PARCEL ID # 82-45-013-04-0120-301, MORE COMMONLY KNOWN AS 3108-3110 FORT STREET SHALL BE CONDITIONALLY REZONED FROM NBD, NEIGHBORHOOD BUSINESS DISTRICT TO MBD, MUNICIPAL BUSINESS DISTRICT.

FURTHERMORE, THE MAYOR IS AUTHORIZED TO EXECUTE THE CONDITIONAL REZONING AGREEMENT.

REPEAL:

All ordinances or parts of other ordinances in conflict herewith are and the same hereby are repealed.

continued

SEVERABILITY:

This ordinance and the various parts, sentences, paragraphs, sections, and clauses it contains are hereby declared to be severable. Should any part, sentence, paragraph, section, or clause be adjudged unconstitutional or invalid by any court for any reason, such judgment shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Furthermore, should the application of any provision of this Ordinance to a particular property, building, or structure be adjudged invalid by any court, such judgment shall not affect the application of said provision to any other property, building, or structure in the City, unless otherwise stated in the judgment.

EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

Motion unanimously carried.

ADOPTED: August 19, 2013
PUBLISHED: August 28, 2013
EFFECTIVE: August 28, 2013

RESOLUTION 2013-322 Conditional Rezoning/3108-10 Fort St.

By Councilwoman Bush, supported by Council President Murphy

RESOLVED, that per the Planning Commission’s recommendation on July 9, 2013, the property located at 3108-3110 Fort Street, Lots 120, 121 and 122 of the “Fort Superhighway Subdivision #3” as recorded in Liber 63, Page 35 of Plats, Wayne County Records (Parcel 013-04-0120-301) be conditionally rezoned from Neighborhood Business District (NBD) to Municipal Business District (MBD).

FURTHER, the applicant is required to enter into a Conditional Zoning Agreement (CZA) with the City. Once the CZA is finalized, Mayor Krause is authorized to sign the agreement on behalf of the City.

(Parcels formerly known as 013-04-0120-000 and 013-04-0121-000)

Motion unanimously carried.

RESOLUTION 2013-323 Budget Amendment/ FY2013-14

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 2013/2014 as submitted.

<u>Budget</u>		<u>Original Budget</u>	<u>Amended</u>
General Fund:			
Assessing Department:	101-202	\$ 147,991	\$ 104,509
Finance Department:	101-230	\$ 215,112	\$ 192,978
Police Department	101-305	\$7,267,609	\$7,039,832
Fire Department	101-340	\$4,622,966	\$4,534,296
Building Department:	101-380	\$ 422,348	\$ 378,004
Major Roads:	202	\$1,952,119	\$1,912,109
Local Roads:	203	\$1,269,375	\$1,217,023
Water/Sewer Fund:	592	\$9,165,666	\$9,121,682

Motion unanimously carried.

RESOLUTION 2013-324 Award Bid/Janitorial Services

By Councilwoman Bush, supported by Councilman Kandés

RESOLVED, that the bid proposal received from Road Runr Maintenance Inc. for janitorial services for the Library, City Hall and the Kennedy Memorial Building, be accepted for a term of one-year with a one year option to renew.

Motion unanimously carried.

RESOLUTION 2013-325 Award Bid/2013 Cement Restoration

By Councilwoman Bush, supported by Councilman DiSanto

WHEREAS, the City recently opened bids for the 2013 Cement Restoration Program, and WHEREAS, it is recommended for the City Council to eliminate the restoration line item (#14) in the amount of \$9,500, which will cause the bid from Domenic Gaglio Construction to be lowered from the bid amount of \$150,350 to \$140,850, and

continued

WHEREAS, if the recommendation is followed, Domenic Gaglio Construction will become the low bidder, \$140,850.00 compared to the bid from Hard Rock, which is \$146,875 less \$1,000 for restoration, for a total of \$145,875.

NOW, THEREFORE, BE IT RESOLVED, the bid for the 2013 Cement Restoration Program be awarded to Domenic Gaglio Construction, for the unit prices stated in its bid, for an estimated total price of \$140,850.00

Motion unanimously carried.

RESOLUTION 2013-326 Rescind Library Millage/Charter Renewal

By Councilwoman Bush, supported by Councilman Kandes

RESOLVED, that Resolution #2013-169 be rescinded in its entirety and,

BE IT FURTHER RESOLVED, that the City Clerk is instructed to take whatever steps necessary to make certain that the contents of said resolution do not appear on the November 5, 2013 ballot.

Motion carried.

NO: Councilpersons DiSanto, Kaiser and Murphy

RESOLUTION 2013-327 Emergency Siren Repair/Hoover School

By Councilwoman Bush, supported by Council President Murphy

WHEREAS, the Hoover School emergency siren has been found to be inoperative; and

WHEREAS, the City has received a quotation from Winder Police Equipment in the amount of \$1,930 to replace the inoperative radio unit;

NOW, THEREFORE, BE IT RESOLVED, that the City Council approve the purchase and installation of the replacement radio for the Hoover School emergency siren, in the amount of \$1930. Funds to come from Account #101 348 818.

Motion unanimously carried.

RESOLUTION 2013-328 Accounts & Claims Payable

By Councilwoman Bush, supported by Councilwoman Moreno

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

Warrant Report: \$1,078,596.48

Motion unanimously carried.

RESOLUTION 2013-329 Firefighter Priority- MOTION DIED

By Council President Murphy, supported by Mayor Krause

RESOLVED, that it is in the best interest of the people of Lincoln Park, and the best interest of our Lincoln Park Firefighters, that the City of Lincoln Park provide a consistent fire fighting service.

THEREFORE BE IT RESOLVED, that the City Manager be instructed to seek a “priority” status for our Lincoln Park Firefighters with any community interested in taking over the delivery of Fire & EMS services from the City of Lincoln Park.

Council President Murphy withdrew the motion

Mayor Krause withdrew her support

MOTION DIED

CITY MANAGER’S REPORT

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2013-330 Adjournment

By Councilman Kandes, supported by Council President Murphy

RESOLVED, the meeting be adjourned at 9:55 p.m.

Motion unanimously carried.