

**SPECIAL MEETING**

The meeting was called to order at 2 p.m., Mayor Frank Vaslo presiding

PRESENT: Councilpersons Mario DiSanto, Joseph Kaiser, Mark Kandes and Donald Majors

ABSENT: Councilpersons Suzanne Moreno and Thomas Murphy

ALSO PRESENT: City Manager Steve Duchane, Assistant City Attorney Amy Higgins and  
City Clerk Donna Breeding

**RESOLUTION 2011-229 Accounts & Claims Payable**

By Councilman Kandes, supported by Council President Kaiser

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

Warrant Report: \$1,372,782.69

Motion unanimously carried.

**RESOLUTION 2011-230 Authorize S2 Sanitary Sewer Study**

By Councilman Kandes, supported by Councilman DiSanto

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204a that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2010 PA 231, which provides grants to assist municipalities in completing loan application requirements under MCL 324.5308 or completing loan application requirements for other sources of financing for sewage treatment works projects, storm water treatment projects or nonpoint source projects; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "S2 Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204a, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to undertake planning, revenue system development, and/or design activities related to a project for which it intends to seek financing for construction; and

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$675,000 ("Grant") be requested from the MFA and the DEQ to pay for the planning and/or design activities; and

WHEREAS, the Municipality shall obtain this Grant by entering into the S2 Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Director of Public Works, a position currently held by Bob Bartok, is designated as the Authorized Representative for purposes of the S2 Grant Agreement.

2. The proposed form of the S2 Grant Agreement between the Municipality, the MFA and DEQ (attached hereto as Appendix I) is hereby approved and the Authorized Representative is authorized and directed to execute the S2 Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if any of the following conditions occur:  
(a) the Municipality fails to submit an administratively complete loan application for assistance from the SRF, the SWQIF or other source of financing for the project within 3 years of the Grant award;  
(b) the project has been identified as being in the fundable range or is approved for funding from another source and the Municipality declines loan assistance for 2 consecutive fiscal years unless the Municipality proceeds with funding from another source; or  
c) the Municipality is unable to, or decides not to, proceed with constructing the project.

4. The Grant, if repayable, shall be a first budget obligation from the general funds of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.

5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees.

**continued**

6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.

7. The Municipality acknowledges that the S2 Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YES: Councilpersons DiSanto, Kaiser, Kandes, Majors and Mayor Vaslo

NO: None

ABSENT: Councilpersons Moreno and Murphy

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lincoln Park, County of Wayne, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Donna Breeding, City Clerk

**RESOLUTION 2011-231 Engineering Serv/S2 Sanitary Sewer Study**

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, that the Mayor and Council approve the Hennessey Engineers, Inc. Professional Engineering Services contract for the S2 Grant Sanitary Sewer Study.

BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign the Engineering Services contract.

Motion unanimously carried.

**RESOLUTION 2011-232 Approve Pawn Broker/1379 Dix**

By Council President Kaiser, supported by Councilman Majors

RESOLVED, that the request received from DaSilva's Pawn Shop located at 1379 Dix for a new "Pawn Broker License", be granted. Application and Bond filed, Temporary Certificate of Occupancy issued and fees paid.

Motion carried.

NO: Councilman DiSanto

**RESOLUTION 2011-233 Quit-Claim Deed/1537 Philomene**

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, that the Mayor and City Clerk are authorized to execute a Quit-Claim deed for the purpose of clearing title for part of 1537 Philomene Street, Lincoln Park, to LORENZO BIUNDO.

The City Council having found by a preponderance of the evidence that the Michigan Department of Natural Resources improperly conveyed this property to the City of Lincoln Park in 2005, and that the City should be reimbursed the purchase price of \$340.00 from the State of Michigan, it is in the interest of equity and justice that the City dispossess itself of any claim therein by execution of said deed.

Motion unanimously carried.

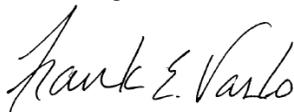
**RESOLUTION 2011-234 Attend training/Animal Control Officer**

By Councilman Kandes, supported by Council President Kaiser

RESOLVED, that Mayor and Council authorize Code Enforcement Officer Adam Manchester to attend the MAACO (Michigan Association of Animal Control Officers) 2011 Fall Training / Conference in Lansing, MI. The conference will be held from the evening of Monday, September 26, 2011, through Wednesday, September 29, 2011. The approximate cost for the lodging and meal expenses will be \$400.00. A Police Department vehicle will be used. An expense report will be completed upon return from this training. The funds will come from the Police Department's Training Account—101.305.960.

Motion unanimously carried.

There being no further business, the meeting adjourned at 2:25 p.m.



FRANK VASLO, MAYOR



DONNA BREEDING, CITY CLERK

