

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Moment of Silence

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. Recognized Alton Adams on his 90th Birthday
2. Presented "Making a Difference" Award to Andrew Kaspor
3. Presented "Pride in Property" Award to Family Care Pharmacy/3782 Fort

RESOLUTION 2013-361 Approve Consent Agenda

By Councilwoman Bush, supported by Councilwoman Moreno

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 September 16, 2013
 - b. Study Session held September 16, 2013
 - c. Special Meeting held September 25, 2013
2. Approve Used Auto Dealer License/1266 Fort St.
3. Approve Charitable Solicitation/Girl Scouts
4. Approve MDOT Permits/Tree & Perennial Plantings

Motion unanimously carried.

ca-1 a & b **RESOLUTION 2013-362 Approve Minutes- Regular Meeting**

RESOLVED, that the minutes of the Regular Meeting held under the date of September 16, 2013 be approved as recorded.

(NOTE: Study Session held September 16, 2013 at 6:30 p.m. re: Michigan Vacant Property Presentation)

Approved

ca-1c **RESOLUTION 2013-363 Approve Minutes – Special Meeting**

RESOLVED, that the minutes of the Special Meeting held under the date of September 25, 2013 be approved as recorded.

Approved

ca-2 **RESOLUTION 2013-364 Used Auto Dealer License/1266 Fort**

RESOLVED, that a "2013 Used Auto Dealers License" be approved for the following:

Big Mike Auto Sales, LLC 1266 Fort St.

Approved

ca-3 **RESOLUTION 2013-365 Charitable Solicitation/Girl Scouts**

RESOLVED, that the Michigan Metro Girl Scout Council be authorized to conduct their Annual Calendar-Nut Sale October 1, 2013 thru November 1, 2013 & their cookie sale December 23, 2013 thru March 31, 2014 in the City of Lincoln Park. All reporting provisions of the local ordinance to be timely observed.

Approved

ca-4

RESOLUTION 2013-366 MDOT Permit/DDA Plantings

WHEREAS, the DDA received a tree planting grant from the Department of Natural Resources in May 2013; and

WHEREAS, the Lincoln Park Downtown Development Authority desires to undertake Phase III of the Streetscape Project along Fort Street, a State Road, and along Southfield Road, a County Road, which involves additional tree and flower plantings in conjunction with the tree planting grant; and

WHEREAS, the scope of the project involves planting trees within the Southfield Road median and perennial plantings and trees within some of the raised planters along Southfield Road and Fort street; and

WHEREAS, the project requires both a Michigan Department of Transportation (MDOT) permit and a permit from Wayne County; and

WHEREAS, the property involved is also under the jurisdiction of the City of Lincoln Park; therefore,

BE IT RESOLVED, that the City Council approves the DDA Fort Street Streetscape-Phase III project and authorizes the DDA to undertake the project as outlined in this resolution, including the planting of new trees and perennial plantings within some of the raised planters and within the Southfield Road median; and

BE IT FURTHER RESOLVED, that the City approves and authorizes the Lincoln Park Downtown Development Authority to file for the appropriate and necessary MDOT and Wayne County permits for this project and authorizes Madhu Oberoi, the Executive Director for the Lincoln Park Downtown Development Authority and Bob Bartok, DPS Director to apply for and sign the necessary documents for the permits.

Approved

Lincoln Park Lofts request for funding – committee to review request

RESOLUTION 2013-367 Waive Bid/Purchase/DVR- K-9 units

By Council President Murphy, supported by Councilwoman Bush

WHEREAS, the Police Department is requesting to purchase one L3 Flashback 3 DVR upgrade kit for Police K-9 Vehicle 4-25.

BE IT RESOLVED, that the Mayor and Council authorize the Police Department to waive the bidding process and purchase one L3 Flashback 3 DVR upgrade kit for Police K-9 Vehicle 4-25 from the sole supplier, L3 Mobile-Vision Inc., for a total cost of \$2,520.00, and

BE IT FURTHER RESOLVED, that the funds for the DVR upgrade expenditure come from Account #265.320.756 with reimbursement to this account once the monies are received from the 2010 COPS Technology Grant.

Motion unanimously carried.

RESOLUTION 2013-368 Waive Bid/Purchase-Police Vehicle Modems

By Councilwoman Bush, supported by Council President Murphy

WHEREAS, the Police Department is requesting to purchase thirteen Sierra GX440 VZW Modems to meet State and Federal Mandates and avoid communications between the patrol vehicles and police servers from being eliminated.

BE IT RESOLVED, that the Mayor and Council authorize the Police Department to waive the bidding process as an emergency situation, due to the current service being discontinued in the immediate future, and purchase thirteen Sierra GX440 VZW Modems from CDW-G, for a total cost of \$9,649.38, and

BE IT FURTHER RESOLVED, that the funds for the modem expenditure initially come from Account #265.320.983 to be reimbursed by the 2011 JAG Grant.

Motion unanimously carried.

RESOLUTION 2013-369 Award Bid/2013 CDBG Sewer Rehab

By Councilman DiSanto, supported by Councilwoman Bush

RESOLVED, that LiquiForce Services be awarded the bid for the 2013 CDBG Sanitary Sewer Rehabilitation Project in the amount of \$189,121.50. This is a unit price project and the final quantities of materials used will determine the final contract amount, therefore a contingency

continued

amount of \$10, 878.50 is being added with a Total Cost not to exceed \$200,000.00 as they are the lowest best bidder that meets all specifications. A 10% retention of the project cost shall be held to verify completion pursuant to the contract.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute documents necessary to accomplish this work. Funds to come from Account Numbers 24939-75519 & 24938-75519 Streets & Utilities.

Motion unanimously carried.

Resolution regarding fee reduction/contract extension/RJ&J – HELD until October 21, 2013

RESOLUTION 2013-370 Fee Reduction/Extension/E&J Tree Service

By Councilwoman Bush, supported by Councilman Kandes

WHEREAS, Mayor and Council directed the City Manager to request fee reductions from the various city vendors, and

WHEREAS, the following vendor has agreed to a 10% reduction on all contract items in exchange for a three (3) year extension on their current Tree Maintenance Service agreement.

THEREFORE BE IT RESOLVED, that Mayor and City Clerk are hereby authorized to execute the fee reduction proposal for Tree Maintenance Services with E & J Tree Service and extend the contract with an expiration date of June 30, 2017. Furthermore the company must provide an insurance policy naming the city as “additional insured” under their General Liability coverage. Contingent upon indemnification/hold harmless clause.

Motion unanimously carried.

RESOLUTION 2013-371 Fee Reduction/Extension /LiquiForce

By Councilwoman Bush, supported by Councilwoman Moreno

WHEREAS, Mayor and Council directed the City Manager to request fee reductions from the various city vendors, and

WHEREAS, the following vendor has agreed to a 10% reduction on all contract items in exchange for a three (3) year extension on their current Sewer Maintenance Service agreement.

THEREFORE BE IT RESOLVED, that Mayor and City Clerk are hereby authorized to execute the fee reduction proposal for Sewer Maintenance Service with LiquiForce and extend the contract with an expiration date of June 30, 2017. Furthermore the company must provide an insurance policy naming the city as “additional insured” under their General Liability coverage. Contingent upon indemnification/hold harmless clause

Motion unanimously carried.

RESOLUTION 2013-372 Union Grievance Settlement

By Councilwoman Bush, supported by Councilman Kaiser

WHEREAS, several individuals have recently separated their employment with the City prior to retirement and requested payments of certain banks, and

WHEREAS, grievances have been filed over the non-payment of these separation payments, and

WHEREAS, the City Council agrees with the Administration’s interpretation of the Collective Bargaining Agreements by declining to make those payments;

NOW, THEREFORE, BE IT RESOLVED, that the City agrees to settle the grievances and make the separation payments on a non-precedential basis and advise the Unions that the City, effective immediately, will be following the clear and unambiguous language in the collective bargaining agreement from this point forward.

Motion carried.

NO: Councilpersons Kandes & Moreno

RESOLUTION 2013-373 Reappoint/City Attorney

By Councilwoman Bush, supported by Councilman DiSanto

RESOLVED, that the professional services agreement between the City of Lincoln Park and Mr. Edward Zelenak for City Attorney and related legal services be extended until January 1, 2015, to coincide with the expiration for the appointments of Department Heads.

Motion unanimously carried.

RESOLUTION 2013-374 Set Public Hearing/SAD Lighting

By Councilman Kandes, supported by Councilman DiSanto

WHEREAS, a report has been received and accepted from the City Manager regarding the street lighting Special Assessment project; and

WHEREAS, the City Council wishes to hear the views of property owners in the proposed city-wide special assessment district.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby establish the date of Monday, October 21, 2013 at 7:30pm, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a Public Hearing thus allowing citizen input from the property owners that will be affected by the passage of a Special Assessment District for street lighting purposes.

FURTHER BE IT RESOLVED, that the City Clerk be authorized to advertise the notice of the Public Hearing in the News-Herald the city's Official Newspaper.

Motion carried.

NO: Council President Murphy & Mayor Krause

RESOLUTION 2013-375 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: \$1,804,037.63

Motion unanimously carried.

CITY MANAGER'S REPORT

CITIZENS COMMUNICATIONS

Councilman Kaiser excused himself from the meeting at 8:35 p.m.

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2013-376 Adjournment

By Council President Murphy, supported by Councilwoman Bush

RESOLVED, the meeting be adjourned at 9:14 p.m.

Motion unanimously carried.

PATRICIA KRAUSE, MAYOR

DONNA BREEDING, CITY CLERK