

**REGULAR MEETING**

The meeting was called to order at 8:00 p.m., Mayor Steven M. Brown presiding.

Pledge of Allegiance to the Flag.

Moment of Silence.

**PRESENT:** Councilpersons Valerie Brady, Mario DiSanto, Michael Higgins, Mark Kandes, Thomas Murphy and Frank Vaslo.

**ALSO PRESENT:** City Attorney Ed Zelenak and City Clerk Donna Breeding.

Mayor's Remarks

**RESOLUTION 04-546 Minutes**

By Councilman Higgins, supported by Council President Kandes.

RESOLVED, that the minutes of the Regular Meeting held under the date of October 4, 2004 be approved as recorded.

Motion carried.

ABSTAINED: Mayor Brown

(Note: A closed Meeting was held October 4, 2004 at 7:30 p.m. regarding pending litigation.)

**RESOLUTION 04-547 Open Bids/Historical Museum Roof**

By Councilman DiSanto, supported by Council President Kandes.

RESOLVED, that the City Clerk is authorized to open bids for the "Historical Museum Re-roofing Project".

Motion unanimously carried.

**RESOLUTION 04-548 Refer Above Bids**

By Councilman DiSanto, supported by Council President Kandes.

RESOLVED, that the Mayor and Council refer the bids for the "Historical Museum Re-roofing Project" to the City Manager, Building Superintendent, City Controller, City Attorney, and City Engineer for review and recommendation.

Motion unanimously carried.

**RESOLUTION 04-549 Appr. Site Plan/25500 Outer Dr.**

By Council President Kandes, supported by Councilman Vaslo.

RESOLVED, that Site Plan PC #04-06 for Ford Motor Company of 25500 Outer Drive be granted site plan approval for an expansion of existing building and parking lot in the General Industrial District and Community Service District as per the site plan received September 3, 2004, the recommendations of the Planning Consultant's letter dated September 28, 2004, the stipulations of the Planning Commission, Zoning Board of Appeals, Building Department, and all concerned departments.

Motion unanimously carried.

**RESOLUTION 04-550 Set Public Hear/Dang Bldg/1410 Council**

By Council President Kandes, supported by Councilman DiSanto.

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1410 Council** is a dangerous building under Ordinance 1444, and issued its order that the structure be inspected within 10 days, exterior repairs be completed within 30 days, and interior violations be completed within 90 days or demolished and, WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of it's findings and a copy of it's ORDER with the Council and has requested the Council to take the necessary action to demolish the structure and, WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished,

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NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **November 8, 2004 at 8:00 p.m.**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Motion unanimously carried.

**RESOLUTION 04-551 Set Public Hear/Dang Bldg/1010 Fort Park**

By Council President Kandes, supported by Councilman DiSanto.

WHEREAS, the Hearing Board on **Dangerous Buildings** has made a finding and determination that the structure located at **1010 Fort Park** is a dangerous building under Ordinance 1444, and issued its order that the structure be inspected within 10 days, exterior repairs be completed within 30 days, and interior violations be completed within 90 days or demolished and,

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of it's findings and a copy of it's ORDER with the Council and has requested the Council to take the necessary action to demolish the structure and, WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished,

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **November 8, 2004 at 8:00 p.m.**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Motion unanimously carried.

**RESOLUTION 04-552 Set Public Hear/Dang Bldg/2956 Chandler**

By Council President Kandes, supported by Councilman DiSanto.

WHEREAS, the Hearing Board on Dangerous Buildings has made a finding and determination that the **garage structure** located at **2956 Chandler** is a dangerous building under Ordinance 1444, and issued its order that the structure be inspected within 10 days, and all violations be corrected or structure be demolished within 30 days and,

WHEREAS, pursuant to Chapter 1444 of the Lincoln Park Municipal Code, the Hearing Board on Dangerous Buildings has filed a report of it's findings and a copy of it's ORDER with the Council and has requested the Council to take the necessary action to demolish the structure and, WHEREAS, the owners and/or other parties of interest have neglected to comply with said order and the subject structure has not been made safe or demolished,

NOW, THEREFORE BE IT RESOLVED, that pursuant to Sections 1444.08 of the Lincoln Park Municipal Code, the Council hereby establishes the date of **November 8, 2004 at 8:00 p.m.**, or as soon thereafter as the ordinary order of Council business shall permit as the date and time for a hearing to review the findings and order of the said Hearing Board, at which hearing the owners, or parties of interest shall be given the opportunity to show cause why the building should not be demolished. The Building Superintendent is directed to give notice as required by Ordinance to the owner or parties of interest of such hearing date.

Motion unanimously carried.

**RESOLUTION 04-553 Set Trick or Treat Hours**

By Councilman Vaslo, supported by Council President Kandes.

RESOLVED that the City of Lincoln Park designate the hours of 5:00 p.m. through and including 8:00 p.m. on Sunday, October 31, 2004 as the Official "Trick or Treat" time of observance in the City of Lincoln Park.

Motion unanimously carried.

**RESOLUTION 04-554 Proposed Ord. Amend/Chpt 222**

By Council President Kandes, supported by Councilman DiSanto.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING CHAPTER 222.01 – CITY CONTROLLER IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 222.01 – FINANCE DIRECTOR” be given its first and second reading by Title Only.

THE CITY OF LINCOLN PARK ORDAINS:

Chapter 222 FINANCE DIRECTOR

Motion unanimously carried.

**RESOLUTION 04-555 Proposed Ord. Amend/Chpt 228**

By Council President Kandes, supported by Councilman DiSanto.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING CHAPTER 228.01, DIRECTOR OF PERSONNEL AND PURCHASING IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 228.01 DIRECTOR OF ADMINISTRATIVE OPERATIONS” be given its first and second reading by Title Only.

THE CITY OF LINCOLN PARK ORDAINS:

Chapter 228 DIRECTOR OF ADMINISTRATIVE OPERATIONS

Motion unanimously carried.

**RESOLUTION 04-556 Proposed Ord. Amend/Chpt 238**

By Councilman DiSanto, supported by Council President Kandes.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING CHAPTER 238, DEPARTMENT OF PUBLIC WORKS AND PUBLIC SERVICES IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 238 – DEPARTMENT OF ENGINEER AND PUBLIC SERVICES” be given its first and second reading by Title Only.

THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 238 of the Codified Ordinances be amended by repealing the existing Chapter 238 and adding a new Chapter 238, which new Chapter shall read as follows:

CHAPTER 238 DIRECTOR OF ENGINEER AND PUBLIC SERVICES

.10 SUPERINTENDENT OF UTILITIES AND SUPPORT SERVICES

.20 SUPERINTENDENT OF BUILDING, GROUNDS, STREETS AND PUBLIC WORKS.

Motion unanimously carried.

**RESOLUTION 04-557 Cross Connection Inspection Program**

By Councilwoman Brady, supported by Councilman DiSanto.

RESOLVED, that the agreement with Wayne County be terminated and that the bidding procedure be waived to protect the health safety and welfare of the public for the Cross Connection Inspection Program for the City of Lincoln Park.

FURTHER BE IT RESOLVED, that the Mayor and Council authorize the Mayor and City Clerk to enter into agreement to retain the firm Hydro Design, Inc., located in Bloomfield Hills, MI, for the CROSS CONNECTION INSPECTION PROGRAM for the City of Lincoln Park, as they are the sole private provider of this service.

FURTHER BE IT RESOLVED, that said program shall be awarded at an annual amount of Eighteen Thousand Six Hundred Sixty dollars (**\$18,660.00**) as submitted by the firm.

Motion unanimously carried.

**RESOLUTION 04-558 Street Sectioning/Water Dept.**

By Councilwoman Brady, supported by Councilman DiSanto.

RESOLVED, that the Mayor and Council authorize the Controller to pay Gaglio Bros. Corporation for completing a second set of street sectioning for the Water Department for a price not to exceed the Fifty Thousand dollars (\$50,000.00) total bid price.

Motion unanimously carried.

Solicit Bids Tree Removal HELD one week.

**RESOLUTION 04-559 Block Party/1424 Progress**

By Councilwoman Brady, supported by Councilman DiSanto.

RESOLVED, that the residents of the 1400 Block of Progress, (between Fort Park & Lafayette) be granted permission to have a block party on Saturday, October 30, 2004 from 1:00 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 open to traffic.

Per the recommendation of the Police Department.

Motion unanimously carried.

**RESOLUTION 04-560 Liquor License Transfer/1216 Dix**

By Councilman Murphy, supported by Councilwoman Brady.

RESOLVED, that Mayor and Council approve the request from 4212 Inc. to transfer ownership of a 2004 Class C Licensed Business with Dance-Entertainment Permit, located at 1216 Dix, Lincoln Park, MI 48146, Wayne County, from Barber Inc.

Motion unanimously carried.

**RESOLUTION 04-561 Adjourn for Closed Session/Pending Litigation**

By Council President Kandes, supported by Councilman Vaslo.

RESOLVED, that Closed Meeting of the Mayor and City Council and its attorney to discuss litigation strategy in the matter of JJM & Associates Inc., v. the City of Lincoln Park and the Lincoln Park Downtown Development Authority, Wayne County Circuit Court Case No. 03-315425-CK be held at this time in the Council Blue Room.

Recess Regular Council Meeting to meet in Closed Session at 8:35 p.m.

Reconvene Regular Meeting at 8:46 p.m.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:08 p.m.

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**STEVEN M. BROWN, MAYOR**

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**DONNA BREEDING, CITY CLERK**