

REGULAR MEETING

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

Pledge of Allegiance to the Flag

Invocation by Rev. Pat Bossio, Sr. of Faith Christian Assembly

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 04-174 Minutes

By Councilman Vaslo, supported by Council President Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of April 12, 2004 be approved as recorded.

Motion unanimously carried.

By Councilman Vaslo, supported by Councilman Murphy, that the minutes of the Special Meeting held under the date of 4-12-04 at 6:40 p.m., regarding the Lincoln Park Pride Program be approved as printed.

RESOLUTION 04-175 Accounts & Claims Payable

By Councilman DiSanto, supported by Councilman Vaslo

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

Warrant Report: \$393,940.45

Motion unanimously carried.

RESOLUTION 04-176 Auth. to Solicit/Lions White Cane Drive

By Councilman DiSanto, supported by Councilman Higgins

RESOLVED, that the Lincoln Park Lions Club be granted permission to solicit donations in front of various businesses in the City of Lincoln Park for the annual "**Lions of Michigan White Cane Drive**", from **April 23, 2004 through May 9, 2004**. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

RESOLUTION 04-177 Postpone Action/Site Plan 906 JA Papalas

By Council President Kandes, supported by Councilman Vaslo

RESOLVED, that the Mayor & Council postpone action on Site Plan #03-09 approval at 906 John A. Papalas Drive pending receipt of a traffic report and zoning footage setbacks from church property, and a resolution of outstanding planning and building issues.

Motion unanimously carried.

NAY: Councilman Murphy

RESOLUTION 04-178 Set Closed Mtg./Negotiations

By Councilwoman Brady, supported by Councilman Higgins

RESOLVED, that a Closed Meeting of the Mayor, Council, City Manager, Director of Personnel and Labor Attorney be scheduled for **Monday, April 26, 2004 at 6:30 p.m.** to be held in the Conference Room of City Hall from the purpose of discussing labor negotiations.

Motion unanimously carried.

RESOLUTION 04-179 Set Spec. Mtg./LP Pride Administrator

By Councilwoman Brady, supported by Councilman Vaslo

RESOLVED, that a Special Meeting of the Mayor & Council be scheduled for **Monday, April 26, 2004** in the John A. Aloisi Council Chambers **immediately following** the previously scheduled meeting for the purpose of discussing the position of LP Pride Administrator. The Personnel Director, City Attorney, City Manager and Labor Attorney are requested to be in attendance.

Motion unanimously carried.

Resolution to approve bid specifications for the Lincoln Park Pride Contractor **HELD ONE WEEK.**

Resolution to amend ordinance regarding LP Pride Administrator **HELD ONE WEEK.**

RESOLUTION 04-180 Refer Lot Split/1644 Merrill

By Councilman Vaslo, supported by Councilman Higgins
RESOLVED, that the split for Lots 125 and 126, also Lots 261 through 264 inclusive, Garfield Park Sub, Parcel No. 016-02-0125-300, be referred to the City Attorney, Building Superintendent and Assessor’s Office.

Parent Parcel #016-02-0125-300 – More Commonly known as 1644 Merrill

LOTS 125 AND 126 ALSO LOTS 261 TO 264 INCLUSIVE, ALSO ADJACENT VACATED ALLEY 16FT WIDE TO LOTS 125 AND 126, ALSO S ½ OF ADJACENT VACATED ALLEY ADJACENT TO LOTS 261 AND 262, GARFIELD PARK SUB PC 48 L36 P96 WCR. To be split as follows:

Parcel #1

LOTS 125 AND 126 AS ORIGINALLY PLATTED; ALSO THE NORTH ½ OF THE ADJACENT 16 FOOT WIDE VACATED ALLEY AT THE REAR THEREOF, GARFIELD PARK SUB, PC 48, L36, P96 WCR.

and

Parcel #2

LOTS 261 THROUGH 264 AS ORIGINALLY PLATTED; ALSO THE SOUTH ½ OF THE ADJACENT 16 FOOT WIDE VACATED ALLEY AT THE REAR THEREOF, GARFIELD PARK SUB, PC48, L36 P96 WCR.

Motion unanimously carried.

RESOLUTION 04-181 Approve Lot Split/4033 Agnes

By Council President Kandes, supported by Councilman Murphy
RESOLVED, that the Lot Split for Lots 82, 83 & 84 Parcel #022-07-0082-300, Longtin Dix Sub, be approved.

Parent Parcel #022-07-0082-300 – More Commonly known as 4033 Agnes

LOTS 82 TO 84 INCLUSIVE, ALSO W ½ ADJACENT VACATED ALLEY, LONGTIN DIX SUB, FRAC SEC 24 L49 P87 WCR

To be split as follows:

Parcel #1

LOT 82 ALSO S. 20 FEET OF LOT 83 ALSO W ½ ADJACENT VACATED ALLEY, LONGTIN DIX SUB FRAC SEC 24 L49 P87 WCR

and

Parcel #2

N. 15 FEET OF LOT 83 ALSO LOT 84 ALSO W ½ ADJACENT VACATED ALLEY, LONGTIN DIX SUB FRAC SEC 24 L49 P87 WCR.

Motion unanimously carried.

RESOLUTION 04-182 Free Structural/Land Use Permits

By Councilman Murphy, supported by Council President Kandes
RESOLVED, that the Building Department issue **free Structural & Land Use Permits** for home repairs to homeowners during the time of **June 7th through June 11th and June 14th through June 18th** to coincide with “Clean-Up, Fix-up Weeks”.

Motion unanimously carried.

RESOLUTION 04-183 Set Spec. Mtg./Road Imprv. Program

By Councilman DiSanto, supported by Council President Kandes
RESOLVED, that a Special Meeting of the Mayor and Council be scheduled for **7:00 p.m. on Monday, May 3, 2004** to discuss the future plans for the City’s Road Improvement Program and the roadways to be sectioned this year under the Community Development Block Grant Program.
Motion unanimously carried.

RESOLUTION 04-184 Apprv. Annual Action Plan/CDBG

By Council President Kandes, supported by Councilman Vaslo

RESOLVED, that the one-year **Annual Action Plan** of the **Community Development Block Grant Program** is hereby approved and Mayor Steven M. Brown is authorized to execute all necessary documents on behalf of the City. William Hatley, CDBG Director, is hereby authorized and directed to complete the annual application process in accordance with the budget outlined in said Annual Action Plan.

Motion unanimously carried.

RESOLUTION 04-185 Change Order/Quandt Park Pavilion

By Councilman Higgins, supported by Councilman Vaslo

RESOLVED, that the **Change Order** dated April 12, 2004, to the contract dated March 16, 2004, with **MTM Construction Company** for work being done on the **Quandt Park Pavilion** for a total of **\$17,060**, making a grand total of \$44,953 for this work, is hereby approved and Mayor Steven M. Brown is authorized to sign said Change Order on behalf of the City. Funds to come from 29th Program Year CDBG Budget Account Number 24929-75506 "Parks & Recreation Projects".

Motion unanimously carried.

Councilman DiSanto's yea, "With exception of removing downspouts."

RESOLUTION 04-186 Participate Residential Rehab Loan Program

By Councilman Vaslo, supported by Councilwoman Brady

RESOLVED, that the following citizens be approved for participation in the CDBG Residential Rehabilitation Program, for a loan not to exceed \$15,000.00.

- #1177 DL **Deborah Allen – 1382 Warwick
Doors, Windows, Insulation, Siding**
- #1178 DL **Janet Kochevar – 521 Stewart
Porch Steps, Windows, Trim, Gutters, Furnace**
- #1179 DL **Anna Erickson – 4186 Longtin
Porch Steps, Driveway**

BE IT FURTHER RESOLVED, that William D. Hatley, Community Improvement Director is hereby authorized and directed to process these applications in accordance with the Policy and Procedures Guidelines previously approved. Funds to come from 29th Program Year CDBG Budget Account Number 24929 720R.

Motion unanimously carried.

RESOLUTION 04-187 Oppose HB 4234/Personal Property Tax

By Councilman Murphy, supported by Councilman Higgins

WHEREAS, House Bill 4234 has been passed by the House Tax Policy Committee, and this bill mandates that local units of government provide personal property tax exemptions to all businesses in their community, and

WHEREAS, this bill is estimated to cost the City of Lincoln Park in excess of \$90,000 every year, and

WHEREAS, there is no provision to make up the revenue lost as a result of said exemptions, and WHEREAS, the State Legislature has already reduced State Revenue Sharing, another source of local government financing;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of Lincoln Park are opposed to the passage of House Bill 4234, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Jennifer Granholm and State Senator Raymond Basham and State Representative William J. O'Neil.

Motion unanimously carried.

RESOLUTION 04-188 Set Permit Fees/Cruisin Downriver

By Councilman Murphy, supported by Councilwoman Brady
RESOLVED, that the following prices be set for the 2004 ‘‘Cruisin’ Downriver’’ permits purchased by June 19, 2004:

Registered Lincoln Park businesses activity permit only \$25.00
Registered Lincoln Park businesses serving food or beverages \$50.00

OTHER VENDORS:

Activity permit \$50.00
Food & beverage permit \$100.00

Permits sold after June 19, 2004 will be double the cost of permits purchased prior to June 19, 2004.

Motion unanimously carried.

RESOLUTION 04-189 Support for DTE Energy

By Councilman Murphy, supported by Councilwoman Brady
WHEREAS, Public Act 141 of 2000 (PA 141) is not working for everyone in Michigan or accomplishing its goals as enumerated in the law, and
WHEREAS, PA 141 has created an unsustainable system, and
WHEREAS, out-of-state energy resellers are taking energy dollars out of Michigan, and
WHEREAS, customers have the right to move freely between the lower of market rates and regulated rates, while utilities retain the obligation to serve all customers, and
WHEREAS, PA 141, as implemented, has created an unlevel playing field between Michigan’s regulated utilities and Alternative Electric Suppliers, and
WHEREAS, Alternative Electric Suppliers are not required to maintain the same level of power reserves as Michigan’s regulated utilities, and
WHEREAS, Alternative Electric Suppliers (AES) are free to market their product to only Michigan’s most attractive customers while our State’s regulated utilities and their remaining customers continue to bear all the costs associated with providing service to the State’s low-income residents and other customers unattractive to the AES’s operating in Michigan, and
WHEREAS, a 20% to 30% rate increase will be inevitable for residential and small business customers who will continue to bear all the costs associated with maintaining the utility’s power plants and electrical system, and
WHEREAS, the subsidies paid by Detroit Edison and its customers to enterprises who choose to purchase their power from an AES send false economic signals and have created a false market, and
WHEREAS, the implementation of PA 141 is flawed and needs modification and if left unattended, will lead Michigan into a California-like crisis with the potential for blackouts, soaring electric rates and a damaged economic climate;
NOW, THEREFORE, BE IT RESOLVED, that the City of Lincoln Park supports an Electric Choice law that works for everyone in Michigan by preserving a competitive choice market and sustains a regulated market that protects the affordability, reliability and safety of Michigan’s electric system as guided by the following principles:

- The deregulated market must be of significant size and scope to accommodate a substantial number of large industrial and commercial customers, especially those that have the option of expanding or locating in other states.
- In the deregulated market, all energy providers, including Michigan’s utilities, should be able to compete on the same terms.
- The State of Michigan should not be disadvantaged with respect to jobs and taxes.
- The non-choice or regulated market must be large enough and diverse enough to fully support the electrical system needed to serve Michigan’s electricity users.
- The regulated market should be governed by reasonable rates, a standard of service, reliability and safety.
- Service must be provided to all who desire it.

FURTHER BE IT RESOLVED, that a copy of this resolution be sent to Governor Jennifer Granholm, State Senator Raymond Basham, State Representative William O’Neil, the Michigan Public Service Commission and DTE.

Motion unanimously carried.

Resolution for Policy on Display of Flags **HELD**.

Resolution for Policy on Community Signs **HELD**.

RESOLUTION 04-190 Sale of vacant property/formerly 1612 Fort St.

By Councilman Vaslo, supported by Council President Kandes
RESOLVED, that the Mayor and Council of the City of Lincoln Park approve the sale of vacant parcel formerly known as 1612 Fort St. to the Loyal Order of Moose for the sum of \$4,000.00 and authorize the Mayor and City Clerk to execute a quit claim deed thereto.
Motion unanimously carried.

RESOLUTION 04-191 Budget Amendments/Assessor's Office

By Council President Kandes, supported by Councilman Vaslo
RESOLVED, that the Controller be and is hereby authorized to make the following budget amendment:

101202-800	Contractual Part-time Wages	<u>INCREASE</u> \$2,600
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Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 10:45 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK