

**REGULAR MEETING**

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

Pledge of Allegiance to the Flag led by Cub Scout Pack 1361 from Lafayette & Raupp Schools.

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 03-577 Minutes**

By Councilman Murphy, supported by Council President Kandes.

RESOLVED, that the minutes of the Regular Meeting held under the date of December 1, 2003 be approved as recorded.

Motion unanimously carried.

Moved by Councilman DiSanto supported by Council President Kandes that the minutes of the Public Hearing held December 1, 2003 at 7:30 p.m. regarding reprogramming of CDBG Funds are approved as printed.

**RESOLUTION 03-578 Appt. Community Improvement Commission**

By Councilman Murphy, supported by Councilman DiSanto.

RESOLVED, that Eric Szor of 583 Park is hereby appointed to the Lincoln Park Community Improvement Commission, with a term to expire on May 1, 2006.

Motion unanimously carried.

**RESOLUTION 03-579 Appt. Interim Assessor**

By Council President Kandes, supported by Councilman Murphy.

RESOLVED, that Anthony Fuoco be and is hereby appointed Interim Assessor, effective immediately at a rate of \$31.00 per hour, not to exceed 2 days a week.

Motion unanimously carried.

PUBLIC HEARING Called to Order on proposed revocation of pipeline permit for Panhandle Eastern.

Comments by Attorney Neil Lehto representing the City of Lincoln Park. A 30-year permit was issued in 1946. Attorney Lehto is recommending that Mayor & Council revoke this expired permit.

Attorney Robert Brower, of Bodman, Longley and Dahling LLC, representing Panhandle Eastern, explained that this is interstate transportation of natural gas, which is regulated under the National Gas Act. Attorney Brower wanted to go on record that Panhandle Eastern believes that this request is unconstitutional and strongly opposes any local municipality fees.

Attorney Lehto informed the Mayor & Council that this pipeline is in a Public Right-of-Way and he was instructed to prepare the necessary resolutions for Mayor & Council's consideration.

Adjourn Public Hearing

Reconvene Regular Meeting.

**RESOLUTION 03-580 Open Bids-Painting-Police Dept.**

By Councilman Murphy, supported by Councilman Vaslo.

RESOLVED, that the City Clerk be authorized to open bid proposals received marked "Painting-Police Department".

Motion unanimously carried.

**RESOLUTION 03-581 Refer Above Bids**

By Councilman Murphy, supported by Councilwoman Brady.

RESOLVED, that the bid proposals received marked "Painting - Police Dept." be referred to the Purchasing Agent, Deputy Police Chief, and Controller for tabulation and recommendation.

Motion unanimously carried.

**RESOLUTION 03-582 Budget Transfer – Motor Pool**

By Councilman DiSanto, supported by Councilman Higgins.

RESOLVED, that the Controller be and is hereby authorized and directed to increase the Motor Pool F'03-04 budget accounts as follows:

**GENERAL FUND REVENUE:**

Motor Pool	Account #101-932-649	\$595.00
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**GENERAL FUND EXPENDITURE:**

Motor Pool	Account #101-932-982	\$595.00
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Motion unanimously carried.

**RESOLUTION 03-583 Appr. Sub Recipient Agreement/CPW**

By Councilman Murphy, supported by Councilman Higgins.

RESOLVED, that the standard **Sub Recipient Agreement** dated July 21, 2003 between the City of Lincoln Park and the **Citizens Patrol Watch Program**, is hereby approved with a budget allocation of \$4,000 and the Mayor and City Clerk are hereby authorized and directed to execute said Agreement on behalf of the City. Funds to come from 29<sup>th</sup> Program Year CDBG Budget Account #24929-75608 "The Citizens Patrol Watch".

Motion unanimously carried.

**RESOLUTION 03-584 Set Televised Mtg./ Constr. Procedures FAILED**

By Councilman DiSanto, supported by Councilman Murphy.

RESOLVED, that a Special Meeting of the Mayor and Council be scheduled for Monday, December 22, 2003 at 6:30 p.m., in the John A. Aloisi Council Chambers, 1355 Southfield Rd. for the purpose of discussing Construction Contract procedures.

BE IT RESOLVED, that Bob Torck, Street Administrator and Rob Rochon representing Hennessey Engineers be in attendance.

FURTHER BE IT RESOLVED, that said meeting be televised on the City's local government channel.

YEAS: Councilpersons Brady, DiSanto, and Murphy.

NAYS: Councilpersons Higgins, Kandes, Vaslo, and Mayor Brown.

**RESOLUTION 03-585 Set Mtg. Constr. Contract Procedures**

By Councilman Higgins, supported by Council President Kandes.

RESOLVED, that a **Special Meeting** of the Mayor and Council be scheduled for **Monday, December 22, 2003 at 6:30 p.m.**, in the John A. Aloisi Council Chambers, 1355 Southfield Rd. for the purpose of discussing Construction Contract procedures.

BE IT RESOLVED, that Bob Torck, Street Administrator and Rob Rochon representing Hennessey Engineers be in attendance.

FURTHER BE IT RESOLVED, that said meeting be videotaped.

Motion unanimously carried.

Budget Transfer Treasurer's Office pulled.

**RESOLUTION 03-586 Oppose SB 721/Landfill Surcharge**

By Mayor Brown, supported by The Full Council.

WHEREAS, Senate Bill 721 has been introduced in the State Legislature, which would assess a surcharge of \$3.00 per ton upon the disposal of municipal solid waste disposed of at a landfill, and

WHEREAS, such surcharges would be imposed upon municipalities that already are suffering from the devastating effects of reductions in State Revenue Sharing, crippling increases in costs of health care, and other economic burdens, and

WHEREAS, such surcharges would be an inequitable and unfair burden on the municipalities of the State of Michigan, including the municipal customers of the Riverview Land Preserve, as demonstrated by the projected cost of nearly \$60,000 for Lincoln Park and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lincoln Park opposes Senate Bill 721 and any similar legislative measure that would unfairly burden the municipal customers of the Riverview Land Preserve, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Jennifer Granholm, State Senator Raymond Basham, State Representative William J. O'Neil, and surrounding municipal customers of the Riverview Land Preserve.

Motion unanimously carried.

**RESOLUTION 03-587 Info Regarding Contract Talks in Writing**

By Councilman Higgins, supported by Councilwoman Brady.  
RESOLVED, that any and all information given to the Mayor or Councilmembers by Personnel, dealing with contract talks, will be given to all Councilmembers in writing.  
Motion unanimously carried.

**RESOLUTION 03-588 Personal Property Tax Mgr Position/TABLED**

By Councilman Murphy, supported by Councilwoman Brady.  
RESOLVED, that the Mayor and Council vacate the position of Personal Property Tax Manager effective December 19, 2003.  
By Council President Kandes, supported by Councilman DiSanto.  
RESOLVED, that the above resolution be TABLED.  
Motion carried.  
NAY: Councilman Murphy

**RESOLUTION 03-532A Amend Liquor License/3434 Fort**

By Councilman Murphy, supported by Councilman Higgins.  
RESOLVED, that Resolution #03-532 be amended by deleting the language about the fire sprinkler system apparatus.  
FURTHER BE IT RESOLVED, that the request of Jesse Nykon a/k/a Ball & Cue, Inc., 3434 Fort for a Class C liquor license be approved.  
Motion unanimously carried.

**RESOLUTION 03-589 Set Closed Mtg/Labor Neg.**

By Councilman Higgins, supported by Councilwoman Brady.  
RESOLVED, that a **Closed Meeting** of the Mayor & Council be scheduled for **Friday, December 12, 2003 at 7:00 P.M.** in the John A. Aloisi Council Chambers, 1355 Southfield Road.  
BE IT FURTHER RESOLVED, that all information regarding the current status of negotiations be made available to the Mayor & Council prior to said meeting.  
Motion carried.  
NAY: Mayor Brown

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 10:07 p.m.

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STEVEN M. BROWN, MAYOR

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DONNA BREEDING, CITY CLERK