

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 the Order of DeMolay, Clifford C. Reeves Chapter.

Moment of Silence.

PROCLAIM March, 2004 as “DeMolay Month” in Lincoln Park.

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 04-70 Minutes

By Councilman Murphy, supported by Councilman Vaslo.

RESOLVED, that the minutes of the Regular Meeting held under the date of February 23, 2004 be approved as recorded.

Motion unanimously carried.

Moved by Councilwoman Brady supported by Councilman DiSanto that the minutes of the Special Meeting held 2-23-04 regarding City Sanitary Sewer Cleaning & Inspections are approved as printed.

PRESENTATION of checks for \$2,500 and \$10,000 from Lincoln Park Skate Company to City of Lincoln Park Parks & Recreation Department to offset the cost of the Annual Ice Show.

RESOLUTION 04-71 Award Bid/Generator Service

By Councilwoman Brady, supported by Councilman DiSanto.

RESOLVED, that **Michigan Generator Services, Inc.** be awarded the bid to provide services for three (3) generators, in the amount of **\$9,950.00**; as they are the lowest bidder and meet all specifications. Per the recommendation of the Purchasing Agent, Superintendent of DPS, and Controller. Funds to come from Account #592-500-880C.

Motion unanimously carried.

RESOLUTION 04-72 Open Bids/Quandt Park Pavilion Roof Ren.

By Councilman Vaslo, supported by Council President Kandes.

RESOLVED, that the bids marked “Quandt Park Pavilion Roof Renovation” be opened.

Motion unanimously carried.

RESOLUTION 04-73 Refer Above Bids

By Councilman Vaslo, supported by Councilman Higgins.

RESOLVED, that the bids marked “Quandt Park Pavilion Roof Renovation” be referred to a committee made up of Parks & Recreation Director Don Cook, Purchasing Director Patricia Lulko, and CDBG Director Bill Hatley for the collective review and recommendation back to this Mayor and City Council.

Motion unanimously carried.

RESOLUTION 04-74 Open Bids/Fire Fighting Hose

By Councilman Murphy, supported by Councilman DiSanto.

RESOLVED, that the bids marked “Fire Fighting Hose” be opened.

Motion unanimously carried.

RESOLUTION 04-75 Refer Above Bids

By Councilman Murphy, supported by Councilman DiSanto.

RESOLVED, that the bids marked “Fire Fighting Hose” be referred to a committee made up of Deputy Fire Chief Rich Rusek, Purchasing Director Patricia Lulko, and CDBG Director Bill Hatley for their collective review and recommendation back to this Mayor and City Council.

Motion unanimously carried.

RESOLUTION 04-65A Chapter 215 Establish City Manager Position

By Council President Kandes, supported by Councilman Murphy.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY AMENDING TITLE SIX AND ADDING **CHAPTER 215, ENTITLED CITY MANAGER**”, be given its third reading in its entirety and ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That the codified ordinances of the City of Lincoln Park, Administration, Title Six be amended to include a new Chapter 215 as follows:

CHAPTER 215 CITY MANAGER

.01 ESTABLISHMENT OF OFFICE, POWERS AND DUTIES, QUALIFICATIONS & COMPENSATION

- (a) **Establishment:** The office of City Manager is hereby established in and for the City pursuant to Chapter IV of the City Charter.
- (b) **Appointment – Term:** The City Manager shall be appointed by the Mayor and Council and shall hold office for a term to expire on the first Monday of January of even numbered years.
- (c) **Powers & Duties:** The City Manager shall be under the direction of the Mayor and Council and shall supervise the administrative affairs of the City and shall carry out the policies formulated by the Mayor & Council. He/She shall coordinate the activities of the various departments and provide management direction. The City Manager serves as primary liaison between the general public and City Officials, assuring quality service provisions and responsiveness to public inquiries and information requests. The City Manager shall attend all council meetings and shall serve on various boards and commissions, and provide staff assistance and carry out their directions. The City Manager may also include those duties of Emergency Manager, Economic Development Director or Personnel/Human Resource Director.
- (d) **Qualifications:** Bachelor’s Degree in Public or Business Administration or equivalent combination of experience and training. Five years or more experience as City Manager/City Administrator required.
- (e) **Compensation & Benefits:** The City Manager shall receive such salary and fringe benefits as determined from time to time by Mayor & Council. Such salary shall be paid in equal payments on the regular paydays established for classified employees. The fringe benefits shall be paid by the City in the same manner as provided for classified employees.

Motion unanimously carried.

ADOPTED: March 1, 2004
PUBLISHED: March 10, 2004
EFFECTIVE: March 10, 2004

RESOLUTION 04-66A Adopt Ord. Amend/Chapter 1262.99

By Council President Kandes, supported by Councilman Higgins.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING SECTION .99 OF CHAPTER 1262, PENALTY IN ITS ENTIRETY AND ADOPTING A NEW SECTION .99 OF CHAPTER 1262, PENALTY”, be given its third reading in its entirety and ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

Chapter 1262.99 PENALTY AND SANCTION – MUNICIPAL CIVIL INFRACTION.

Violations of the provisions in this chapter are Municipal Civil Infractions and subject to the penalty and sanctions described in Section 202.101. The imposition of the penalty and sanctions provided in Section 202.101 shall not preclude the initiation of appropriate legal action to restrain correct or abate a violation, to prevent illegal occupancy of a rental dwelling or dwelling unit or to stop an illegal act, conduct of a business or use of a structure.

Motion unanimously carried.

ADOPTED: March 1, 2004
PUBLISHED: March 10, 2004
EFFECTIVE: March 10, 2004

RESOLUTION 04-67A Adopt Ord./Chapter 1400

By Council President Kandes, supported by Councilman Murphy.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY ADDING A NEW CHAPTER 1400 – PENALTY, MUNICIPAL CIVIL INFRACTIONS TO THE BUILDING & HOUSING CODE”, be given its Third Reading in its Entirety and ADOPTED.

Continued

THE CITY OF LINCOLN PARK ORDAINS:

CHAPTER 1400 TITLE ONE-PENALTY , MUNICIPAL CIVIL INFRACTIONS

.01 **LEGISLATIVE FINDINGS.** It is the intent of the Mayor and Council to decriminalize offenses generally known as building code violations as Codified in Part Fourteen of the Codified Ordinances.

.02 **PENALTY AND SANCTION-MUNICIPAL CIVIL INFRACTION.** Violations of the provisions in this chapter and all provisions of Part Fourteen are Municipal Civil Infractions and subject to the penalty and sanctions described in Section 202.101. The imposition of the penalty and sanctions provided in Section 202.101 shall not preclude the initiation of appropriate legal action to restrain, correct, or abate a violation, to prevent illegal occupancy of a rental dwelling or dwelling unit or to stop an illegal act, conduct of a business or use of a structure.

Motion unanimously carried.

ADOPTED: March 1, 2004
PUBLISHED: March 10, 2004
EFFECTIVE: March 10, 2004

RESOLUTION 04-76 Adopt Ord. Amend/Repeal .99 Chapter 1400

By Council President Kandes, supported by Councilwoman Brady.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE FOLLOWING PENALTY SECTIONS 1430.99, 1434.99, 1436.99, 1440.99, 1444.99, 1448.99, 1450.99, 1454.99, 1456.99, 1466.99, 1476.99, 1480.99, AND 1484.99” be given its First, Second, Third Reading and ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That Penalty Sections 1430.99, 1434.99, 1436.99, 1440.99, 1444.99, 1448.99, 1450.99, 1454.99, 1456.99, 1466.99, 1476.99, 1480.99, and 1484.99 be repealed in their entirety.

Motion unanimously carried.

ADOPTED: March 1, 2004
PUBLISHED: March 10, 2004
EFFECTIVE: March 10, 2004

RESOLUTION 04-77 Proposed Ord. Amend/Chapter 1456

By Council President Kandes, supported by Councilman Higgins.

RESOLVED, that “AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY REPEALING THE EXISTING CHAPTER 1456 GRADING AND SOIL EROSION CONTROL IN ITS ENTIRETY AND RESERVING SAID CHAPTER FOR FUTURE USE” be given its First and Second Reading by TITLE ONLY.

THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 1456 of the Codified Ordinances of the City of Lincoln Park be repealed in its entirety.

Motion unanimously carried.

RESOLUTION 04-78 Attend Quarterly Mtgs/CDBG Director

By Councilman Vaslo, supported by Councilwoman Brady.

RESOLVED, that CDBG Director William Hatley is hereby authorized and directed to attend the four quarterly meetings of the Michigan Community Development Directors Association in the calendar year 2004. Funds to come from 29th CDBG Program Year Budget Account Number 24929-71001 “Administration”.

Motion unanimously carried.

RESOLUTION 04-79 Set Special Mtg/LP Pride Program

By Councilwoman Brady, supported by Councilman Murphy.

RESOLVED, that a **Special Meeting** of the Mayor and Council be scheduled for **Monday, March 22, 2004 at 7:00 p.m.** in the John A. Aloisi Council Chambers at City Hall, 1355 Southfield Rd., Lincoln Park, regarding the Lincoln Park Pride Program.

Motion unanimously carried.

RESOLUTION 04-80 Solicit Bids/Sanitary Sewer Cleaning Project

By Councilwoman Brady, supported by Councilman Vaslo.

WHEREAS, the current Federal Court Consent Order requires that the City of Lincoln Park clean and inspect its sanitary sewer system on a routine basis, and

WHEREAS, it was approved by the Michigan Department of Environmental Quality that the City could clean and inspects its sanitary sewer system in a five-year period beginning by March of 2005, and completed by June of 2009, and

Continued

BE IT RESOLVED, that Hennessey Engineers is authorized to prepare the specifications for the project.

BE IT FURTHER RESOLVED, that the project will be bid two different ways. The first having a contractor provide prices for cleaning and inspecting the entire sanitary sewer system in the five-year period and the second having a contractor provide prices for cleaning and inspecting only sanitary sewers 18-inch or greater in diameter.

BE IT FURTHER RESOLVED, that after the DPS Superintendent has approved the specifications, Hennessey Engineers is authorized to solicit bids for the project.

BE IT FURTHER RESOLVED, that Hennessey Engineers will be compensated on an hourly basis per their current agreement with the City with a not-to-exceed value of \$1,000.00

Motion unanimously carried.

RESOLUTION 04-81 Rescind Petition Sanitary Sewer Cleaning Prj.

By Councilwoman Brady, supported by Councilman DiSanto.

BE IT RESOLVED, that the City of Lincoln Park hereby rescinds the petition with the Ecorse Creek Pollution Abatement Drain Board to finance the completion of the Sanitary Sewer Cleaning and Inspection Project.

BE IT FURTHER RESOLVED, that the Mayor and Council authorizes the City Clerk to forward a certified copy of the council resolution to the Director of Wayne County’s Department of Environment.

Motion unanimously carried.

RESOLUTION 04-82 Authorize Sanitary Sewer Slip Lining

By Councilwoman Brady, supported by Councilman DiSanto.

WHEREAS, the City recently decided to clean and televise certain sewer runs within the City. WHEREAS, it is always in the best interest of the City to correct sewer problems in a timely manner.

BE IT RESOLVED, that the Mayor and Council authorize LiquiForce Sewer Services (USA), Inc. to slip-line the various sewer runs within the City, as determined by the city’s Water and Sewer Department and per the “Sanitary Sewer Rehabilitation and Maintenance Contract” with LiquiForce Sewer Services (USA), Inc.

BE IT FURTHER RESOLVED, that the funds for the cost of the work, \$355,009.00 be split between the current fiscal year (2003-04), \$182,378.15, and the upcoming fiscal year (2004-05), \$172,630.85.

BE IT FURTHER RESOLVED, that \$40,553.08 the funds for the 2003-04 fiscal year work will be appropriated from the Emergency Sewer Replacement Reserve item of the budget, Account Number 592 527 980R and the remaining \$141,825.07 of the work for the 2003-04 fiscal year work will be appropriated from the Engineering and Sewer Improvements item of the budget, Account Number 592 527 974E.

BE IT FURTHER RESOLVED, that the funds for work to be completed in the 2004-05 fiscal year, \$172,630.85, will be appropriated from the Engineering and Sewer Improvements item of the budget, Account Number 592 527 974E.

Motion unanimously carried.

RESOLUTION 04-83 Open Bids/2004 Street Sectioning Project

By Councilwoman Brady, supported by Councilman Murphy.

BE IT RESOLVED, that the City Clerk is authorized to open bids for the “2004 Street Sectioning Project.”

Motion unanimously carried.

RESOLUTION 04-84 Refer Above Bids

By Councilwoman Brady, supported by Councilman DiSanto.

BE IT RESOLVED, that the Mayor and Council refer bids for the “2004 Street Sectioning Project” to the DPS Superintendent, City Controller, City Attorney, City Engineer, and Councilperson Brady for review and recommendation.

Motion unanimously carried.

RESOLUTION 04-85 Open Bids/2004 Street Improvement Project

By Council President Kandes, supported by Councilman Higgins.

BE IT RESOLVED, that the City Clerk is authorized to open bids for the “2004 Street Improvement Project”.

Motion unanimously carried.

RESOLUTION 04-86 Refer Street Improvement Prj. Bids

By Councilwoman Brady, supported by Councilman Murphy.
BE IT RESOLVED, that the Mayor and Council refer bids for the “2004 Street Improvement Project” to the DPS Superintendent, City Controller, City Attorney, City Engineer, and Councilperson Brady for review and recommendation.
Motion unanimously carried.

Resolution to Design Retention Basin Repairs HELD ONE WEEK.

RESOLUTION 04-87 Set Special Mtg/Appl. City Manager Position

By Councilman Vaslo, supported by Councilwoman Brady.
RESOLVED, that a **Special Meeting** of the Mayor and Council be scheduled for **Friday, March 12, 2004 at 6:00 p.m.** in the John A. Aloisi Council Chambers at City Hall, 1355 Southfield Rd., Lincoln Park, for the purposes of reviewing applications for the City Manager position.
Motion unanimously carried.

RESOLUTION 04-88 Set Closed Mtg/Labor Negotiations

By Councilman Vaslo, supported by Councilman DiSanto.
RESOLVED, that a **Closed Meeting** of the Mayor and Council be scheduled for **Monday, March 15, 2004 at 6:30 p.m.** to be held in the Conference Room of City Hall for the purpose of discussing labor negotiations.
Motion unanimously carried.

RESOLUTION 04-89 Authorize NFR to Apply for Tree Repl. Grant

By Councilman Vaslo, supported by Councilman Higgins.
RESOLVED, that Neighborhood Funding Resources shall prepare, write, and submit a grant application for “Tree Replacement” for the amount of up to \$20,000; at a fee for preparation as follows:

- \$400 to write the proposal;
- \$200 premium paid if grant is awarded between \$500-\$10,000; and alternatively,
- \$400 premium to be paid if the grant exceeds \$10,000.

Motion unanimously carried.

RESOLUTION 04-90 Amend P & R Master Plan (2000-04)

By Councilman Higgins, supported by Councilwoman Brady.
RESOLVED, that the Amendment to the 2000-2004 Recreation Master Plan be ADOPTED and submitted to the Michigan Department of Natural Resources.
Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:27 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK