

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Thomas E. Karnes presiding.

Pledge of Allegiance to the Flag

Invocation by Reverend Kara Hildebrandt of Lincoln Park Presbyterian Church

PRESENT: Councilpersons Chris Dardzinski, Michael Higgins, Larry Kelsey, Thomas Murphy and Thomas Parkinson

ALSO PRESENT: City Manager Matt Coppler, Asst. City Attorney Amy Higgins, and City Clerk Donna Breeding

Mayor's remarks

1. Mayoral Appointment: Reappoint Joel Solomon to the Public Safety Commission. Term to expire 1/1/2023

RESOLUTION 2018-01 Approve Consent Agenda

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the following items listed under the consent agenda be approved as presented to the Mayor and City Council.

1. Approve Minutes - Regular Meeting held December 18, 2017

Motion unanimously carried

ca-1

RESOLUTION 2018-02 Approve Minutes/Regular Meeting

RESOLVED, that the minutes of the Regular Meeting held under the date of December 18, 2017 be approved as recorded

(Note: Study Session held December 18, 2017 at 6:00 p.m. to discuss 2018 Road Repairs)
Approved.

RESOLUTION 2017-408A Ord Amend/Tax Abatement/Rivers Edge

By Mayor Karnes, supported by Councilman Dardzinski

RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK BY ADDING A NEW CHAPTER 894, ENTITLED TAX ABATEMENT – RIVERS EDGE APARTMENTS.", be given its third and final reading, ADOPTED and be given Immediate Effect.

THE CITY OF LINCOLN PARK ORDAINS:

That the Codified Ordinances of the City of Lincoln Park be amended to include a new Chapter 894 as follows:

CHAPTER 894

TAX ABATEMENT – RIVERS EDGE APARTMENTS

894.01 SHORT TITLE

This Chapter shall be known and cited as the City of Lincoln Park Tax Abatement Ordinance for the Rivers Edge Apartments.

894.02 PREAMBLE AND PURPOSE

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low or moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCLA Section 125.1401 et. Seq.) ("Act").

The City of Lincoln Park is authorized by said Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under the Act at any amount it chooses not to exceed the taxes that would be paid but for the Act. It is further acknowledged that such housing for persons of low or moderate income is a public necessity, and as the City of Lincoln Park will be benefited and improved by such housing, that the encouragement of same by providing certain real estate exemption for housing is a valid public purpose; further that the continuation of the provisions of this article for tax exemption and service charge in lieu of taxes during the periods hereafter contemplated in this Chapter are essential to the determination of economic feasibility of the housing development which is constructed and financed in reliance thereon.

continued.

The City of Lincoln Park acknowledges that Rivers Edge Apartments Limited Dividend Housing Association Limited Partnership and Community Care Services (the "Sponsor"), a certified 501 (c)3, has offered, subject to receipt of a Mortgage Loan from the Authority (as defined below) and an allocation of Low Income Housing Tax Credits ("LIHTC") from the Authority, to acquire land and build a housing development to be identified as Rivers Edge Apartments on certain property located in the City of Lincoln Park at 26182 West Outer Drive and more particularly described on Exhibit "A" attached hereto and incorporated herein, to serve persons of low or moderate income, and that the sponsor has offered to pay the City on account of this housing development an annual service charge for public services in lieu of all taxes.

894.03 DEFINITIONS.

- A. "Authority" means the Michigan State Housing Development Authority.
- B. "Act" means the State Housing Development Authority Act, being Public Act 436 of 1966, of the State of Michigan, as amended.
- C. "Annual Shelter Rent" means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges.
- D. "Housing Development" means a development which contains a significant element of housing for persons of low or moderate income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low and moderate income.
- E. "Mortgage Loan" means a loan to be made by the Authority to the Sponsor for the construction and/or permanent financing of the Housing Development.
- F. "Persons of Low or Moderate Income" means persons who meet the eligibility criteria set by the Authority to move into the Housing Development.
- G. "Sponsor" means the person(s) or entities which have applied to the Authority for a mortgage loan to finance a Housing Development and for an allocation under the LIHTC Program and which is qualified to receive a tax exemption under the Act as determined by the Authority.
- H. "Utilities" mean the water, sanitary sewer service, gas, and/or electrical service which are paid by the Housing Development.

894.04 CLASS OF HOUSING DEVELOPMENTS.

It is determined that the class of Housing Developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be Persons of Low and Moderate Income, which are financed or assisted pursuant to the Act. It is further determined that Rivers Edge Apartment is of this class.

894.05 ESTABLISHMENT OF ANNUAL SERVICE CHARGE.

The Housing Development identified as Rivers Edge Apartment and the property on which it shall be situated shall be exempt for all property taxes from and after the effective date of this Ordinance.

The City of Lincoln Park, acknowledging that the Sponsor and Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this article and qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established herein, and in consideration of the sponsor's offer, subject to the receipt of an allocation under the LIHTC Program, to construct, own and operate the Housing Development, agrees to accept payment of an annual service charge for public services in lieu of property taxes. The annual service charge shall be equal to seven percent (7 %) of the difference between the Annual Shelter Rents actually collected and Utilities.

894.06 LIMITATIONS OF THE PAYMENT OF ANNUAL SERVICE CHARGE.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the Housing Development which is tax exempt and which is occupied by other than low or moderate income persons and families shall be equal to the full amount of the taxes which would be paid on that portion of the Housing Development if the Housing Development were not tax exempt.

The term "low income" as used herein shall be the same as found in Section 15(a)(7) of the Act.

894.07 CONTRACTUAL EFFECT OF THE ORDINANCE.

Notwithstanding the provisions of Section 15(a)(2) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as the third-party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

894.08 PAYMENT OF SERVICE CHARGE.

The service charge in lieu of taxes as determined under the Ordinance shall be payable in the same manner as general property taxes, except the annual payment shall be collected by the City of Lincoln Park on or before July 1st of every year. The first Annual Service Charge shall be due and payable fifteen (15) months from approval by the Michigan State Housing Development Authority of entry into the LIHTC Program but no later than December 31, 2019. The Sponsor shall submit with the July 1st payment a statement from a mutually agreed upon independent auditor verifying that the amounts to be used to compute the Service Charge are correct as reported.

894.09 DURATION

This Ordinance shall remain in effect and shall not terminate so long as the Mortgage Loan remains outstanding and unpaid, or the Authority has any interest in the Property, or the Housing Development remains subject to income and rent restrictions pursuant to Section 42 of the Internal Revenue Code of 1986, as amended.

894.10 SEVERABILITY.

The various section and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

893.11 EFFECTIVE DATE.

This Ordinance shall become effective immediately upon adoption. All ordinances or parts of ordinances in conflict with the Ordinance are repealed to the extent of such conflict.

Motion carried.

NO: Council President Murphy

ADOPTED: January 3, 2108

PUBLISHED: January 10, 2018

EFFECTIVE: January 3, 2108

RESOLUTION 2018-03 Solicit Bids/Thermal Image Camera/Fire Dept.

By Councilman Kelsey, supported by Councilman Higgins

WHEREAS, the Lincoln Park Fire Department was awarded the Assistance to Firefighters Grant (AFG) for the purchase of new station equipment.

WHEREAS, the Fire Chief would like permission to solicit for competitive bids to purchase three (3) new Thermal Imaging Cameras with Assistance to Firefighters Grant (AFG) funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lincoln Park authorize the Fire Chief to solicit proposals for the purchase of 3 new Thermal Imaging Cameras that meet NFPA 1801, which is the most stringent standard for Fire Service Thermal Imaging Cameras.

Motion unanimously carried.

RESOLUTION 2018-04 Solicit Bids/Ventilation System/Fire Dept.

By Councilman Kelsey, supported by Councilman Parkinson

WHEREAS, the Lincoln Park Fire Department was awarded the Assistance to Firefighters Grant (AFG) for the purchase of new station equipment.

WHEREAS, the Fire Chief would like permission to solicit for competitive bids to purchase a new Vehicle Exhaust Ventilation System with Assistance to Firefighters Grant (AFG) funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lincoln Park authorize the Fire Chief to solicit proposals for the purchase a new station Vehicle Exhaust Ventilation System that meets NFPA 1500, the standard for Fire Department Occupational Health and Safety.

Motion unanimously carried.

RESOLUTION 2018-05 Set Public Hearing/2018 CDBG Budget

By Council President Murphy, supported by Councilman Higgins

RESOLVED, that a Public CDBG Budget Hearing is hereby scheduled for Monday, February 5, 2018, starting at 6:30 pm to be held in the John A. Aloisi City Council Chambers of City Hall. The public is invited to attend and give testimony as to how the upcoming fiscal year CDBG budget should be allocated and a notice shall be placed in the official newspaper for the city and posted in City owned buildings.

BE IT FURTHER RESOLVED, that Doreen Christian, Director of Community Planning & Development is authorized and directed to have prepared the Annual Action Plan and Environmental Review Record and submit same to HUD for review and approval.

Motion unanimously carried.

RESOLUTION 2018-06 Change Order #1/Police Roof Project

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the Mayor and City Council hereby authorize a Change Order for the Schreiber Company for additional repairs needed for the Police Department Roof Project in the amount of \$12,598.50.

BE IT FURTHER RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 410-001-983000 Capital Improvement Fund.

Motion unanimously carried.

RESOLUTION 2018-07 Waive bid/Award Sweeper Repairs

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, Bell Equipment Company is the State of Michigan's sole authorized dealership and repair facility of Elgin Sweepers.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council waive the bidding process and approve the refurbishment and repairs of Street Sweeper M-85 at a total cost not to exceed \$25,000 to come from Motorpool account #661-932-778000.

Motion unanimously carried.

RESOLUTION 2018-08 Employment Agreement/Fire Chief

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the City must renew the employment agreement with the Fire Chief; and

WHEREAS, the City Manager recommends the adoption of the attached employment agreement with Fire Chief Steve Martin.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council approve the Employment Agreement by and between the City of Lincoln Park and Fire Chief Steve Martin.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute said Employment Agreement on behalf of the City of Lincoln Park.

Motion unanimously carried.

RESOLUTION 2018-09 Employment Agreement/Police Chief

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the City must renew the employment agreement with the Chief of Police; and

WHEREAS, the City Manager recommends the adoption of the attached employment agreement with Police Chief Ray Watters.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council approve the Employment Agreement by and between the City of Lincoln Park and Police Chief Ray Watters.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute said Employment Agreement on behalf of the City of Lincoln Park.

Motion unanimously carried.

RESOLUTION 2018-10 Employment Agreement/Deputy Police Chief

By Council President Murphy, supported by Councilman Dardzinski

WHEREAS, the City must renew the employment agreement with the Deputy Police Chief; and

WHEREAS, the City Manager recommends the adoption of the attached employment agreement with Deputy Police Chief Joe Lavis.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council approve the Employment Agreement by and between the City of Lincoln Park and Deputy Police Chief Joe Lavis.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute said Employment Agreement on behalf of the City of Lincoln Park.

Motion unanimously carried.

RESOLUTION 2018-11 Withdraw from Central Dispatch - FAILED

By Councilman Parkinson, supported by Council President Murphy

WHEREAS, the City of Lincoln Park currently utilizes the Downriver Central Dispatch to handle emergency calls from the public and to dispatch police, fire, and ambulance resources in response to those calls, and

WHEREAS, in July of 2017 the City Manager presented a report that provided three options for Mayor and Council to consider for the provision of dispatch services to the City of Lincoln Park. NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council choose to withdraw from the Downriver Central Dispatch and begin the City providing dispatch services for the police, fire and ambulance inside the City of Lincoln Park.

BE IT FURTHER RESOLVED, that Mayor and Council direct the City Manager, in cooperation with the Chiefs of Police and Fire, to provide a plan to effectuate this decision. Said plan to be presented to the Mayor and City Council by no later than February 5, 2018.

BE IT FURTHER RESOLVED, that this plan provide the following element:

- a. The date when the City will take over the actual dispatching.
- b. The location of the dispatch center and estimated costs associated with renovating the location.
- c. A staffing plan and estimated costs for staffing.
- d. A technology requirement list and estimated costs for required technology.
- e. A financial plan that shows how this action will be funded to keep within the current appropriation framework.

Motion FAILED

YES: Councilpersons Dardzinski and Parkinson

NO: Councilpersons Higgins, Kelsey, Murphy and Mayor Karnes

RESOLUTION 2018-12 Accounts & Claims Payable (over \$25,000)

By Councilman Kelsey, supported by Councilman Dardzinski

RESOLVED, that the Accounts and Claims Payable for those items greater than \$25,000 be approved as follows:

Plato Law Firm	June & July 2017 Legal Fees	\$ 21,773.78
Plato Law Firm	August 2017 Legal Fees	\$ 28,002.85
City of Riverview	Nov 2017 Waste Removal	\$ 25,571.81
District Court	Jan 2018	\$ 45,946.00
Hennessey Engineers	Various City Projects	\$ 73,907.44
Advanced Lighting & Sound	Upgrades to city cable equipment in council Chambers & cable room	\$ 32,271.00
GV Cement	2017 Concrete Sectioning program	\$ 46,853.41
J B Contractors	2017 Sidewalk Replacement	\$ 54,424.68

Motion unanimously carried.

CITY MANAGER REPORT

DEPARTMENT HEAD REPORT – DDA/EDC Director

CITIZENS COMMUNICATIONS (City related matters only)

ORAL REPORTS OF THE MAYOR AND COUNCIL

RESOLUTION 2018-13 Adjournment

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the meeting be adjourned at 9:25 p.m.

Motion unanimously carried

THOMAS E. KARNES, MAYOR

DONNA BREEDING, CITY CLERK