

Lincoln Park, Michigan  
July 17, 2017

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Pro-Tem Thomas Murphy presiding.

Pledge of Allegiance to the Flag

Moment of Silence

Mayor Thomas E. Karnes entered the meeting at 7:34 p.m.

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

ABSENT: Councilpersons Mario DiSanto and Thomas Parkinson

ALSO PRESENT: City Manager Matt Coppler, City Attorney Ed Zelenak, and City Clerk Donna Breeding

Mayor's remarks

**RESOLUTION 2017-223 Approve Consent Agenda**

By Councilman Kelsey, supported by Councilman Higgins

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 June 19, 2017
2. Approve Renewal – Annual Used Auto Dealer/616 Southfield
3. Approve Block Party/500 block Mill
4. Approve Block Party 1400 block Cicotte
5. Lot Split/1408 Fort St.
6. Lot Combination/1430 Fort St.
7. Lot Combination/2477 Pingree

Motion unanimously carried

ca-1 **RESOLUTION 2017-224 Approve Minutes/Regular Meeting**

RESOLVED, that the minutes of the Regular Meeting held under the date of June 19, 2017 be approved as recorded

Approved

ca-2 **RESOLUTION 2017-225 Used Auto Dealer License/616 Southfield**

RESOLVED, that renewal of "Annual 2017 Used Auto Dealers License" be approved for the following location: Class Auto, Inc 616 Southfield Rd.

Approved.

ca-3 **RESOLUTION 2017-226 Approve Block Party/500 block Mill**

RESOLVED, that the residents of the 500 block of Mill (between Elliott & Applewood) be granted permission to have a block party on Saturday, July 29, 2017 from 9:00 a.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 reopened to traffic.

Per the recommendation of the Police Department.

Approved

ca-4 **RESOLUTION 2017-227 Approve Block Party 1400 block Cicotte**

RESOLVED, that the residents of the 1400 block of Cicotte (between Fort Park & Lafayette) be granted permission to have a block party on Saturday, Aug 5, 2017 from 9:00 a.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 reopened to traffic.

Per the recommendation of the Police Department.

Approved.

**ca-5 RESOLUTION 2017-228 Lot Split/1408 Fort St.**

BE IT RESOLVED that the lot split of Parcel #45-006-01-0055-300 to Split lots 55-57 from 58&59. BR55-59 LOTS 55-59 INCL ASSESSORS FORT SUPERHIGHWAY SUB NO. 2 PC 119 L62 P92 WCR BE APPROVED.  
Approved.

**ca-6 RESOLUTION 2017-229 Lot Combination/1430 Fort St.**

BE IT RESOLVED that the lot combination of Parcel #45-006-01-0055-300 to combine lots 58 and 59 ONLY to (45-006-01-0060-000) to lot 60 BR55-59 LOTS 55-59 INCL ASSESSORS FORT SUPERHIGHWAY SUB NO. 2 PC 119 L62 P92 WCR Parcel #45-006-01-0060-000 BR60 LOT 60 ASSESSORS FORT SUPERHIGHWAY SUB NO. 2 PC 119 L62 P92 WCR BE APPROVED.  
Approved.

**ca-7 RESOLUTION 2017-230 Lot Combination/2477 Pingree**

BE IT RESOLVED that the lot combination of Parcel #45-012-04-0129-000 JK129 LOT 129 ALSO W 1/2 ADJ VAC ALLEY WASHINFTON HEIGHTS SUB PC 48 L33 P73 WCR Parcel #45-012-04-0130-000 JK130 LOT 130 ALSO W 1/2 ADJ VAC ALLEY WASHINFTON HEIGHTS SUB PC 48 L33 P73 WCR Parcel #45-012-04-0131-000 JK131 LOT 131 ALSO W 1/2 ADJ VAC ALLEY WASHINFTON HEIGHTS SUB PC 48 L33 P73 WCR BE APPROVED.  
Approved.

**RESOLUTION 2017-231 Approve Right of Way Permit/Verizon**

By Councilman Dardzinski, supported by Council President Murphy WHEREAS, the City of Lincoln Park has received a request from MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services for an ongoing use of Public Ways by a Telecommunications Provider under the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48 (METRO Act) permit process; and WHEREAS, this application has been filed with the City Clerk along with an application fee of \$500 as required under the METRO Act; and WHEREAS, PA 48 of 2002 allows for access to and ongoing usage of public right-of-ways including public roadways, highways, streets, alleys, and easements in a Municipality for a telecommunication systems. NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute necessary documents approving the Right-of-Way request from MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services, 600 Hidden Ridge, Irving, Texas 75038; and BE IT FURTHER RESOLVED, the initial term of this permit allowable under the Public Act is for fifteen (15) years with three (3) automatic renewals each for a period of five (5) years. Motion unanimously carried.

**RESOLUTION 2017-232 Award Bid/Infrastructure Services**

By Councilman Kelsey, supported by Councilman Higgins BE IT RESOLVED, that the Mayor and City Council hereby award the bid for City Infrastructure Services for three years to RJ&J Enterprises of South Rockwood, Michigan as submitted. BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 592-920-818000 (water dept. contractual services) and 592-527-818000 (sewer dept. contractual services). FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents. Motion unanimously carried.

**RESOLUTION 2017-233 Award Bid/Tree Removal Services**

By Councilman Kelsey, supported by Council President Murphy  
BE IT RESOLVED, that the Mayor and City Council hereby award the bid for Tree Removal Services for three years to E&J Tree Service of Lincoln Park, Michigan as submitted.  
BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 203-464-818000 (local roads, surface maintenance contractual services) and 202-464-818000 (major roads, surface maintenance contractual services).  
FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents.  
Motion unanimously carried

**RESOLUTION 2017-234 Award Bid/Trucking Services**

By Councilman Kelsey, supported by Council President Murphy  
BE IT RESOLVED, that the Mayor and City Council hereby award the bid for as needed trucking services for one year to Osburn Industries Inc., of Taylor MI as submitted.  
BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 592-920-818000 (water dept., contractual services) and 592-527-818000 (sewer dept., contractual services).  
FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents.  
Motion unanimously carried.

**RESOLUTION 2017-235 Award Bid/Engineering Services**

By Council President Murphy, supported by Councilman Kelsey  
BE IT RESOLVED, that the Mayor and City Council hereby award the bid for Engineering Services for five years to Hennessey Engineers Inc.  
FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents.  
Motion unanimously carried.

**RESOLUTION 2017-236 Award Bid/HVAC System/Police Dept.**

By Councilman Kelsey, supported by Councilman Higgins  
BE IT RESOLVED, that the Mayor and City Council hereby award the bid for the Police Department HVAC system to Flo-Aire Heating & Cooling for a total cost not to exceed \$58,500.00.  
BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 410-001-983000 Capital Improvement Fund  
FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents.  
Motion unanimously carried.

**RESOLUTION 2017-237 Extend As-Needed Agreement/Wade-Trim**

By Councilman Kelsey, supported by Council President Murphy  
BE IT RESOLVED, that the Mayor and City Clerk be authorized to execute the As-Needed Service Contract with WadeTrim Operations Services, Inc. to provide continued technical assistance in the defense of the City against various 2011 basement flooding cases.  
Motion unanimously carried.

**RESOLUTION 2017-238 Award Phase II/Basin Concrete Restoration**

By Council President Murphy, supported by Councilman Kelsey  
BE IT RESOLVED, that the Mayor and City Council hereby award the Retention Basin Concrete Restoration Project Phase 2, to Pullman SST, Inc., for a total cost not to exceed \$200,000.00.  
BE IT RESOLVED, that the Mayor and City Council authorize the funds to be taken from Account 420-001-983000 Capital Improvement Fund.  
FURTHER BE IT RESOLVED, that the Mayor and City Council authorize the Mayor and City Clerk to sign any/all pertinent contract documents.  
Motion unanimously carried.

**RESOLUTION 2017-239 Solicit Bids/Parks & Rec 5-year Master Plan**

By Council President Murphy, supported by Councilman Higgins

WHEREAS the State of Michigan requires communities to have an up-to-date Parks and Recreation Master Plan to be eligible for grant funding, and

WHEREAS Lincoln Park's current Five-Year Master Plan expires on December 31, 2017.

BE IT RESOLVED, that the Director of Parks and Recreation is authorized to solicit sealed bids for the preparation of a new Five-Year Parks and Recreation Master Plan.

Motion unanimously carried.

**RESOLUTION 2017-240 Approve Professional Services/Sr. Bus Driver**

By Councilman Higgins, supported by Council President Murphy

RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute the Professional Service Agreement with the Downriver Community Conference for the provision of a Senior Bus Driver.

Motion unanimously carried.

**RESOLUTION 2017-241 Authorize Sale/City Owned/1453 Cicotte**

By Councilman Higgins, supported by Councilman Kelsey

RESOLVED, that the offer to purchase the city owned house and garage located at 1453 Cicotte, ID #45-003-10-0196-000 received by Erick Orgeck in the amount of \$10,504.00 be accepted with the following stipulations: that the property be owner occupied for a minimum of 3 years and permits for renovation be pulled within 60 days after the sale is completed, or the property reverts to the City and substantial conditions must be completed within 6 months in compliance with City Codes.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to sign all documents necessary to complete the sale.

Motion unanimously carried.

**RESOLUTION 2017-242 Execute SMART Contract**

By Councilman Kelsey, supported by Councilman Higgins

RESOLVED, that the Mayor is authorized to sign the Fiscal Year 2018 Municipal Credit and Community Credit Contract with SMART.

Motion unanimously carried.

**RESOLUTION 2017-243 Designate Developers/Tax Reverted Property**

By Councilman Kelsey, supported by Councilman Higgins

WHEREAS, Mayor and City Council authorized the City Manager pursuant to Resolution 2017-112, to solicit proposals from interested companies to become pre-certified for the purpose of being able to purchase from the City tax reverted properties; and

WHEREAS, the City received two proposals from companies that demonstrated the financial ability and possess the qualifications and ability to not only purchase the properties but also to renovate the properties to the appropriate level and then sell the properties to further the City's goals of increasing home ownership, eliminate blight and unsafe properties, and increase home values within the City of Lincoln Park.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lincoln Park, that HP SNAP Investment LLC Inc., and Salem One Acquisitions Inc. be certified as qualified developers to purchase tax reverted properties foreclosed upon by Wayne County and acquired by the City through its first right of refusal; and

BE IT FURTHER RESOLVED that the City Manager shall request sealed bids from both companies for the purchase of those properties offered by the City and the results shall be presented to the Mayor and City Council for final approval at the earliest time possible.

Motion unanimously carried.

**RESOLUTION 2017-244 Ratify Contract/IAFF**

By Councilman Dardzinski, supported by Councilman Higgins

WHEREAS, the Lincoln Park International Association of Firefighters Local 1292 (IAFF) have entered into negotiations with the City concerning matters involving wages, hours and conditions of employment, and

WHEREAS, an amicable settlement of the contract issues has been reached by both parties.

NOW, THEREFORE, BE IT RESOLVED, that the agreement appears to be in the best interest of the City and therefore the Mayor and Council hereby approves the aforesaid agreement; commensurate with the Labor Union's ratification.

**continued**

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the contract documents.

BE IT FURTHER RESOLVED, that the above resolution be implemented and given immediate effect upon the approval of the Lincoln Park Receivership Transition Advisory Board.

Motion unanimously carried.

#### **RESOLUTION 2017-245 Authorize Stipulated Agreement/DUWA**

By Councilman Kelsey, supported by Mayor Karnes

WHEREAS, Wayne County presently operates the Downriver Sewage Disposal System ("DSDS") which provides sewage treatment and conveyance facilities for wastewater generated by thirteen downriver communities; and

WHEREAS, in 1987, the United States and the State of Michigan sued Wayne County and the downriver communities, alleging that Wayne County had violated the Clean Water Act and the Michigan Water Resources Commission Act (*US, et al. v Wayne County, et al.*, Case number 87-70992, Eastern District Court of Michigan); and

WHEREAS, in 1994, the Court entered a stipulated order which included a DSDS 1994 Financing Plan and Final Judgment; and

WHEREAS, the 1994 Financing Plan authorized Wayne County to finance sewer and pollution control improvements by selling bonds and collecting Judgment Payments from the downriver communities to repay the County's obligations; and

WHEREAS, in 2005, the Court entered a stipulated order which terminated the Consent Decree, which stated that the 1994 Financing Plan "will remain in full force and effect and within the Court's oversight"; and

WHEREAS, in 2016, Downriver Utility Wastewater Authority ("DUWA") provided Wayne County with a Letter of Intent which proposed a transfer of the facilities, operation, and management of the DSDS to DUWA, contingent upon the occurrence of events and approvals which are under negotiation; and

WHEREAS, upon the transfer of DSDS to DUWA, Wayne County and the downriver communities intend that DUWA will thereafter be responsible for the financing and operation of the DSDS, and that Wayne County will have no continuing obligations concerning DSDS, except as required by the final agreement between the parties, and the requirements of the Financing Plan; and

WHEREAS, in order to continue the operation of the DSDS, DUWA and Wayne County desire to provide for the continuing payment of the outstanding Judgment Levy Debt, without any increase of the outstanding Judgment Levy Debt itself, including through tax levy supported Judgment Payments from the downriver communities as mandated by Section 8 of the Financing Plan; and

WHEREAS, in order to ensure these continued payments, it is necessary for the attached "Stipulated Amendment to Financing Plan and Final Judgment" ("Stipulation") to be approved and executed by: United States District Court Judge Sean F. Cox; Wayne County; and each of DUWA's thirteen member Cities and Charter Townships.

WHEREAS, the DUWA board, by motion on April 13, 2017, recommends the execution of the Stipulation by each of its thirteen members.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lincoln Park, that:

1. The attached "Stipulated Amendment to Financing Plan and Final Judgment in *US, et al. v Wayne County, et al.*, Case number 87-70992, Eastern District Court of Michigan, is hereby approved.

2. The Mayor and the City Clerk are hereby authorized to execute the "Stipulated Amendment to Financing Plan and Final Judgment".

Motion unanimously carried.

#### **RESOLUTION 2017-246 Approve Grant App/Election Equipment**

By Councilman Kelsey, supported by Councilman Higgins

WHEREAS, the State of Michigan is in the process of implementing a statewide, uniform optical scan voting system to comply with Public Act 91 of 2002 and

WHEREAS, the Mayor and Council of the City of Lincoln Park wishes to apply to the Secretary of State for a grant to purchase an optical scan tabulator voting system and related Election Management System(EMS) software to comply with the Federal Help America Vote Act (HAVA), and

WHEREAS, this grant requires no City matching funds, and

WHEREAS, the Mayor and Council has chosen to submit a grant application for this new optical scan voting system in 2017.

**continued**

THEREFORE, BE IT RESOLVED, that City Clerk, Donna Breeding be authorized to submit the required grant application on behalf of the City of Lincoln Park, County of Wayne on this 17<sup>th</sup> day of July, 2017

Motion unanimously carried.

**RESOLUTION 2017-247 Accounts & Claims Payable (over \$25,000)**

By Councilman Kelsey, supported by Councilman Higgins

RESOLVED, that the Accounts and Claims Payable for those items greater than \$25,000 pursuant to Emergency Manager Order 60 be approved as follows:

Al's Asphalt Paving Co.	2016 Asphalt Resurfacing	\$ 27,148.53
E.C. Korneffel Co	Retention Basin Pond Protection	\$ 135,280.00
GV Cement	2017 Concrete Sectioning	\$ 118,005.80
Inland Water Pollution	SRF Full Length Cured-in-Place Pipe Lining Program	\$ 49,297.37
Liquid Force	Emmons Ave Sewer Collapse \$ 476.30 SRF Full Length Cured-in-Place Pipe Lining Program \$ 33,929.94	\$ 34,406.24
Pipetek Infrastructure	SAW Grant Sanitary Sewer Cleaning And Television Investigation	\$ 25,177.77
RVP	Pagel Ave Reconstruction \$ 166,093.71 Pagel Ave Reconstruction \$ 118,697.01	\$ 284,790.72
Priority One Emergency	Outfit Unit 4-4 \$12,176.00 Outfit Unit 4-2 \$12,176.00 Outfit Unit 4-17 \$12,176.00 Parts on PI units \$ 150.97	\$ 36,678.97
25 <sup>th</sup> District Court	July 2017 payment	\$ 38,987.67
City of Riverview	May 2017 dumping	\$ 28,143.56
DTE Energy	April 2017 street lights	\$ 44,548.33
DTE Energy	June 2017 Street lights	\$ 43,762.23
Kennedy Industries	Remove pumps and do maintenance \$25,000.00 Retro fit 3 pumps and install at basin \$21,443.38 Retro fit 3 pumps and install at basin \$ 6,350.88	\$ 52,794.26
Great Lakes Water Auth.	June 2017 Water Billing	\$182,826.60
MERS	June 2017 Defined Benefit	\$285,731.05
Superion	OSSI (Police Computer License 17/18)	\$ 27,076.87
Wayne County	May 2017 sewage/user fee	\$ 97,489.62

Motion unanimously carried.

**CITY MANAGER REPORT**

**RESOLUTION 2017-248 Set Special Meeting/Tax Reverted Property**

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that a Special Meeting of the Mayor and Council be scheduled for Tuesday July 25, 2017 at 6:30 p.m. in the John A. Aloisi Council Chambers, 1355 Southfield Rd, Lincoln Park, MI to award a contract for the preferred developer to purchase tax reverted properties from the City.

Motion carried.

NO: Councilman Higgins

DEPARTMENT HEAD REPORT – Parks & Recreation Director

CITIZENS COMMUNICATIONS (City related matters only)

ORAL REPORTS OF THE MAYOR AND COUNCIL

**RESOLUTION 2017-249 Adjournment**

By Council President Murphy, supported by Councilman Dardzinski

RESOLVED, that the meeting be adjourned at 9:34 p.m.

Motion unanimously carried