

Lincoln Park, Michigan
August 20, 2007

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 Father Gerard Cupple of St. Henry's Catholic Church

PRESENT: Councilpersons Mario DiSanto, Michael Higgins, Mark Kandes, Thomas McPartlin,
Thomas Murphy and Frank Vaslo

ALSO PRESENT: City Attorney Ed Zelenak and City Clerk Donna Breeding

Mayor's Remarks

RESOLUTION 07-290 Minutes

By Councilman McPartlin, supported by Council President Higgins

RESOLVED, that the minutes of the Regular Meeting held under the date of August 13, 2007 be approved as recorded.

Motion carried.

ABSTAIN: Councilman Kandes

(NOTE: Closed Meeting held 8-13-07 at 10:24 p.m., regarding Labor Negotiations.)

RESOLUTION 07-291 Accounts & Claims Payable

By Councilman Kandes, supported by Councilman Vaslo

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

Warrant Report: \$464,117.81

Motion unanimously carried.

RESOLUTION 07-292 Attend MAPERS P & F Retirement Comm.

By Councilman Kandes, supported by Councilman Vaslo

Whereas, the Board of Trustees is subject to Public Act 314 of 1965, as amended, which imposes a fiduciary responsibility and a prudent expert standard upon the members of the Board, and Whereas, said statute and applicable case law imposes personal liability upon individual trustees for any breach of fiduciary responsibility, and

Whereas, the MAPERS (Michigan Association Public Employees Retirement System) Fall Conference, at the Amway Grand Plaza Hotel, Grand Rapids, Michigan, September 15, through September 18, 2007, at which many issues applicable to the continued sound administration of the Retirement System will be discussed and information provided by the various professionals participating in the seminar and involved in public pension trust fund administration, and Whereas, the Police and Fire Retirement System Board of Trustees is of the opinion that attendance at said educational seminar is in the best interests of the Retirement System, its members, beneficiaries and employer-sponsor.

THEREFORE, BE IT RESOLVED, that the Mayor and Council concur with the Police and Fire Retirement System Board of Trustees to send any trustee who so desires to the Fall Conference which is being held at Amway Grand Plaza Hotel, Grand Rapids, Michigan, September 15, through September 18, 2007, at no cost to the General Fund. All expenses are to be paid from the investment earnings of the Retirement System.

Motion unanimously carried.

RESOLUTION 07-293 Spec Event Permit/Skate Co Haunted House

By Councilman McPartlin, supported by Council President Higgins

RESOLVED, that Special Event Permit #15 be approved for LP Skate Co. Haunted House to be held in the City of Lincoln Park on October 12-31, 2007 at Youth Center Park.

Motion unanimously carried.

RESOLUTION 07-294 Block Party/4100 Block of Agnes

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that the residents of the 4100 Block of Agnes (between Goddard & Brest) be granted permission to have a block party on **Saturday, September 1, 2007** from 12 p.m. until 9 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.

Motion unanimously carried.

RESOLUTION 07-295 Proposed Ord. Amend. Chap. 1445

By Councilman DiSanto, supported by Councilman Vaslo

RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE BY ADDING A NEW CHAPTER 1445 TO TITLE 6 MISCELLANEOUS BUILDING REGULATIONS", be given its first and second reading.

THE CITY OF LINCOLN PARK ORDAINS:

That the Codified Ordinances of the City of Lincoln Park be amended by adding a new Chapter 1445 to read as follows:

1445.01 Emergency Abatement.

No person shall maintain any structure, or parcel of land improved or unimproved, or associated appurtenances which are unsafe or a menace to the health, safety and welfare of the public

The Superintendent of the Building Department may abate any emergency situation if the public safety or health requires immediate action, without a preliminary order of Council.

1445.02 Cost of Abatement; Liens.

The cost of abatement may be charged against the premises and the owner thereof as a special assessment. Such assessments shall be filed in the office of the finance director as a lien against the lands so abated, and shall be recorded in the public records Wayne County, Michigan, to afford notice to the public. Such assessment shall be a lien against the land against which the same is made effective as of the date of levy by the City Assessor. Such lien shall be prior, and prior in dignity, to all other liens against such property, save and except a lien for taxes. Liens shall be payable on the date of levy, and shall, from the date of delinquency thirty (30) days after the date of levy bear interest at a rate of one half of one percent per month for each and every month or fraction thereof that the same remains unpaid.

The lien shall be subject to foreclosure as provided by law.

Motion unanimously carried.

RESOLUTION 07-296 Lot Split & Combo/OAKLAWN SUB

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that the request to Split 30 feet of Lot 84 from Parcel ID# 45-019-02-0084-300, OAKLAWN SUB, and combine same 30 feet to Parcel ID# 45-019-02-0083-00, OAKLAWN SUB, be approved. The new legal descriptions will be determined by Wayne County upon submission of a Certified Resolution.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:25 p.m

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK

