

REGULAR MEETING

The meeting was called to order at 7:30 p.m., Mayor Frank Vaslo presiding

Pledge of Allegiance to the Flag

Invocation by Elder Chuck Middleton of Lincoln Park Church of Christ

PRESENT: Councilpersons Mario DiSanto, Joseph Kaiser, Donald Majors, Suzanne Moreno and Thomas Murphy

ABSENT: Councilperson Mark Kandes

ALSO PRESENT: City Manager Steve Duchane, City Attorney Ed Zelenak and City Clerk Donna Breeding

Mayor's Remarks

RESOLUTION 2010-282 Minutes

By Councilwoman Moreno, supported by Councilman DiSanto

RESOLVED, that the minutes of the Regular Meeting held under the date of October 18, 2010 be approved as recorded.

Motion unanimously carried.

RESOLUTION 2010-283 Accounts & Claims Payable

By Councilman DiSanto, supported by Council President Kaiser

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

Warrant Report: \$1,428,900.33

Motion unanimously carried.

RESOLUTION 2010-284 Award Bid/Fair Housing/5 yr Plan

By Council President Kaiser, supported by Councilman Murphy

RESOLVED, that the McKenna Associates be awarded the proposal to produce and 5-Year CDBG Consolidated Plan and Analysis of Impediments to Fair Housing for a total cost of \$40,000 per the recommendation of the selection committee.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to sign all documents necessary to accomplish this work. Funds to come from CDBG Budget Account Numbers 24935-75612 Fair Housing Study and 24935(36)-710 Administration.

Motion unanimously carried.

RESOLUTION 2010-285 Amend Resolution/Porter St. Project

By Councilman DiSanto, supported by Council President Kaiser

RESOLVED that Resolution #2010-251 dated September 20, 2010 be amended to read, "that the bid from G V Cement Contracting, for the 2010 Porter Street concrete Pavement & Storm Structure Reconstruction Project, in the amount of \$210,000 is hereby accepted, with a Total Cost not to exceed \$210,000".

Motion unanimously carried.

RESOLUTION 2010-277A Adopt Ord./Ch 853/Medical Marihuana

By Councilwoman Moreno, supported by Council President Kaiser
RESOLVED, THAT THE “ AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE BY ADDING A NEW CHAPTER 853, ENTITLED MEDICAL MARIHUANA LICENSE” be given its third and final reading and be ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That the Municipal Code of the City of Lincoln Park be amended by adding a new Chapter 853 to TITLE 2 Business Regulations, to be entitled Medical Marihuana License.

853.01 LICENSE REQUIRED.

No person shall assume responsibility as a primary caregiver for the purpose of the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms, associated with the debilitating medical condition, as defined under the Michigan Marihuana Act, P.A. 2008, as amended in the City without first obtaining a license therefore from the City Clerk.

853.02 STATE REGISTRATION REQUIRED.

No license required by this Business Regulation and Taxation Code shall be issued to any person who is required to have a license or registration from the State until such person submits evidence that he or she has secured said State Registration. A copy of which shall be filed in the office of City Clerk along with their application.

853.03 LICENSE FEES.

Before any license required by this chapter is issued, the applicant shall pay to the City Treasurer a non refundable fee, as set forth from time to time by resolution of Mayor and Council.

853.04 LICENSE EXPIRATION.

A license issued under this chapter shall expire at 12:00 midnight on the first Tuesday in May following its issuance, unless it expires at an earlier date under the terms thereof.

854.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided

Motion carried.

NO: Councilman Murphy

ADOPTED: November 1, 2010

PUBLISHED: November 10, 2010

EFFECTIVE: November 10, 2010

RESOLUTION 2010-286 Amend License Fee-MOTION DIED

By Councilman DiSanto, Councilman Majors withdrew support

RESOLVED, that Resolution #2010-278 is amended to adjust the Medical Marihuana License fee to \$250.00 per caregiver, effective immediately.

MOTION DIED DUE TO LACK OF SUPPORT

RESOLUTION 2010-287 Change Order/Council Point Park Path

By Councilman DiSanto, supported by Councilman Majors

RESOLVED, that Change Order #1 in the amount of \$10,195.00 for Council Point Park Path Improvements is approved and the project engineer, Dennis Chegash, is authorized to execute the change order and future change orders on project with a cost not to exceed the grant amount of \$80,000.00.

Motion unanimously carried.

RESOLUTION 2010-288 Authorize Sale/Vacant Howard

By Council President Kaiser, supported by Councilman DiSanto

RESOLVED, that the offer to purchase vacant Howard (between 1075 and 1091), ID #45-003-0187-000 for the sum of \$1,500 received from Lucille Duenas is hereby accepted on the condition that she pays for the cost of the combination at closing and repairs the broken sidewalk squares within one year of closing.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the necessary documents to accomplish said transfer of ownership.

Motion unanimously carried.

RESOLUTION 2010-289 Participation/CDBG Residential Rehab

By Councilwoman Moreno, supported by Councilman Murphy

RESOLVED, that the following citizen be approved for participation in the CDBG Residential Rehabilitation Loan Program for a loan not to exceed \$20,000.00.

#1322LI Celestine Anderson – 1614 Ford

City code violations, insulation, gutters, windows

BE IT FURTHER RESOLVED, that Donald T. Cook, Director of Community Development is hereby authorized and directed to process this application in accordance with the Policy and Procedure Guidelines previously approved.

Motion unanimously carried.

RESOLUTION 2010-290 Attend Training/Police Dept.

By Councilman Murphy, supported by Councilman Majors

RESOLVED, that Mayor and Council authorize six officers from the Lincoln Park Police Department to attend the “Highway Criminal Interdiction and Legal Aspects” course being taught by Desert Snow, Inc. in Port Huron, Michigan. This course will be held on November 8 and 9, 2010. The approximate cost for the course and lodging for six officers will be \$1,410.60 plus meal expenses (reimbursed according to Travel Policy). Two Police Department vehicles will be used. Funds to come from the Police Department’s Narcotic Forfeiture Account—265.320.960.

Motion unanimously carried.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

CITY MANAGER’S REPORT

There being no further business before the Mayor & Council, the meeting adjourned at 8:30 pm.

FRANK VASLO, MAYOR

DONNA BREEDING, CITY CLERK