

**REGULAR MEETING**

The meeting was called to order at 8:00 p.m., Mayor Steven M. Brown presiding.

Pledge of Allegiance to the Flag

Moment of Silence

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

ABSENT: Councilperson Thomas McPartlin

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

Mayor's Remarks

**RESOLUTION 06-368 Minutes**

By Council President Higgins, supported by Councilman Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of October 2, 2006 be approved as recorded.

Motion unanimously carried.

(NOTE: Study Session held October 2, 2006 at 9:10 p.m.)

**RESOLUTION 06-369 Reappoint/Parks & Rec. Comm./Amorose**

By Councilman DiSanto, supported by Councilman Murphy

RESOLVED, that Mayor and Council reappoint Robert Amorose, 3557 North Shore Drive, Lincoln Park, MI 48146 to the Parks and Recreation Commission. Term to expire May 1, 2009. Motion unanimously carried.

**RESOLUTION 06-370 Reappoint/Parks & Rec. Comm./Tank**

By Council President Higgins, supported by Councilman DiSanto

RESOLVED, that Mayor and Council reappoint Dorothy Tank, 812 Cloverlawn, Lincoln Park, MI 48146 to the Parks and Recreation Commission. Term to expire May 1, 2008.

Motion unanimously carried.

**RESOLUTION 06-371 Reappoint/Parks & Rec. Comm./Rutherford**

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that Mayor and Council reappoint James Rutherford, 1006 Fort Park, Lincoln Park, MI 48146 to the Parks and Recreation Commission. Term to expire May 1, 2008.

Motion unanimously carried.

**RESOLUTION 06-372 Reappoint/Parks & Rec. Comm./Carter**

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that Mayor and Council reappoint Jeffrey Carter, 4177 Irene, Lincoln Park, MI 48146 to the Parks and Recreation Commission. Term to expire May 1, 2009.

Motion unanimously carried.

**RESOLUTION 06-373 Proposed Ord. Amend./Chapter 1260**

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE, BE AMENDED BY REPEALING AND REPLACING, THE CROSS REFERENCES, AND SECTIONS .02 AND .08 OF THE EXISTING GENERAL PROVISIONS AND DEFINITIONS, CHAPTER 1260 OF THE ZONING CODE, THEREOF" be given its first and second reading by TITLE ONLY, said Ordinance having been posted 72 hours prior to its submission.

THE CITY OF LINCOLN PARK ORDAINS:

THAT Chapter 1260, General Provisions and Definitions, of the Lincoln Park Codified Zoning Ordinances be amended by repealing and replacing, the cross references, and Sections .02 and .08 entitled General Provisions and Definitions as follows:

A. Cross References

B. SECTION 1260.02, Intent pursuant to the Michigan Zoning Enabling Act, PA110

C. SECTION 1260.08 Definitions

Motion unanimously carried.

**RESOLUTION 06-374 Proposed Ord. Amend./Chapter 1264**

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE, BE AMENDED BY REPEALING AND REPLACING, THE CROSS REFERENCES, AND SECTIONS .01, .02 G, .04 D, .05 D, .06, .10 AND .12 OF THE EXISTING ZONING BOARD OF APPEALS, CHAPTER 1264 OF THE ZONING CODE, THEREOF" be given its first and second reading by TITLE ONLY, said Ordinance having been posted 72 hours prior to its submission.

**THE CITY OF LINCOLN PARK ORDAINS:**

THAT Chapter 1264, Zoning Board of Appeals, of the Lincoln Park Codified Zoning Ordinances be amended by repealing and replacing, the cross references, and Sections .01, .02 G, .04 D, .05 D, .06, .10 and .12 entitled Zoning Board of Appeals as follows:

- D. Cross References
- E. SECTION 1264.01, Establishment
- F. SECTION 1264.02.G, Composition
- G. SECTION 1264.04.D, Meeting; Records
- H. SECTION 1264.05.D, Appeals
- I. SECTION 1264.06, General Powers and Duties
- J. SECTION 1264.10, Variances
- K. SECTION 1264.12, Standards

Motion unanimously carried.

**RESOLUTION 06-375 Proposed Ord. Amend./Chapter 1266**

By Councilman DiSanto, supported by Council President Higgins

RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE, BY REPEALING AND REPLACING THE EXISTING CROSS REFERENCES SECTION OF CHAPTER 1266, REGARDING DISTRICTS GENERALLY AND ZONING MAP" of the Lincoln Park Codified Zoning Ordinance be given its first and second reading by TITLE ONLY, said Ordinance having been posted 72 hours prior to its submission.

**THE CITY OF LINCOLN PARK ORDAINS:**

THAT Chapter 1266, Regarding districts generally and zoning map, of the Lincoln Park Codified Zoning Ordinance be repealed and replaced with a new Cross Reference section of Chapter 1266 entitled Districts Generally and Zoning Map.

Motion unanimously carried.

**RESOLUTION 06-376 Proposed Ord. Amend./Chapter 1292**

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL CODE, BY REPEALING AND REPLACING THE EXISTING CROSS REFERENCES SECTION OF CHAPTER 1292, NONCONFORMING USES, BUILDINGS AND LOTS, THEREOF" be given its first and second reading by TITLE ONLY, said Ordinance having been posted 72 hours prior to its submission.

**THE CITY OF LINCOLN PARK ORDAINS:**

THAT Chapter 1292, Nonconforming Uses, Buildings and Lots, of the Lincoln Park Codified Zoning Ordinance be repealed and replaced with a new Cross Reference section of Chapter 1292 entitled Nonconforming Uses, Buildings and Lots.

Motion unanimously carried.

**RESOLUTION 06-377 Establish Trick or Treat Hours**

By Councilman Vaslo, supported by Councilman DiSanto

RESOLVED, that the City of Lincoln Park designate the hours of 5:00 P.M. through and including 8:00 P.M. on Tuesday, October 31, 2006 as the Official "Trick or Treat" time of observance in the City of Lincoln Park.

Motion unanimously carried.

**RESOLUTION 06-378 Proclaim Change Battery Day**

By Mayor Brown, supported by the Full Council

WHEREAS, each day, an average of nearly three children die in home fires --80 percent of fire deaths involving children occur in homes without working smoke alarms.

WHEREAS, by providing early warning and critical extra seconds to escape, smoke alarms double a family's chances of getting out of a home fire alive--but only if they work. That's why the Lincoln Park Fire Department is joining Energizer and the International Association of Fire Chiefs to remind citizens to change the batteries in their smoke alarms when they change their clocks back to standard time on **October 29**.

BE IT RESOLVED, that Mayor and Council proclaim October 29 as "*Change Your Clock Change Your Battery*" Day in the City of Lincoln Park to communicate the program's lifesaving message to the citizens of Lincoln Park on the vital importance of working smoke alarms in protecting families against the devastating effects of home fires.

Motion unanimously carried.

**RESOLUTION 06-379 Minimum Construction Standards**

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that Council Policy #04-359 regarding Disposition of City-Owned Property, if a new home will be built, be amended to include Exhibit A, "Minimum Construction Standards" which shall be subject to all building, architectural and construction requirements of the City.

**EXHIBIT A**

1. Property Committee shall use their best efforts to sell said parcel at Fair Market Value. All closing costs, recovery of cost for Special Assessments, utility bills, and taxes which may have gone unpaid shall be the responsibility of the buyer.
2. Bids shall include a plot plan, floor plan and elevations for the proposed home.
3. Bids must be accompanied by a deposit in the amount of 10% of the bid price, in the form of a cashiers check or certified check.
4. House shall be single family home with full basement.
5. One story house must be minimum of 1000 sq. ft. Two-story house must be a minimum of 1300 sq. ft.
6. First floor shall be constructed of brick.
7. Construction will begin within 6 months of closing date and tender of deed. House to be substantially completed within 12 months thereof.
8. Failure to comply with commencement of construction will result in property reverting back to the City at 80% of sale price, which does not include closing costs. The City shall retain 20% as liquidated damages.
9. All construction shall be subject to building, architectural and construction requirements of the City.

FURTHER BE IT RESOLVED, that all advertisements for sale of City-Owned residential property shall include these minimum standards as part of the bid package.

Motion unanimously carried.

**RESOLUTION 06-380 Solicit Bids/Lions Park Site Prep**

By Councilman Vaslo, supported by Councilman Kandes

RESOLVED, that Director of Community Planning & Development Bill Hatley is hereby authorized to solicit bids for site preparation work at Lions Park based upon the written specifications of the environmental engineer hired by the City previously.

Funds to come from CDBG Budget Account Number 24930-75506 and 24931-75506 "Parks and Recreation Projects".

Motion unanimously carried.

PRESENTATION- Better Home Award presented to B.C. Pizza, 1226 Fort St.

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 8:27 p.m.

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STEVEN M. BROWN, MAYOR

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DONNA BREEDING, CITY CLERK

