

REGULAR MEETING

The meeting was called to order at 8:00 p.m., Mayor Frank Vaslo presiding

Pledge of Allegiance to the Flag

Invocation by Father Giovanni Menco from Rome, Italy

PRESENT: Councilpersons Valerie Brady, Mario DiSanto, Mark Kandes, Thomas McPartlin,
Thomas Murphy and Michael Myers

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

Mayor's Remarks

RESOLUTION 08-32 Minutes

By Councilman DiSanto, supported by Councilman Kandes

RESOLVED, that the minutes of the Regular Meeting held under the date of January 22, 2008 be approved as recorded.

Motion unanimously carried.

(Note: Study Session held January 22, 2008 at 8:48 p.m.)

By Councilman DiSanto, supported by Councilman Kandes that the minutes of the Public Hearing held January 22, 2008 at 6:00 p.m., regarding the 2008-09 CDBG Budget be approved as printed.

RESOLUTION 08-33 Appointment./Comm. Imp. Comm

By Councilman Myers, supported by Councilman DiSanto

RESOLVED, that Don Majors, of 1323 Fort St., Apt. 244, be appointed to the Community Improvement Commission to fill the unexpired term of Michael Bellman. Term to expire 5/1/10.

Motion unanimously carried.

RESOLUTION 08-34 Appointment/Board of Review

By Councilwoman Brady, supported by Councilman DiSanto

RESOLVED, that Cheryl Millan, of 1874 Moran, be appointed to the Board of Review. Term to expire 7/1/10.

Motion unanimously carried.

RESOLUTION 08-35 Transfer Liquor License/1216 Dix

By Council President Murphy, supported by Councilman DiSanto

RESOLVED, that Mayor and Council approve the request from 4212 Inc. to transfer all stock in 2006 Class C Licensed Business with Dance-Entertainment Permit, located at 1216 Dix, Lincoln Park, MI 48146, Wayne County, by dropping Tom J. Tetreault as stockholder thru transfer of 1,000 shares to existing stockholder, Timothy J. Isaacson; and thru transfer of 3,000 shares from Timothy J. Isaacson to new stockholder, Jeffrey Schulte (Step 2.).

Motion unanimously carried.

RESOLUTION 08-36 Correct Resolution #07-411/Term of Appt.

By Councilwoman Brady, supported by Councilman McPartlin

RESOLVED, that Resolution 07-411 be corrected to read term to expire 7/1/11.

Motion unanimously carried.

RESOLUTION 08-37 Request Attny Review/Ord. Amend. - FAILED

By Mayor Vaslo, supported by Councilman Kandes

RESOLVED, that the City Attorney is hereby directed to review and report on compliance with State, Federal and local charter and code provisions regarding of the ordinance changes pertaining to appointments and authority for city boards and commissions; and

FURTHER BE IT RESOLVED, that such report be provided to the Mayor and City Council prior to adoption of the aforementioned ordinances.

YEAS: Councilperson Kandes and Mayor Vaslo

NAYS: Councilpersons Brady, DiSanto, McPartlin, Murphy and Myers

RESOLUTION 08-24A Adopt Ord. Amendments/Commission

By Councilwoman Brady, supported by Councilman McPartlin

RESOLVED, that “ AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF LINCOLN PARK, BY REPEALING AND REPLACING THE MANNER IN WHICH APPOINTMENTS TO NUMEROUS BOARDS AND COMMISSIONERS ARE MADE”, be given its third reading and ADOPTED.

THE CITY OF LINCOLN PARK ORDAINS:

That the following Chapters & Sections of the Lincoln Park Municipal Code be amended by repealing the authority the Mayor currently is given to bring forth the names of potential commissioners and board members. The following ordinances be amended by repealing the word Mayor and replacing the same with the City Council in all instances for boards & commissions.

Chapter 254 BOARD OF REVIEW Sections .01 (b) & .02

Chapter 258 CABLE TELEVISION PROGRAMMING ADVISORY BOARD Sections .02 & .04

Chapter 270 COMMUNITY IMPROVEMENT COMMISSION Sections .01 (c) & .02

Chapter 272 HISTORICAL COMMISSION Sections .01 & .02

Chapter 275 LIBRARY ADVISORY COMMISSION Section .02

Chapter 281 CULTURAL COMMISSION Section .02

Chapter 286 SENIOR CITIZEN COMMISSION Section .02

Chapter 289 STREET MAINTENANCE AND INFRASTRUCTURE ADVISORY COMMISSION Section .02

Chapter 1264 ZONING BOARD OF APPEALS Section .02 (b) & (f)

Motion carried.

NAY: Councilman Kandes and Mayor Vaslo

ADOPTED: January 28, 2008

PUBLISHED: February 6, 2008

EFFECTIVE: February 6, 2008

RESOLUTION 08-38 Establish Poverty Guidelines

By Councilwoman Brady, supported by Councilman DiSanto

RESOLVED that the Poverty Exemption Guidelines for 2008 be approved as submitted. (Inserted in minute book)

Motion unanimously carried.

RESOLUTION 08-39 Approve Rezoning/4036 Dix

By Council President Murphy, supported by Mayor Vaslo

WHEREAS, Mr. Abdulrahman Khalil has submitted a request to rezone parcel 45-022-07-0001-000, located at 4036 Dix Highway, from Neighborhood Business District (NBD) to Municipal Business District (MBD), in accordance with the standards and procedures of the City of Lincoln Park; and

WHEREAS, McKenna Associates, the City Planning Consultants, have reviewed a request to rezone parcel 45-022-07-0001-000 from Neighborhood Business District (NBD) to Municipal Business District (MBD), in accordance with the provisions and standards of the City of Lincoln Park Zoning Code and sound planning and zoning principals, and recommended approval to the Planning Commission; and

WHEREAS, the Planning Commission has conducted a public hearing on January 9, 2008 to consider a request to rezone parcel 45-022-07-0001-000 from Neighborhood Business District (NBD) to Municipal Business District (MBD), and to collected and receive public comments, in accordance with Michigan Public Acts, P.A. 110 of 2006, as amended, the Michigan Zoning Enabling Act; and

WHEREAS, the Planning Commission has reviewed the case at it's meeting of January 9, 2008 and determined that a rezoning of parcel 45-022-07-0001-000 from Neighborhood Business District (NBD) to Municipal Business District (MBD) is consistent with the goals and objective of the City of Lincoln Park Comprehensive Development Plan; and therefore has recommended approval to the Mayor and City Council.

NOW THEREFORE BE IT RESOLVED, that parcel 45-022-07-0001-000, located at 4036 Dix Highway shall be rezoned from Neighborhood Business District (NBD) to Municipal Business District (MBD)

NAYS: Councilpersons DiSanto, Kandes, and McPartlin

RESOLUTION 08-40 Zoning Ord. Amend./Chap. 1278.03c

By Council President Murphy, supported by Councilman Kandes
RESOLVED, that "AN ORDINANCE TO AMEND THE LINCOLN PARK MUNICIPAL
CODE, BY REPEALING AND REPLACING THE EXISTING SECTION .03(c) OF
CHAPTER 1278, USES PERMITTED AFTER SPECIAL APPROVAL" be ADOPTED
THE CITY OF LINCOLN PARK ORDAINS:

That Chapter 1278.03c, Uses Permitted After Special Approval, of the Lincoln Park Municipal
Code, be amended to allow a restaurant as an accessory use to an automobile fueling station, as
follows:

SECTION 1278.03

- c. Automotive fueling stations with or without the following accessory uses
 - 1) Convenience stores and/or restaurant with or without drive through service
of no more than two-thousand-five-hundred (2,500) square feet each; or
 - 2) An automobile service center or repair station.
 An automotive fueling station with a convenience store and/or a restaurant with or
without drive-through service shall not have as an accessory use an automobile
service center or repair station.

Motion unanimously carried.

ADOPTED: January 28, 2008
PUBLISHED: February 6, 2008
EFFECTIVE: February 6, 2008

RESOLUTION 08-41 Amend New Fee Schedule

By Councilman Myers, supported by Councilman DiSanto
RESOLVED, that the FEE SCHEDULE, for the various departments and agencies of the City of
Lincoln Park be ADOPTED in it's entirety as the current fee and cost schedule, and that said
FEE SCHEDULE be implemented and given immediate effect. (Copy on file in the City Clerk's
Office)

Motion carried.

NAY: Councilman Murphy

CITIZENS COMMUNICATIONS

ORAL REPORTS OF THE MAYOR AND COUNCIL

Councilman Kandes left the meeting at 9:34 p.m.

Councilwoman Brady left the meeting at 9:36 p.m.

CITY MANAGER'S REPORT

There being no further business, the meeting adjourned at 9:47 p.m.

FRANK VASLO, MAYOR

DONNA BREEDING, CITY CLERK