

**REGULAR MEETING**

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

Moment of Silence

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 06-55 Minutes**

By Councilman Vaslo, supported by Councilman McPartlin  
RESOLVED, that the minutes of the Regular Meeting held under the date of February 13, 2006  
be approved as recorded.  
Motion carried.  
ABSTAIN: Councilman Kandes

By Councilman DiSanto, supported by Council President Higgins, that the minutes of the Special  
Meeting held 2-13-06 at 7:06 p.m. regarding Historic District Ordinance be approved as printed.

**RESOLUTION 06-56 Accounts & Claims Payable**

By Councilman Kandes, supported by Council President Higgins  
RESOLVED, that the Accounts & Claims Payable as presented by the Director of Finance to the  
Mayor & Council be approved as follows:

Warrant Report: \$674,204.37

Motion unanimously carried.  
Councilman DiSanto's comment, "Money has been spent previously for Helen and Goddard  
repairs on September 29, 2004."

**RESOLUTION 06-50A Adopt Ord. Chap. 666 Peach Disturbances**

By Councilman Murphy, supported by Councilman McPartlin  
**RESOLVED**, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE  
CITY OF LINCOLN PARK BY ADDING A NEW SUBSECTION (34) TO CHAPTER 666.01  
**Peace Disturbances**", be given its third 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 sub-  
paragraph (34) to Section .01 of Chapter 666 **PEACE DISTURBANCES**, to read as follows:

CHAPTER 666.01 (34) Urinate or defecate on any street, sidewalk or in any public area  
of a public carrier, public building or place of public assemblage.

Motion unanimously carried. ADOPTED: February 21, 2006  
PUBLISHED: March 1, 2006  
EFFECTIVE: March 1, 2006

**RESOLUTION 06-51A Adopt Ord. Chap. 291**

By Councilman Murphy, supported by Council President Higgins  
RESOLVED, that "AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE  
CITY OF LINCOLN PARK BY ADDING A NEW CHAPTER 291, REMOVAL FROM  
BOARDS AND COMMISSIONS", be given its third reading and ADOPTED.

**THE CITY OF LINCOLN PARK ORDAINS**

That the Municipal Code of the City of Lincoln Park be amended by adding a new Chapter 291  
entitled REMOVAL FROM BOARDS AND COMMISSIONS, to read as follows:

**CHAPTER 291. REMOVAL FROM BOARDS AND COMMISSIONS.**

291.01 In addition to existing statutory and Charter provisions governing the removal of a  
member from a city board or commission, an individual appointee may be removed for "just  
cause".

continued

291.02 "Just cause" shall be defined for the purpose of this Chapter as:

- (a) Failure to qualify within 10 days after his/her appointment as prescribed by Charter or Code.
- (b) Failure to perform duties of his/her office for a period of ninety (90) days.
- (c) Have three absences from duly called meetings of said board or commission within a 12 month period.

291.03 Prima Facie Evidence of Just Cause; Resignation

In accordance with this definition, when it appears that a board or commission member meets any of the above qualifying circumstances, notice shall be sent to the board or commission member with a resignation form to be executed by said appointee indicating concurrence with said removal for just cause.

If this resignation is not returned to the city in ten (10) days, the City Council shall terminate the appointment for cause and declare a vacancy at a regular City Council meeting. A replacement appointment shall be made as soon as practicable.

291.04 Exemption for Elected Officials.

This Chapter shall not apply to duly elected officials of the City of Lincoln Park who serve either ex officio or by virtue of City Council designation on boards or commissions.

Motion unanimously carried.

ADOPTED: February 21, 2006

PUBLISHED: March 1, 2006

EFFECTIVE: March 1, 2006

### **RESOLUTION 06-57 Proposed Ord. Amend. Chap. 238**

By Councilman Kandes, supported by Councilman McPartlin

**RESOLVED**, that an ordinance to amend the Codified Ordinances of the City of Lincoln Park by repealing the existing Chapter 238 in its entirety and adopting a new Chapter 238 be given its first and second reading by TITLE ONLY.

#### **THE CITY OF LINCOLN PARK ORDAINS**

That Chapter 238 of the Municipal Code of the City of Lincoln Park be repealed in its entirety and a new Chapter 238 entitled DIRECTOR OF PUBLIC SERVICES, to read as follows:

#### **CHAPTER 238**

#### **DEPARTMENT OF PUBLIC SERVICES**

Motion unanimously carried.

### **RESOLUTION 06-58 Establish Salary/Dir. of Public Services**

By Council President Higgins, supported by Councilman Murphy

**RESOLVED**, that the salary of Director of Public Services is established at the rate of \$74,728.00, per annum and will become effective upon the adoption of Chapter 238 of the Codified Ordinances of Lincoln Park until December 31, 2006. Compensation shall include those items commonly referred to as fringe benefits that are contained in the Lincoln Park Administrators Association Collective Bargaining Agreement.

Motion unanimously carried.

### **RESOLUTION 06-59 Solicit Bids/Sewer Line Work**

By Councilman McPartlin, supported by Councilman Vaslo

**RESOLVED**, that Director of Community Planning & Development Bill Hatley is hereby authorized to solicit bids for the provision of services needed to clean out, camera and repair City sewer lines in designated CDBG areas of the community based upon the written specifications of the City DPS, exact locations to be determined by the Director of Public Services in consultation with City Manager Steve Duchane.

Motion unanimously carried.

### **RESOLUTION 06-60 Solicit Bids/Street Intersection Replc.**

By Councilman McPartlin, supported by Councilman DiSanto

**RESOLVED**, that Director of Community Planning & Development Bill Hatley is hereby authorized to solicit bids for the removal and replacement of street intersections in designated CDBG areas of the community based upon the written specifications of the City DPS, exact locations to be determined by the Director of Public Services in consultation with City Manager Steve Duchane.

Motion unanimously carried.

**RESOLUTION 06-61 Part. Res. Rehab Loan Program**

By Councilman McPartlin, supported by Councilman DiSanto  
RESOLVED, that the following citizens be approved for participation in the CDBG Residential Rehabilitation Program, for a loan not to exceed \$15,000.00.

**#1244LI Rita Venturini-1076 Farnham  
Emergency roof replacement**

**#1245DL William Triplett-1568 Garfield  
Emergency sewer replacement**

BE IT FURTHER RESOLVED; that William D. Hatley, Director of Community Planning and Development is hereby authorized and directed to process these applications in accordance with the Policy and Procedures Guidelines previously approved. Funds to come from 30<sup>th</sup> Program Year CDBG Budget Account Number 24930 720R.

Motion unanimously carried.

**RESOLUTION 06-62 Set Spec. Mtg./Public Imprv.-Water System**

By Councilman Vaslo, supported by Council President Higgins  
RESOLVED, that a **Special Meeting** of the Mayor and Council be scheduled for **March 13, 2006 at 7:00 p.m.** in the John A. Aloisi Council Chambers at City Hall, 1355 Southfield Rd., Lincoln Park, to discuss the Public Improvement/Water System Improvement GIS study.

Motion unanimously carried.

**RESOLUTION 06-63 Adopt User Fees**

By Councilman DiSanto, supported by Councilman McPartlin  
RESOLVED, that the Schedule USER FEES, 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 USER FEES schedule be implemented and given immediate effect.

Motion carried.

NAY: Councilman Murphy

**RESOLUTION 06-64 DPS Facility Entry Policy**

By Councilman Murphy, supported by Councilman Vaslo  
WHEREAS, the City of Lincoln Park has had issues involving unauthorized facility entry and illegal dumping; and

WHEREAS, the City of Lincoln Park desires to secure its facilities, protect its employees, keep a log of entry, and prevent illegal dumping;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the *DPS Facility Entry Policy* be adopted in its entirety.

Motion unanimously carried.

**RESOLUTION 06-65 Mid-Year Budget Adjustment**

By Councilman Vaslo, supported by Councilman Kandes  
RESOLVED, that the Director of Finance be and is hereby authorized to make the following adjustments to the Generally Appropriated Revenues and Expenditure budgets for Fiscal Year 2005-2006 (on file in the City Clerk's Office).

Motion unanimously carried.

**RESOLUTION 06-66 Endorse MI. Child ID Program**

By Mayor Brown, supported by the Full Council  
WHEREAS, a Michigan Child Identification Program will be held on March 11, 2006 from Noon to 5 p.m. at the Kennedy Memorial Building; and

WHEREAS, this event is free of charge and will provide dental impressions, DNA swabs, color photos, fingerprints, and video interview for each child.

NOW THEREFORE BE IT RESOLVED, that the City of Lincoln Park endorses the Michigan Child Identification Program and urges all residents that have young children to participate.

Motion unanimously carried.

CITIZENS COMMUNICATIONS  
ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 9:44 p.m.

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**STEVEN M. BROWN, MAYOR**

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**DONNA BREEDING, CITY CLERK**

