

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 Pastor Jeff Heim of Friendship Baptist 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

City Manager Report

RESOLUTION 06-153 Minutes

By Councilman Murphy, supported by Council President Higgins

RESOLVED, that the minutes of the Regular Meeting held under the date of April 17, 2006 be approved as recorded.

Motion carried.

ABSTAIN: Councilpersons McPartlin, Vaslo and Mayor Brown

RESOLUTION 06-154 Attend MAPERS/P & F

By Councilman Kandes, supported by Councilman McPartlin

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) Spring Conference is being held at Soaring Eagle, Mt. Pleasant Michigan, May 20 through May 23, 2006, 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 Spring Conference is being held at Soaring Eagle, Mt. Pleasant, Michigan, May 20 through May 23, 2006, 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 06-155 Attend MAPERS/ M.E.

By Councilman McPartlin, supported by Council President Higgins

WHEREAS, the Board of Trustees is subject to Public Act 314 of 1965, as amended which imposed 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) Spring Conference is being held at Soaring Eagle Resort, Mt. Pleasant, Michigan, May 20th through May 23rd 2006, 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 Municipal Employees 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.

continued

THEREFORE BE IT RESOLVED, that the Mayor and Council concur with the Municipal Employees Retirement System Board of Trustees to send any trustee who so desires to the Spring Conference being held at Soaring Eagle Resort, Mt Pleasant, Michigan, May 20th through May 23rd, 2006, at no cost to the General Fund. All expenses are to be paid from the investment earning of the Retirement System.

Motion unanimously carried.

Business of the Month Award presented to Busen's Appliance, 2323 Fort St.

RESOLUTION 06-156 Set Special Meeting/'06-'07 Budget

By Councilman Vaslo, supported by Councilman Kandes

RESOLVED, that the Office of City Management and the Director of Finance, are hereby requesting to schedule a special meeting of the Mayor & Council on Monday May 15, 2006 at 7:00 p.m. in the John A. Aloisi Council Chambers at City Hall , 1355 Southfield Rd., Lincoln Park, for the purpose of presenting the proposed Fiscal Year 2006/2007 budget.

Motion unanimously carried.

RESOLUTION 06-157 Set Special Meeting/'06-'07 Budget

By Councilman Kandes, supported by Councilman McPartlin

RESOLVED, that the Office of City Management and the Director of Finance, are hereby requesting to schedule a special meeting of the Mayor & Council on Tuesday May 30, 2006 at 7:00 p.m. in the John A. Aloisi Council Chambers at City Hall , 1355 Southfield Rd., Lincoln Park, for the purpose of holding a Public Hearing for the proposed Fiscal Year 2006/2007 budget.

Motion unanimously carried.

RESOLUTION 06-158 Permission to Solicit/Lions Club

By Councilman Kandes, supported by Councilman DiSanto

RESOLVED, that the Lincoln Park Lions Club be granted permission to solicit donations in front of various businesses in the City of Lincoln Park for the annual "Lions of Michigan White Cane Drive", from April 28, 2006 through May 7, 2006. All reporting provisions of the local ordinance to be timely observed.

Motion unanimously carried.

RESOLUTION 06-159 Permission to Solicit/Varsity Softball

By Councilman Vaslo, supported by Councilman McPartlin

WHEREAS, the City of Lincoln Park has received a solicitor's application from the LP High School Varsity Softball team requesting permission to hold their "Annual City Wide Garage Sale" fundraiser.

BE IT RESOLVED, that the LP High School Varsity Softball team be granted permission to solicit registrations and sell maps for the event, on the municipal lot located at Fort St. and Southfield Rd. for their "Annual City Wide Garage Sale" on June 10th and 11th, 2006. All reporting provisions of the local ordinances to be timely observed.

FURTHER BE IT RESOLVED, that City permits purchased for this fundraiser shall be in addition to the two permits allowable per calendar year under Municipal Code Chapter 830.

Motion unanimously carried.

RESOLUTION 06-160 Rescind Resolution #06-152/BRA

By Council President Higgins, supported by Councilman Murphy

RESOLVED, that Resolution #06-152 be rescinded.

Motion unanimously carried.

RESOLUTION 06-161 Set Public Hearing/BRA

By Council President Higgins, supported by Councilman Kandes

WHEREAS, on July 8, 2002, the Mayor and City Council of the City of Lincoln Park adopted a resolution creating a Brownfield Redevelopment Authority and establishing a Brownfield Redevelopment Zone that encompasses the boundaries of the City pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended (Act 381), and WHEREAS, the Brownfield Redevelopment Authority has presented to the City Council a Brownfield Redevelopment Plan for Site No. 2, consisting of two parcel on Dix Road, in accordance with Public Act 381 of 1996, as amended. Said site is more particularly described as follows: 3727 Dix (Tax Parcel 88-45-017-08-0428-000) and 3745 Dix (Tax Parcel 88-45-017-08-0437-000).

continued

WHEREAS, before acting upon said Brownfield Redevelopment Plan, the Mayor and City Council is required, in accordance with Section 13(10) of Act 381, as amended, to provide to the public a reasonable opportunity to express their views and recommendations regarding the Plan at a public hearing or in writing, and

WHEREAS, it is the desire of the Mayor and City Council that such a hearing shall be held on the 30th day of May, 2006, at 8:15 p.m., or as soon thereafter as the ordinary order of council business shall permit, in the Council Chambers of the City of Lincoln Park City Hall, 1355 Southfield Road, Lincoln Park, Michigan. And that the Clerk shall cause notice of such hearing to be published twice in a newspaper of general circulation in the City, the first notice not less than twenty (20) days nor more than forty (40) days before said hearing; and the Clerk shall immediately inform, by certified letter, the City Assessor, the applicant, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Lincoln Park which could be recaptured if this Plan is adopted, of the Public Hearing.

RESOLVED, at said hearing, interested persons shall have the opportunity to be heard relative to the Brownfield Redevelopment Plan.

FURTHER BE IT RESOLVED, that the proposed developer of the property, Dix Investments, LLC, will be responsible for any and all costs associated with amending the Brownfield Redevelopment Plan after the public hearing to incorporate any changes requested in a Council's resolution after the public hearing.

Motion carried.

ABSTAIN: Councilman DiSanto

RESOLUTION 06-162 Set Meeting – MOTION FAILED

By Councilman Murphy, supported by Councilman McPartlin

RESOLVED, that an open meeting of the Mayor & Council be held on Monday, May 8, 2006 at 7:00 p.m. in the City Council Chambers with City Manager, Steve Duchane. The purpose will be to discuss disciplinary action, and to establish a firm policy by which the City Manager will seek advice and consent from the entire Council and receive direction from the entire Council on important issues before him, before initiating action.

YEAS: Councilpersons McPartlin and Murphy

NAYS: Mayor Brown, Councilpersons Vaslo, Higgins, DiSanto and Councilman Kandes, "Spin this like a washing machine, if we want to redefine the duties & responsibility I'm fine with that."

CITIZENS COMMUNICATION

ORAL REPORTS OF THE MAYOR AND COUNCIL

There being no further business, the meeting adjourned at 10:16 p.m.

STEVEN M. BROWN, MAYOR

DONNA BREEDING, CITY CLERK

