

VILLAGE COUNCIL PROCEEDINGS
June 1, 2015

Lincoln Village Council met on Monday June 1, 2015 at 7 p.m. at the Village Hall. Meeting opened with the Pledge of Allegiance. Present included: President Jordan, Treasurer Kossa, Clerk Somers, Assistant Clerk/Treasurer Hussain, Council Members Gauthier, Healy, Phillips and Stutzman. Absent were Kohn and Somers. Also present were Attorney Cook and several guests.

Minutes of the May meeting were approved on a motion from Gauthier with support from Phillips. Treasurer's report was approved subject to audit on a motion from Gauthier with support from Phillips. Treasurer Kossa stated that the computer and printer have been moved to the Village Office and Holly Hussain is now taking care of much of the duties including the monthly reports. Any questions may be directed to either Mary or Holly.

Fire Chief Mike Serafin gave his monthly report. There were a total of 5 Medical runs and 6 fire runs. John Deller has left the department due to moving. Kathleen Kramer was introduced as a new candidate for MFR with the department. She is currently working for Alcona County EMS and will be attending college at CMU in the fall. Motion was made by Healy with support from Stutzman to allow Kathleen Kramer to join the department. Motion carried. Training was held during the month for ventilation training with several firefighters. There have been numerous repairs to trucks and equipment. President Jordan asked Mike to check on the billings from the State for radio fees.

In public comment Teresa Hart and Naomi Potter asked about problems that have been occurring at the Flights of Imagination playground. It has been recommended that we put in a new camera that will capture the entire inside of the play area. An approximate cost would be \$1,500 for both the camera and installation. Teresa stated that they are willing to take \$500.00 from the playground account to help get things started. Attorney Cook will work with us to draft an ordinance that will help us get things rolling. Naomi questioned about the bleachers at the little ball field. She said it appears that they are in poor shape. President Jordan stated that one set needs all new boards and the other set needs to be painted and tightened. Teresa asked about applying for a grant for safety purposes through the Kellogg or Community Foundation. Sara Healy will look into this matter and report back at the next meeting.

President Jordan gave the Sewer report. Everything is looking very good currently. Port – A- Potties will be ordered for the beach and boat launch areas. The street report was given. Potholes have been filled and the roadway by the Outdoor Center has been filled in. The water has stopped pooling in that region and the repairs have been made to the road.

In old business Gauthier gave an update on the new Recreation Plan. She has been working with Jordan and NEMCOG to get the necessary changes made to the old plan. Motion was made by Gauthier with support from Stutzman to hold a public hearing on June 17th at 7 p.m. to garner public input on the newly updated/proposed Parks and Recreation Plan. Motion carried. Bill Putsky is working on a grant to get funding for a new boat launch and continued stocking of fish for the lake.

In new business Phillips presented a letter of resignation from his position as a Council Member. President Jordan thanked him for his help and dedication. Motion was made by Gauthier with support from Stutzman to accept with regret Phil's resignation effective July 1st. Carried.

President Jordan gave his report. He stated that the Memorial Day ceremony was very nice. Thanks to everyone who helped put the ceremony together and special thanks to Mike Serafin for spearheading the event. He asked to have permission to put in a new shutoff for the water to the ball fields. Thanks to Brad Cole for allowing us to use his water system. The back corner of the Post Office Parking lot has been re-done. It is looking very nice with flowers and shrubs. Thanks to the Beautification Committee for all their work. The new ladder for the dock is ready to be put on. Paint will be ordered to re-do the stop arms and lines on the pavement.

A Skateboard Ordinance was presented from Attorney Cook for a first reading. The Ordinance Reads:

SKATEBOARD ORDINANCE – VILLAGE OF LINCOLN

Definitions:

Words and phrases defined for the purposes of this Ordinance shall have the meanings set forth in this section, unless normal construction in context shall clearly indicate to the contrary: "Skateboard" has its ordinary meaning and includes a board of any materials with wheels affixed to the underside, designed to be ridden by a person. For the purposes of this Ordinance the term "skateboard" shall include the terms "scooter" and "coaster"

"Riding a skateboard" means standing with one or both feet touching the skateboard, crouching, sitting or lying upon the skateboard while it is in motion and/or propelling a skateboard.

Negligent maneuver means any maneuver that may cause injury to a person, including the rider, and/or damage to property, and/or any maneuver that threatens such injury or damage.

SKATEBOARDING PROHIBITED

It shall be unlawful for any person to ride a skateboard in any area of the Village designated herein as an area where skateboarding is prohibited and/or in negligent manner as provided herein:

AREAS OF VILLAGE SKATEBOARDING IS PROHIBITED

Skateboarding shall be prohibited in the Village of Lincoln on the following:

Village Hall and Village Hall grounds including sidewalks, parking areas, driveways, stairs and rails, yards, and all areas associated with the Village Hall/

Village Garage and Village Garage grounds including sidewalks, parking areas, driveways, stairs and rails, yards and all areas associated with the Village Garage;

All public streets and sidewalks within the Village of Lincoln

NEGLIGENT SKATEBOARDING

It shall be a violation of this Ordinance for any person to ride a skateboard in a negligent manner within the Village of Lincoln.

COMPLIANCE WITH TRAFFIC REGULATIONS

In areas of the Village where skateboarding is not prohibited, it shall be a violation of this Ordinance for any person to ride a skateboard in a manner contrary to traffic and/or pedestrian regulations.

UNCONTROLLED SKATEBOARD PROHIBITED

It shall be a violation of this Ordinance for any skateboard to be out of the direct physical control of the owner or user while it is in motion anywhere within the Village of Lincoln. Any skateboard in violation of this provision is subject to seizure and forfeiture as provided herein,

SEIZURE AND FORFEITURE

Whenever a law enforcement officer has probable cause to believe that a skateboard was used or is intended to be used in violation of this Ordinance, such skateboard is subject to seizure and forfeiture. In the event of seizure pursuant to this Ordinance, forfeiture shall be deemed complete unless the owner requests a hearing before the Magistrate. At such hearing the forfeiture shall be ordered upon the officer’s showing of probable cause as provided herein.

PENALTIES

Upon the admission or determination of responsibility for a violation of this Ordinance, the responsible person shall be assessed the following civil fines and costs:

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|-----------------|------------------|-------------------------|
| First Violation | Second Violation | Third or More Violation |
| \$50.00 | \$150.00 | \$300.00 |

And all costs incurred by the Village in enforcement and prosecution including actual attorney fees. In addition, violators shall be responsible for reimbursement/restitution for damage caused by the violation.

EFFECTIVE DATE

This Ordinance is necessary to protect the health, welfare, and safety of the people of the Village of Lincoln and, therefore, this Ordinance shall become effective immediately upon publication.

President Jordan stated that the home on Barlow Road had been vacated however there is a lot of stuff left behind. A letter will be sent to the property owner from Attorney Cook giving 10 days to clean it up. President Jordan will be attending the Act 51 training seminar that will be held.

Motion was made by Stutzman with support from Phillips to put the delinquent people that are on the sewer system on the tax roll and pass the following resolution: Be it resolved on a request from the Village Treasurer received and filed that these accounts including penalties are unpaid: A roll call vote was taken. Gauthier, Healy, Phillips, Stutzman. All Ayes. Absent were Kohn and Somers.

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| Lincoln Truck & SUV | 052-000-023-005-00 | \$299.77 |
| Lenny Bobick | 052-000-023-005-01 | \$299.77 |
| Durfee’s Restaurant | 052-000-024-001-02 | \$1079.15 |
| Mary Ross | 052-000-024-002-00 | \$299.77 |
| Our Place | 052-000-026-011-00 | \$2145.09 |

Motion was made by Phillips with support from Healy to support the Harrisville Fireworks in the amount of \$200. Motion carried.

Motion to pay the bills as presented was made by Gauthier with support from Phillips. Carried.

Motion to adjourn was made by Phillips with support from Gauthier. Carried.

Linda K Somers
Village Clerk
lincolnmi.com
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