

VILLAGE COUNCIL PROCEEDINGS

February 4, 2019

The Lincoln Village Council met on Monday February 4, 2019 at 7 p.m. at the Village Hall. The meeting opened with the Pledge of Allegiance. Those in attendance included: President Phillips, Treasurer Hussain, Clerk Somers and Council Members Healy, Mahalak, Putsky, Somers, Wambold and Zielinski. The minutes of the January meeting were approved on a motion from Zielinski with support from Healy with one correction, the spelling of one name. The minutes of the Special Personnel Meeting were approved on a motion from Healy with support from Mahalak. The Treasurer's report was approved subject to audit on a motion from Zielinski with support from Wambold. A motion to pay the bills as presented was made by Zielinski with support from Healy.

Craig Johnston, County Commissioner appeared before the board to speak about the recent resolution that was sent to Governor Gretchen Whitmer. The Commissioners disagreed with the State Mandate portion of this executive directive. They are asking that it be allowed to go through the legislative process which is accountable to the people. A discussion on the matter took place. Craig gave an update on happenings within the County.

Three applications were received for the maintenance position that was advertised for. The applications were given to the HR Committee. They will report back with their two choices for interviews. Fire Chief Serafin gave his report. In the past month there were 15 medical runs and 5 fires. Putsky gave the sewer report. He stated that everything is running very well. President Phillips gave the street report. She stated that Brett has stepped up and been doing the maintenance job for us. Mahalak and Wambold asked permission to not participate in the discussion or vote. A motion was made by Zielinski with support from Somers to allow Mahalak and Wambold to not vote. A discussion was held regarding what the pay should be. A motion was made by Zielinski with support from Somers to pay Brett at the rate of \$9.50 per hour as he continues to cover this position. Council Members expressed their gratefulness to Brett, Mike Bianchi and Michele Gruber for their work during the recent bad weather.

President Phillips stated that she thinks we should consider looking at seeking bids for snow removal. Former Maintenance man Steve Slater has requested payment for his one week's vacation that he feels is due to him. Following a discussion, a motion was made by Healy with support from Zielinski to pay Steve for one week's vacation after he signs the paperwork that he agreed to sign that has been prepared by Attorney David Cook. Carried.

Healy gave an update on the Master Plan. There is some work to be done before the Public Hearing on March 5th. Copies of the Master Plan Draft will be placed in the Village Hall and the Library as well as on the Village Website. Zielinski stated that Karen Godi has been working with her on the updated website.

In old business President Phillips asked what Council Members wanted to do regarding Prohibiting Marijuana Establishments. A copy of an ordinance was presented for consideration. A motion was made by Zielinski with support from Healy. Roll Call Vote: Healy, Zielinski, Somers and Putsky Yea, Wambold and Mahalak, Aye. Motion Carried. This ordinance takes effect 20 days from this date. Following is the Ordinance: Village of Lincoln County of Alcona, State of Michigan, Ordinance No. 19-1 Adopted February 4, 2019, Effective February 24, 2019. Prohibition of Marihuana Establishments Ordinance

An ordinance to provide a title for the ordinance; to define words: to prohibit marihuana establishments within the boundaries of the Village of Lincoln pursuant to Initiated Law 1 of 2018, MCL 333.27951 et seq., as may be amended: to provide penalties for violation of this ordinance: to provide for severability: to repeal all ordinances or parts of ordinances in conflict therewith: and to provide an effective date.

THE VILLAGE OF LINCOLN, ALCONA COUNTY, MICHIGAN ORDAINS:

Section I Title

This ordinance shall be known as and may be cited as the Village of Lincoln Prohibition of Marihuana Establishments Ordinance

Section II Definitions

Words used herein shall have the definitions as provided for in Initiated Law 21 of 20158, MCL 333.27951 et seq; as may be amended

Section III No Marihuana Establishments

The Village of Lincoln hereby prohibits all marihuana establishments within the boundaries of the Village pursuant to Initiated Law 2 of 2018, MCL 333.27951, et seq., as may be amended

Section IV Violations and Penalties

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.
2. A violation of this ordinance is a municipal civil infraction pursuant to Section 9.6 of the Village of Lincoln Zoning Ordinance. The sanctions in Section 9.6 shall be in addition to the rights of the Village to proceed at law or equity with other

appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Village incurs in connection with the municipal civil infraction.

3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Village may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Village or by such person (s) as designated by the Village Council from time to time.

6. Section V Severability

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

Section VI Repeal

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section VII Effective Date

This ordinance shall take effect February 24, 2019.

Village of Lincoln

Linda K. Somers

Village Clerk

A discussion of the need to take care of maintenance on the equipment for the Village as well as the building itself was held. A motion was made by Mahalak with support from Zielinski to allow Brett Wambold and Mike Bianchi to purchase necessary items on the Village account at the Lincoln Hardware as well as to get a fuel fleet card to allow them to purchase fuel at Fick & Sons. All receipts will be turned into the Clerk to insure proper payment can be made. Carried.

President Phillips gave her report. The snow removal policy was given to all Village business owners. A joint meeting between the DDA and the Village Council will be held sometime soon.

A motion was made by Zielinski with support from Wambold to adjourn the meeting. Carried.

Linda K. Somers

Village Clerk

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