

City of Allen Park Regular Council Meeting Minutes
Tuesday, July 22, 2014

Mayor William B. Matakas called the Meeting to order at 6:00 PM

Roll Call showed present: Councilman Bob Keenan, Councilman Angelo Americo DeGiulio, Councilman Dennis Hayes, Councilman Harry Sisko, Councilman Larry Templin, and Councilwoman Tina Gaworecki
Also present: City Attorney Joe Couvreur, City Administrator Karen Folks, Treasurer Maureen C. Armstrong and City Clerk Michael I. Mizzi

Motion by Sisko

Supported by DeGiulio

RESOLVED, to approve the Agenda for July 22, 2014 as presented with a friendly amendment by Templin backed by Sisko to add a Closed Session for Attorney Client Memo

MOTION ADOPTED – 14-0722-0098 - Roll Call Vote – Unanimous

Motion by Hayes

Supported by DeGiulio

RESOLVED, to Convene into Closed Session to consider material exempt from discussion or disclosure by state or federal statute which is permitted by law under MCL. 15.268 (h) (e)

Roll Call Vote: Unanimous

MOTION ADOPTED – 14-0722-099

The door was closed – Councilman DeGiulio is excused from the Closed Session

The door was opened

Motion by Hayes

Supported by Keenan

RESOLVED, to reconvene into the Regular Meeting

MOTION ADOPTED – 14-0722-100

Motion by Templin

Supported by Gaworecki

Whereas, allegations were made that Councilman DeGiulio violated the City's Ethics Ordinance; and

Whereas, the City's Ethics Board convened a hearing and after receiving testimony and reviewing the legal brief of Councilman DeGiulio's attorney, the Ethics Board issued its Advisory Opinion on August 9, 2013, finding a violation of Ethical Principles 5 and 6; and

Whereas, Councilman DeGiulio's unethical conduct was then scheduled for review and consideration by the City Council; and

Whereas, Councilman DeGiulio then filed a lawsuit against the City to prevent the City from considering his unethical conduct; and

Whereas, the Court then dismissed his lawsuit; and

Whereas, the City Council has determined that further legal pursuit of this matter is unnecessary as Councilman DeGiulio's lawsuit was frivolous, without merit and has already brought public censure upon himself; and

Whereas, the City Council, therefore, desires to conclude this matter and turn its attention to rebuilding the City's future;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Allen Park City Council hereby affirms the Advisory Opinion of the Ethics Board regarding the DeGiulio matter;
2. The City Council issues this **RESOLUTION OF CENSURE** disapproving the inappropriate acts and verbal outbursts of Mr. DeGiulio especially those associated with and underlying the referenced Ethics matter;

3. The City Council further resolves that Mr. DeGiulio should apologize individually to those persons who filed Ethics complaints, to the Ethics Board corporately, to the citizens of Allen Park as a whole, and individually to his fellow members of Council regarding his inappropriate conduct;
4. The City Council further resolves that Mr. DeGiulio should reimburse the City for its costs and fees incurred in the defense of his frivolous litigation against the City, and also reimburse Mr. Pillar and his wife related to their defense of his baseless lawsuit against them;
5. The City Council further resolves that Mr. DeGiulio should remit back to the city's general fund all pay received as a Councilman if he fails to reimburse the City as set forth herein;
6. The City Council further resolves that Mr. DeGiulio should consider obtaining anger management education so as to prevent future inappropriate behaviors;
7. The City Council further resolves that Mr. DeGiulio should be removed from and not appointed to committee assignments;
8. The City Council further resolves that should Councilman DeGiulio fail to comply with the terms of this Resolution and/ or continues his unethical behavior, it shall be regarded as contrary to the responsible exercise of the Office of Councilmember for the City of Allen Park;
9. The City Council further resolves that should Councilman DeGiulio undertake further legal or judicial action as against the City, the City reserves all of its rights under the law, including the right to defend and pursue all issues related to this matter, including enforcement of the terms of this Resolution and petitioning the Court for sanctions, costs and legal fees.

MOTION ADOPTED – 14-0722-101 – Roll Call Vote – 5 – Yes with Councilman Hayes casting a No and Councilman DeGiulio abstaining

Motion by Hayes

Supported by Templin

RESOLVED, to approve Door to Door Solicitation Permit #03-2014 received from Aaron Kraft of Southwestern Advantage to sell Educational Books & Software with a \$300.00 fee

MOTION ADOPTED – 14-0722-102

Motion by Gaworecki

Supported by Sisko

RESOLVED, to approve Parade Permit #03-2014 received from Allen Park High School Student Council to hold their annual Homecoming Parade on Friday, September 26, 2014 at 4:00 PM

MOTION ADOPTED – 14-0722-103

Motion by Keenan

Supported by Templin

RESOLVED, to concur with the decision of the Planning Commission to GRANT the Re-Zoning of the Southfield Lease Properties to C-6C and recommend approval to the Emergency Manager Joyce A. Parker

MOTION ADOPTED – 14-0722-104

Motion by Hayes

Supported by Gaworecki

RESOLVED, to have a 1st & 2nd Reading of Proposed Ordinance #02-2014 an Ordinance to amend Chapter 52, Art. VI, to Regulate the storage of Firewood, Coal, & other Combustible Materials in certain zoning districts

MOTION ADOPTED – 14-0722-105

Motion by Hayes

Supported by DeGiulio

RESOLVED, to have a 1st & 2nd Reading of Proposed Ordinance #03-2014 an Ordinance to adopt new regulations Chapter 36 on Second Hand Goods and a new Article II titled Pawnbrokers, Secondhand Dealers, and Scrap

MOTION ADOPTED – 14-0722-106

Motion by Hayes

Supported by DeGiulio

RESOLVED, to adjourn the Regular Council Meeting at 7:43 PM

MOTION ADOPTED – 14-0722-107

William B. Matakas – Mayor

Michael I. Mizzi – City Clerk