

City of Allen Park Regular Council Meeting Minutes  
Tuesday, September 9, 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, EM Joyce A. Parker, and City Clerk Michael I. Mizzi

Motion by Templin

Supported by DeGiulio

RESOLVED, to approve the Agenda with the addition of the Administrators Report and a Closed Session for the purpose of Pending Litigation which is permitted by law under MCL. 15.268 (e)

MOTION ADOPTED – 14-0909-0120

Motion by Keenan

Supported by Sisko

RESOLVED, to approve the minutes of the Regular Meeting of July 8, 2014

MOTION ADOPTED – 14-0909-121

Motion by Keenan

Supported by Hayes

RESOLVED, to approve the following permits:

- A. Parade Permit #05-2014 received from Kelly Muscat of Cabrini High School for the Homecoming Parade on October 18, 2014 with a \$100 fee
- B. Street Corner Solicitation Permit #03-2014 received from Tony Lalli of the Allen Park Kiwanis Club for the Annual Peanut Sale with a \$2.00 fee
- C. Street Closure request received from Jennifer Kibby of the Allen Park DDA to close a part of Harrison Ave & McLain Ave from Park Ave to Alley for the Annual Touch A Truck on Friday, September 19, 2014 with a \$100 fee

MOTION ADOPTED – 14-0909-122

Motion by Keenan

Supported by Sisko

**WHEREAS**, the State of Michigan adopted into law Public Act 256 of 2011 (Michigan Fireworks Safety Act) that took effect on January 1, 2012; and

**WHEREAS**, Public Act 256 of 2011 now provides for the sale of consumer fireworks, including aerial and explosive, in various retail locations and severely restricts the authority of a local unit of government to regulate sales, possession and use; and

**WHEREAS**, Public Act 256 of 2011, which liberalized the law on selling fireworks to unlicensed citizens and prohibited local governments from totally banning their use, has resulted in far more fireworks-related noise, litter and potential safety issues; and

**WHEREAS**, the additional business and revenue generated by Public Act 256 of 2011 has not been sufficient to compensate residents for the threat to their health, safety and quality of life; and

**WHEREAS**, the aforementioned consequences of the widespread availability and use of aerial and explosive fireworks have prompted citizens to express their discontent with Michigan Fireworks Safety Act, demonstrating that current state law poses a threat to the welfare of our citizens; and

**WHEREAS**, previous efforts to amend Public Act 256 of 2011 have failed to resolve these problems; and

**WHEREAS**, aerial and explosive fireworks continue to be offered for sale in Michigan, local law enforcement does not have the resources to enforce regulatory local ordinances;

**NOW, THEREFORE BE IT RESOLVED**, that the City of Allen Park urges the Michigan Legislature to promptly pass Senate Bills 1023 and 1024 to repeal Public Act 256 of 2011 and reinstate the ban on aerial and explosive fireworks to restore the quality of life and safety that our citizens expect; and

**BE IT FINALLY RESOLVED**, that the Allen Park Mayor & Council hereby directs the City Clerk to forward this resolution to Governor Rick Snyder, Senate Majority Leader Randy Richardville, Speaker of the House Jase Bolger, Bill Sponsor Senator Glenn Anderson, our State Senator and Representative.

MOTION ADOPTED – 14-0909-123

Motion by Sisko

Supported by DeGiulio

RESOLVED, to approve the following as consent:

1. Traffic Order for Parking on Markese at Arno School – on spaces between sidewalk & curb School Employee Parking; By Permit Only (see below) - from 7 AM to 5 PM
2. Traffic Order for Stop Sign at Regina & Fox – remove Yield Signs and make 4 way stop

MOTION ADOPTED – 14-0909-124

Motion by Keenan

Supported by Templin

RESOLVED, to amend the Traffic Order for Parking on Markese to read from 7 AM to 5 PM.

MOTION ADOPTED – 14-0909-125

Motion by Keenan

Supported by Templin

RESOLVED, to approve the Purchase Agreement for 4000 Allen Rd. and recommend the execution of the Purchase Agreement by the Emergency Manager with the amendment to address the Mayors concern with Wayne County in regards to a retention basin

Roll Call Vote – 4 Yes - Keenan, Matakas, Sisko, Templin & 3 NO – DeGiulio, Gaworecki & Hayes

MOTION ADOPTED – 14-0909-126

Motion by Gaworecki

Supported by Hayes

RESOLVED, to Convene into Closed Session to discuss Pending Litigation which is permitted by law under MCL. 15.268 (e)

Roll Call Vote: Unanimous

MOTION ADOPTED – 14-0909-127

The door was closed

The door was opened

Motion by Sisko

Supported by Gaworecki

RESOLVED, to reconvene into the Regular Meeting

MOTION ADOPTED – 14-0909-128

Motion by Hayes

Supported by Templin

RESOLVED, to concur with the recommendation of the Emergency Manager Joyce A. Parker on the Pending Litigation as discussed in Closed Session

MOTION ADOPTED – 14-0909-129

Motion by Keenan

Supported by Sisko

RESOLVED, to adjourn the Regular Council Meeting at 10:06 PM

MOTION ADOPTED – 14-0909-130

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William B. Matakas – Mayor

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Michael I. Mizzi – City Clerk