Pledge of Allegiance

Roll Call

Moment of Silence

For those who have lost their lives to the COVID-19 virus

Administration of Oath

Ryan Caprathe, Police Officer

1. Approve Agenda

2. City Council Minutes
   a. Regular Meeting of July 2, 2020

Public Questions Regarding Items on the Agenda

3. Bid Awards
   a. Approval of bid award for Labor and Employment Services to be funded from contracted services budget under legal. Approval subject to written contract acceptable by both the City and the legal firm chosen to proved this service (A. Leslie)
4. Ordinances and Amendments

a. Second Reading and Adoption of Ordinance 2020-04, to provide and establish a process and procedure for the application and licensing requirement for Medical Marihuana Facilities under the Medical Marihuana Facilities Act or Recreational Marihuana establishments under the Michigan Regulation and Taxation of Marihuana Act within the City of Wayne and to provide for the suspension and revocation for violations thereof (L. Gouin)

5. Appointment to Boards, Commission and Committees

a. Appointment of Pierre-La'Shaye Walker, Forest Ave., to the Wayne Downtown Development Authority for a four (4) year term to expire July 2024 (T. Stanke)

6. Communications and Reports

a. Revenue and Expenditure Report for Period Ending June 2020

7. General Items

a. Approve setting a Public Hearing for August 18, 2020 at 7:00 p.m. for the First Reading for the Amended Downtown Development Plan and Tax Increment Financing Plan (L. Gouin)

b. Approval of the purchase of six (6) Motorola APX6000 portable radios in the amount of $24,546.39 from ComSource of Plymouth, MI. This price is a state minimum price negotiated through MiDeal to be funded from the Police Department’s Capital Outlay Budget (R. Strong)

c. Approval of the purchase of a 2019 Ford Taurus in the amount of $20,900.00 from Jack Demmer Ford to be funded from the Police Department Budget (R. Strong)

d. Approval two (2) 2021 Ford Police Interceptor Utility Vehicles from Jack Demmer Ford in the amount of $33,385.00 each to be funded from the Police Department Budget (R. Strong)

e. Approval of buying back one grave in Section R, Lot 67 in the amount of $175.00 (E. Queen)

f. Approval of Mural at the Avenue American Bistro, 3632 Elizabeth St. (M. Buiten)

8. Administration Reports
Public Comments for Matters Not on the Agenda – Pursuant to the Michigan Open Meetings Act and the enacted procedures and rules of City Council, now is the time for public comment.

Any questions will not be answered this evening, but the appropriate person will make their best effort to respond by the next Council meeting or as soon as possible, provided you state or leave your contact information with the City Clerk.

Approach the podium and state your name. Please limit your comments to three (3) minutes.

COMMENTS FROM MEMBERS OF THE CITY COUNCIL

9. Consent Calendar
   a. Wayne Planning Commission Minutes of June 9, 2020
   b. Wayne Downtown Development Authority Minutes of June 10, 2020
   c. Wayne Election Commission Minutes of February 21, 2020

10. Adjournment

Respectfully Submitted,

[Signature]

Tina M. Stanke
City Clerk

The City of Wayne will provide necessary auxiliary aids and services (i.e. signers and audio tapes) to individuals with disabilities attending meetings or hearings. A two week notice is required. For assistance contact the City Clerk’s Office at 734-722-2204.
Virtual Council Meeting  
July 21, 2020 at 7:00 p.m.  
User Resource Sheet  
Meeting ID: 863 8591 9903

The council meeting will be shown on the cable TV public access channel and uploaded to YouTube after the meeting is over. You do not have to use zoom to view the meeting. Zoom is available if you would like to participate in the public comment time of the meeting.

The City of Wayne encourages questions from the public at Wayne City Council meetings and there will be an opportunity for questions during the virtual meeting. However, these are not normal circumstances that the City Council is operating under. Therefore, the City of Wayne is respectfully requesting the following by those who would be willing to do so:

If you have a question on an item on the agenda, please email or call the Wayne City Clerk with your question and it will be read and answered at the meeting as usual. The City Clerk’s email is tstanke@cityofwayne.com or citizens can call 734-722-2204. Public questions/comments must be submitted by phone or email two (2) hours prior to the meeting to be read into the record.

If you have a question on an "item not on the agenda" under citizen comments, please follow the same procedure above. The City Clerk will read your question into the record and it will be answered at the next regularly scheduled Wayne City Council meeting.

If connecting from Windows Desktop PC and Laptops:

• Go to the Zoom Web Site (zoom.us)  
• Click on “Join a meeting” and use meeting ID above

If connecting from Apple and Android Tablets or Phones:

• Install the Zoom App from the Apple or Android Store, prior to the call.  
• Launch the Zoom app  
• Click on “Join a meeting” and use meeting ID above

If connecting using a phone call only:

• Call 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)  
• Join meeting ID 863 8591 9903

Technical Responsibilities of Participant:

• The city does not provide technical assistance for testing or troubleshooting. Additionally, the city does not provide time during the meeting to troubleshoot issues.  
• Directions for testing your device and networking prior to the proceeding can be found at https://support.zoom.us/hc/en-us/articles/201362313-how-do-i-test-my-video-
• Remote Participants should take time prior to the call to become familiar with the Zoom controls and test your devices microphone and speaker controls.
• If you are having technical issues with your equipment, you should review Zoom training and support materials at Zoom.us.
• Remote participants should use a good LAN, WiFi or substantial LTE connection to ensure a quality call. (Note: Mobile data use may incur cellular carrier charges which are the responsibility of the remote participant.

Virtual Meeting Policy:

• The call is a council meeting and therefore appropriate conduct is required.
• If choosing to speak during public comment, Remote Participants should use a quiet room that will be free of interruptions.
• The mayor has control over the meeting and participants as if they were present in the physical council chambers and usual public comment practices apply.

The City of Wayne will provide necessary and reasonable aids and services to individuals with disabilities who desire information by contacting the Wayne City Clerk at 734-722-2204 or via email at tstanke@cityofwayne.com.

The city of Wayne appreciates your understanding as we all work through this time of difficulty and uncertainty. Please Stay Home, Stay Safe, Save Lives.
CITY OF WAYNE CITY COUNCIL
RESOLUTION #05-20-0096
RESOLUTION REGARDING COMMENCEMENT
OF REGULAR CITY COUNCIL MEETINGS

AT A REGULAR meeting of the Wayne City Council of the City of Wayne, Michigan, held at Wayne City Hall on May 5, 2020, the following resolution was offered by WAGNER and supported by DOWD.

WHEREAS, the City of Wayne (the “City”) desires to change the time it begins regular City Council meetings.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That effective upon adoption of this Resolution, Section 2.1 of the Policies and Procedures of City Council Meetings is amended to provide that regular meetings of the City Council are to begin at 7 pm on the first and third Tuesday of each month.

PASSED AND APPROVED BY THE CITY COUNCIL, Wayne, Michigan, this 5th day of May, 2020.

AYES: 7

NAYS: 0

I, Tina M. Stanke, Clerk of the City of Wayne, hereby certify that the above Resolution is a true copy and accurate copy of the Resolution passed by the City Council of the City of Wayne on May 5, 2020.

TINA M. STANKE, City Clerk

Dated: May 5, 2020
CITY OF WAYNE
REGULAR CITY COUNCIL MEETING - #2020-13
TUESDAY, JULY 7, 2020 - 7:00 P.M.
WAYNE CITY HALL
Held Electronically via ZOOM

A regular meeting of the Wayne City Council was held on Tuesday, July 7, 2020, at 7:00 p.m. electronically via ZOOM due to Executive Order 2020-15, which temporarily authorizes remote participation in public meetings and hearings and describes the manner in which public meetings and hearings may be held remotely.

Mayor Rhaesa called the meeting to order at 7:00 p.m. and led the Council and the audience in the Pledge of Allegiance to the Flag.

Members Present: Mayor John P. Rhaesa, Mayor Pro Tem Thomas E. Porter, Anthony W. Miller, Jeremiah Webster, Kevin J. Dowd, Kelly S. Skiff, Phillip A. Wagner

Members Absent: None

Also Present: Lisa Nocerini, City Manager, Michael L. Bosnic, City Attorney, Tina M. Stanke, City Clerk

The Council held a moment of silence for Cynthia Gilliam and all those who have lost their lives to COVID-19 virus

**07-20-0139** Motion by Miller, seconded by Webster and carried by a 7-0 roll call vote, it was resolved to approve the agenda as presented.

**07-20-0140** Motion by Wagner, seconded by Dowd and carried by a 7-0 roll call vote, it was resolved to approve the minutes of the Regular Meeting of June 16, 2020 as presented.

Council heard a presentation given by Municipal Advisor, Brian Lefler of Baird and Bond Counsel, Thomas Colis of Miller Canfield regarding Bond Issuance.

**07-20-0141** Motion by Porter, seconded by Webster and carried by a 5-2 roll call vote (Skiff, Wagner), it was resolved to approve the First Reading of Ordinance 2020-04, to provide and establish a process and procedure for the application and licensing requirement for Medical Marihuana Facilities under the Medical Marihuana Facilities Act or Recreational Marihuana establishments under the Michigan Regulation and Taxation of Marihuana Act within the City of Wayne and to provide for the suspension and revocation for violations thereof.
07-20-0142 Motion by Webster, seconded by Dowd and carried by a 5-2 roll call vote (Skiff, Wagner), it was resolved to approve the change to the First Reading of Ordinance 2020-04 by amending section 838.05(c) by changing “The hours of operation for Provisioning Center and Retailers shall be no earlier than 8:00 a.m. and no later than 8:00 p.m. and on Sunday from 12:00 noon to 8:00 a.m.” to “The hours of operation for Provisioning Center and Retailers shall be no earlier than 9:00 a.m., and no later than 8:00 p.m. and on Sunday from 9:00 a.m. to 8:00 p.m.

07-20-0143 Motion by Miller, seconded by Dowd and carried by a 7-0 roll call vote, it was resolved to approve the resignation of Terry Shenk from the Wayne Housing Commission.

07-20-0144 Motion by Webster, seconded by Skiff and carried by a 7-0 roll call vote, it was resolved to approve the resignation of Quentin York from the Zoning Board of Appeals.

07-20-0145 Motion by Porter seconded by Webster and carried by a 7-0 roll call vote to approve the resignation of Michael Smith from the Planning Commission.

07-20-0146 Motion by Wagner, seconded by Webster and carried by a 7-0 roll call vote, it was resolved to approve the appointment of Nicole Conklin, Phyllis St., to the Wayne Historical Commission to serve a three (3) year term to expire July 2023.

07-20-0147 Motion by Skiff, seconded by Webster and carried by a 7-0 roll call vote, it was resolved to approve the appointment of Susan Lee, First St., to the Wayne Housing Commission to serve an unexpired term to expire March 2021.

07-20-0148 Motion by Webster, seconded by Wagner and carried by a 7-0 roll call vote, it was resolved to approve the reappointment of Cynthia Adams, Edmund St., to the Wayne Cemetery Board to serve a four (4) year term to expire June 2024.

07-20-0149 Motion by Porter, seconded by Webster and carried by a 6-1 roll call vote (Skiff), it was resolved to approve the purchase and installation of BS&A Server from I.T. Right in the amount of $13,396.23.

07-20-0150 Motion by Miller, seconded by Skiff and carried by a 7-0 roll call vote, it was resolved to approve the Resolution for the Temporary Waiver of Late Property Transfer Affidavit fees.

07-20-0151 Motion by Miller, seconded by Webster and carried by a 7-0 roll call vote, it was resolved to approve the Resolution Authorizing Issuance of General Obligation Limited Tax Refunding Bonds.

07-20-0152 Motion by Webster, seconded by Porter and carried by a 7-0 roll call vote, it was resolved to approve the Emergency Repair of the Department of Public Works Tree Truck in the amount of $7,000.00 from Metro Airport Truck.
Motion by Porter, seconded by Webster and carried by a 7-0 roll call vote, it was resolved to approve the consent calendar as follows:

a. Wayne Housing Commission Minutes of May 13, 2020

b. Wayne Historical Commission Minutes of January 13, 2020

Motion by Miller, seconded by Webster and unanimously carried, it was resolved to adjourn the meeting at 9:15 p.m.

John P. Rhaesa
Mayor

Tina M. Stanke, CMC
City Clerk

Abstract published July 16, 2020
To: Wayne City Council

From: Alyse Leslie, Personnel Director

Cc: Lisa Nocerini, City Manager

Date: Friday, July 17, 2020

RE: Labor & Employment Law Services Request for Proposal

Process/Recommendation:

The City of Wayne issued the request for proposals because this process had never been done and there wasn't a contract in the files for the current Labor Attorney and it was my recommendation that the city go through the formal request for proposal process.

The Personnel Department works alongside the City Manager in the area of Labor and Employment relations. Therefore, I performed the review of the seven (7) requests for proposals that the City of Wayne received on July 16, 2020.

Based on my review of each proposal, I weighed the following factors: experience; background working with financially distressed communities; and cost. While each firm that submitted a proposal brings a different perspective or experience to the area of Labor and Employment relations, I found that there were several that had more experience with distressed communities, particularly in the areas the City of Wayne has been subjected to of late as a result of the ongoing financial challenges.

It is possible that members of the council may have particular areas they want to look into further, a copy of pages from each proposal that I feel have the most relevant information that you may want to review further have been provided to you. If you wish to see the proposals in their entirety, please contact me and I would be happy to go over them with you prior to the Tuesday, July 21, 2020 City Council meeting. The pages I am providing do provide the historical background for each firm, experience, references and pricing.
I am recommending that the City Council make a decision on a Labor and Employment relations firm at Tuesday’s meeting because we have a number of pending matters that we are currently working on that require the expertise of a Labor Attorney, and that cannot be delayed for an extended period of time. I am not going to make a specific recommendation, however, in the past, the City has gone with the proposal that has the lowest cost factor.

Labor and Employment Relations Request for Proposals: Cost Proposal Table

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Location</th>
<th>Cost Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Giamarco, Mullins &amp; Horton, P.C.</td>
<td>Troy, Michigan</td>
<td>All Attorney’s: $125.00/hr. Paralegal: $65.00/hr</td>
</tr>
<tr>
<td>Kirk, Huth, Lange &amp; Badalemerti, PLC</td>
<td>Clinton Township, MI</td>
<td>Senior Member: $160.00/hr. Associate: $130.00/hr. Paralegal: $85.00/hr</td>
</tr>
<tr>
<td>The Kelly Firm</td>
<td>Auburn Hills, MI</td>
<td>Partner: $160.00/hr. Association: $145.00/hr.</td>
</tr>
<tr>
<td>Keller Thoma</td>
<td>Southfield, MI</td>
<td>Partner: $175.00/hr. Association: $160.00/hr. Paralegal: $100.00/hr.</td>
</tr>
<tr>
<td>Nemeth Law, P.C.’s</td>
<td>Detroit, MI</td>
<td>Attorney: $275.00/hr. Paralegal: $110.00/hr.</td>
</tr>
<tr>
<td>Miller Canfield</td>
<td>Detroit, MI</td>
<td>Principal: $380.00/hr. Associate: $290.00/hr. Paralegal: $195.00/hr.</td>
</tr>
<tr>
<td>Dykema Gossett, PLLC.</td>
<td>Ann Arbor, MI</td>
<td>Member/Senior Associate: $395 for arbitration/bargaining $425 for other hearings, litigation, advice Associate: $295.00/hr.</td>
</tr>
</tbody>
</table>
MEMO

To: Lisa Nocerini, City Manager

From: Lori B. Gouin, Community Development/Planning Director

Date: 7-13-2020

RE: Revision of Ordinance 838

This is a formal request to:

RESTATE CHAPTER 838 TO THE WAYNE CITY CODE TO PROVIDE AND ESTABLISH A PROCESS AND PROCEDURE FOR THE APPLICATION AND LICENSING REQUIREMENT FOR MEDICAL MARIHUANA FACILITIES UNDER THE MEDICAL MARIHUANA FACILITIES ACT OR RECREATIONAL MARIHUANA ESTABLISHMENTS UNDER THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT WITHIN THE CITY OF WAYNE AND TO PROVIDE FOR THE SUSPENSION AND REVOCATION FOR VIOLATIONS THEREOF.

If you could please place the second reading and adoption of this Ordinance on the July 21, 2020 Council meeting for approval I would appreciate it.
CITY OF WAYNE
PUBLIC NOTICE
ORDINANCE NO. 2020-____

AN ORDINANCE TO RESTATE CHAPTER 838 TO THE WAYNE CITY CODE TO PROVIDE AND ESTABLISH A PROCESS AND PROCEDURE FOR THE APPLICATION AND LICENSING REQUIREMENT FOR MEDICAL MARIHUANA FACILITIES UNDER THE MEDICAL MARIHUANA FACILITIES ACT OR RECREATIONAL MARIHUANA ESTABLISHMENTS UNDER THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT WITHIN THE CITY OF WAYNE AND TO PROVIDE FOR THE SUSPENSION AND REVOCATION FOR VIOLATIONS THEREOF.

SECTION 1. That Chapter 838 of the Wayne City Code is hereby adopted to provide as follows:

838.01 PURPOSE AND DEFINITIONS.

A. PURPOSE.

This Ordinance is an exercise of the police powers of the City of Wayne and provides a mechanism for licensing and regulating Medical Marihuana Facilities and Recreational Marihuana Establishment to the extent permissible under the laws and regulations of the State of Michigan this Ordinance and to protect the public health, safety, and welfare of the residents of the City.

The City finds that the activities described in this Ordinance are connected to and will impact the public health, safety, and welfare of its citizens and it is therefore necessary to regulate and enforce the safety, security, fire, police, and health and sanitation practices related to such activities, and to provide a method to defray the administrative costs incurred by such regulation and enforcement.

Nothing herein shall be construed to expand or limit the scope of the Medical Marihuana Facilities Licensing Act ("MMFLA"), MCL 333.2791 et seq., or the Michigan Regulation and Taxation of Marihuana Act ("MRTMA"), 2018 Initiated Law 1 MCL 333.27951 to 333.27967 or the Michigan Medical Marihuana Act MCL 333.26421 et al or to lessen the zoning requirements for any Facilities or Establishments, as required under the City's zoning ordinances.

B. DEFINITIONS. The following words and phrases shall have the following definitions when used in this Ordinance:

1. "Application" means an application for a License under this Ordinance and includes all supplemental documentation attached or required to be attached thereto.
2. "Applicant" means the Person filing the Application.
3. "Building" means the particular building within which the Licensee will be authorized to conduct the Facility or Establishment activities pursuant to the License.
4. "City" means the City of Wayne, Michigan.
5. "City Manager" means the City of Wayne City Manager or the City Manager's designee.
6. "Clerk" means the City of Wayne City Clerk or his/her designee.
7. "Distance" means a straight-line measurement from the respective parcel or lot line next to the applicable parcel or lot line.
8. "License" means a current and valid permit for a Medical Marihuana Facility or Recreational Marihuana Establishment issued under this Ordinance by the City, which shall be granted to a Licensee only for and limited to a specific Person, and Property.
9. "Licensee" means the Person that holds a current and valid License issued pursuant to the MMFLA and/or the MRTMA that allows the Licensee to operate as one of the following under the MMFLA and MRTMA, specified in the License: (i) Grower; (ii)
Processor; (iii) Secure Transporter; (iv) Provisioning Center; (v) Safety Compliance Facility; or (vi) Retailers under the MRTMA but not a Microbusiness.


11. "Medical Marihuana" means that term as defined in the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

12. "Medical Marihuana Facility" or "Facility" means one of the following:
   a. "Grower" or "Grower Facility" as that term is defined in the Medical Marihuana Facilities Licensing Act.
   b. "Safety Compliance Facility" as that term is defined in the Medical Marihuana Facilities Licensing Act.
   c. "Provisioning Center" as that term is defined in the Medical Marihuana Facilities Licensing Act.
   d. "Processor" as that term is defined in the Medical Marihuana Facilities Licensing Act.
   e. "Secure Transporter" as that term is defined in the Medical Marihuana Facilities Licensing Act.


16. "Paraphernalia" means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with Medical Marihuana.

17. "Patient" means a "registered qualifying patient" or a "visiting qualifying patient" as those terms are defined by the Michigan Medical Marihuana Act.

18. "Person" means a natural person, company, partnership, corporation, limited liability company, or any joint venture for a common purpose.

19. "Primary Caregiver" means a Person qualified under MCL 333.26423(g), and the rules promulgated therefore by the Department of Community Health, R 333.101 et seq., including, but not limited to possession of a valid, unexpired registry identification card, to assist with a Patient's use of Medical Marihuana, and authorized under the Michigan Medical Marihuana Act to operate as a Primary Caregiver.

20. "Primary Caregiver Operation" means a location where a Primary Caregiver can lawfully operate as permitted by the MMMA and this Ordinance. A Primary Caregiver Operation is not a Medical Marihuana Facility.

21. "Property" means the real property comprised of a lot, parcel or other designated unit of real property upon which the Facility or Establishment is situated.

22. "Public Place" means any area in which the public has access.

23. "Recreational Marihuana Establishment" or "Establishment" means a marihuana grower, marihuana safety complaints facility, marihuana processors, marihuana secured transporters and marihuana retailers but not a microbusiness as defined in the MRTMA.

24. "Registry Identification Card" means the document issued to a Patient or a Primary Caregiver and defined under the MMMA.

25. "State Licensee" means a Person holding a current and valid State Operating License for a Medical Marihuana Facility or an Establishment license under the MRTMA as permitted by this ordinance.
26. "State Operating License" means a License that is issued under the MMFLA and/or the MRTMA that allows the State Licensee to operate as one of the following, specified in the License under the MMFLA or MRTMA: (i) Grower; (ii) Processor; (iii) Secure Transporter; (iv) Provisioning Center; (v) Safety Compliance Facility; or (vi) Retailers under the MRTMA.

838.02 LICENSE REQUIRED.

A. No Person shall own or operate a Medical Marihuana Facility or Recreational Marihuana Establishment under the MRTMA in the City without first applying for and receiving a License from the Clerk's office. Licenses for Recreational Marihuana Establishments will only be issued to Licensees who have a Medical Marihuana Facilities License issued by the State of Michigan and at locations in the City where a State Licensed Facility is located in the City. (A State Licensed Facility that is issued for a location outside the City must co-locate within the City under State rules with a similar current Facility located within the City).

B. A Facility or Establishment shall not include a club, cafe, or other design that permits consumption of Medical Marihuana at the Facility or Establishment.

C. A License is not transferable and shall only apply to the Person, and Property listed on the License. If there are any changes in ownership of the entity approved for the license, the new information must be filed with the City, the City will accept changes in the stockholders of the licensed entity if the State approves the change with regard to its license, along with the $2,500 review fee.

D. Licenses shall be valid for a period of one year, from July 1st to June 30th.

E. Every Applicant shall pay a nonrefundable application fee of $5,000 at the time of application for an initial or renewal License. There will be no prorating of the application fee for applications filed after the beginning of the license year.

F. An Application to renew a License shall be filed at least 30-days prior to the date of expiration. Such renewal shall be annual and shall be accompanied by an annual License fee of $5,000, which shall not be prorated. Any renewals issued to applicants who have an active pending application with the State of Michigan will be issued day-to-day and will expire if the State application is denied or dismissed for lack of progress by applicant.

G. Licenses shall be displayed at all times, inside the location, in an open and conspicuous place.

H. A use purporting to be engaged in the medical use of marihuana prior to enactment of the Michigan Medical Marihuana Facilities Licensing Act, or prior to being registered with the Michigan Department of Community Health, shall not be entitled to any legal nonconforming status under the provision of this Ordinance and under State law and shall be required to comply with all regulations of this Ordinance and State law.
838.03 TYPES OF LICENSES PERMITTED WITHIN THE CITY. The City of Wayne may issue the following types of Licenses:

A. Grower under the MRTMA:
   1. Class A (up to 500 plants);
   2. Class B (up to 1,000 plants); or
   3. Class C (up to 2,000 plants).

B. Grower under the MMFLA:
   1. Class A (up to 500 plants);
   2. Class B (up to 1,000 plants);
   3. Class C (up to 1,500 plants).

B. Processor

C. Secure Transporter

D. Provisioning Center under the MMFLA.

E. Safety Compliance Facility

F. Marihuana Retailer under the MRTMA

No more than eight (8) Facility Licenses shall be issued by the City, which shall be limited to the following numbers and types of Licenses: (a) four (4) Provisioning Center Licenses, and (b) a total of four (4) other Licenses from the following categories: Grower Facility, Processor Facility, Secure Transporter Facility, and Safety Compliance Facility.

No more than eight (8) Establishment Licenses shall be issued by the City which shall be limited to the following numbers and types of Licenses: four (4) Marihuana Retailer licenses shall be issued but only at the same locations of the four (4) Provisioning Center Licenses issued by the City after approval of a Marihuana Retailer License by the State of Michigan under the MRTMA. The Marihuana Retailer must operate at the same location approved by the City for Provisioning Centers. No standalone located Marihuana Retail Establishments are permitted.

One (1) License under the MRTMA will be issued to each the other Marihuana Facilities licensed by the State and the City for the same type of the license at the location of the Licensee holds under the MMFLA. For example, to be a Growers license issued by the State and City under the MMFLA in the City will be an eligible grower license location under the MRTMA to be issued by the City if such license is issued by the State and the person operates at the same location as the MMFLA license.

838.04 APPLICATION. Every Applicant for a License to maintain, operate or conduct a Medical Marihuana Facility or Marihuana Retailer Establishment as permitted by this Ordinance shall file an Application under oath with the City Clerk’s office upon a form provided by the City. The Application shall contain the following:

A. The particular License(s) for which the Applicant is applying.

B. An explanation of the services to be provided and a completed Medical Marihuana Facilities or Marihuana Establishment checklist, upon a form provided by the City Clerk’s office.
C. Name, address, and contact information of both the Applicant and Operator of the Facility or Establishment.

D. If the Applicant is a company, partnership, corporation, limited liability company, or any other joint venture for a common purpose, the names and addresses of each officer, director, member, partner, or any individual holding an interest in the entity.

E. A copy of the Applicant's or in the case of a company, partnership, corporation, limited liability company or joint venture, driver's license of all owners and proposed Operator's driver's license(s) or state identification card(s).

F. The address of the proposed Facility or Establishment, and whether the proposed Facility or Establishment will be new construction or renovation of an existing building.

G. Proof of ownership interest in the Property.

H. If a leased Facility, an executed copy of the lease for the Property where the Facility or Establishment is proposed and a separate written consent from the owner of the Property authorizing the proposed use of the Property.

I. A zoning map prepared by a registered surveyor demonstrating that the Property is in compliance with the applicable zoning regulations and the applicable distance requirements contained therein.

J. The days and hours the Facility is proposed to be open or in operation.

K. All criminal convictions of the Applicant and Operator, including those of each officer, director, member, partner, or any individual holding an interest in the entity, fully disclosing the jurisdiction of the conviction.

L. Whether the Applicant applied for a License from the State of Michigan. If so, the date of the submittal a copy of that application and license.

M. Provide the sources and total amount of the Applicant's capitalization to operate and maintain the proposed Medical Marihuana Facility or Marihuana Establishment.

N. Whether the Applicant is delinquent in the payment of, any tax required under federal, state, or local law, including whether the Applicant is in arrears to the City of Wayne.
838.05 GENERAL REQUIREMENTS. No License to conduct a Medical Marihuana Facility or Marihuana Establishment shall be issued unless the City confirms that the proposed Facility complies with the following requirements:

A. The proposed location is in an allowable zoning district and in the case of a Marihuana Establishment is at the same location is the license issued under the Marihuana Facility License.

B. There shall be no residence or living quarters on the Property.

C. The hours of operation for Provisioning Centers and Retailers shall be no earlier than 8:00 a.m., and no later than 8 p.m. and on Sunday from 9:00 a.m. to 8 p.m.

D. Smoking and/or the use of Marihuana is prohibited in any Facility or Establishment and on any Facility or Establishment’s Property.

E. Signs shall comply with all local ordinances and regulations and shall not use the words “marihuana” or “marijuana” or any other word or phrase which would refer to “marihuana” or “marijuana”, nor may pictures of a leaf or leaves, green cross, narcotics paraphernalia, or any other rendering which would depict “marihuana” or “marijuana” be displayed on a sign or any part of the building. Only one sign per building shall be allowed. Said buildings or signs shall not include border lighting or outline lighting of any kind.

F. An approved site plan may be required, showing the proposed building to be used, remodeled or reconstructed, along with the parking, landscaping, and lighting plans.

G. An approved security plan shall be required.

H. An approved plan for waste disposal and chemical disposal is required.

I. An approved plan to eliminate noxious odors and prevent nuisance odors is required.

J. The outdoor storage or discharge of toxic, flammable or hazardous materials into City sewer is prohibited.

K. A copy of Property liability and casualty damage insurance in a minimum amount of one-million dollars shall be submitted to the City when the Applicant has been notified that they are ready for final approval.

L. Each Facility or Establishment shall have the minimum capitalization amounts to operate and maintain the Facility or Establishment in accordance with the MMFLA and the MRTMA.

M. No outdoor events or displays are permitted on the Property or anywhere in the City.

N. The Facility or Establishment shall be subject to inspection by law enforcement, City building officials, and any other entity or person necessary at any time during business hours to ensure compliance with this Ordinance, the MMFLA and the MRTMA.

838.06 SPECIFIC REQUIREMENTS.

A. Provisioning Center and Retailers:
1. Shall not sell or dispense alcohol.
2. Shall not have an interest in a Secure Transporter or Safety Compliance Facility.
3. Shall not allow a physician to conduct a medical examination or issue a medical certification document on the Property for the purpose of obtaining a registry identification card.
4. Shall not permit outdoor storage of any kind.
5. Shall not permit the sampling of products or supplies in or on the Property.
6. Must provide a professionally prepared security and floor plan to the City for approval.
7. Shall not be located within 1000 feet of: (a) any residential zoning district within the City; (b) any public or private school, college, or university, any nursery school, day nursery, or licensed day care center; (c) any public park or recreational area commonly used by minor children; or (d) any church, house of worship or other religious facility or institution.
8. Shall not be located within 500 feet of the City’s downtown district, as defined in the City’s current Downtown Master Plan.

B. Grower Facility:

1. Shall not cultivate, grow, manufacture or process marihuana in any manner that would emit odors beyond the interior of the structure, or which is otherwise discernable to another person. The odor must be prevented by the installation of an operable filtration ventilation system and odors must otherwise be effectively confined to the interior of the building from which the odor is generated.
2. Shall not emit noise beyond the interior of the structure.
3. Shall not permit outdoor storage or growing of any kind.
4. Must provide a professionally prepared security and floor plan to the City for approval.
5. Shall not be located within 1000 feet of: (a) any residential zoning district within the City; (b) any public or private school, college, or university, any nursery school, day nursery, or licensed day care center; (c) any public park or recreational area commonly used by minor children; or (d) any church, house of worship or other religious facility or institution.
6. Must be within any Industrial zoned District.
7. Shall not have an interest in a Secure Transport Facility or Safety Compliance Facility.
8. The stacking of Grower Licenses within a single building is permitted within a Property.

C. Processor Facility:

1. Shall not manufacture or process marihuana in any manner that would emit odors beyond the interior of the structure, or which is otherwise discernable to another person. The odor must be prevented by the installation of an operable filtration to ventilation and exhaust equipment, and odors must otherwise be confined to the interior of the building or dwelling from which the odor is generated.
2. Shall not emit noise beyond the interior of the structure.
3. Shall not permit outdoor storage of any kind.
4. Shall not be located within 1000 feet of: (a) any residential zoning district within the City; (b) any public or private school, college, or university, any nursery school, day nursery, or licensed day care center; (c) any public park or recreational area commonly used by minor children; or (d) any church, house of worship or other religious facility or institution.
5. Must be within any Industrial Zoning District.
6. Shall not have an interest in a Secure Transport Facility or Safety Compliance Facility.
7. Must provide a professionally prepared security and floor plan to the City for approval.
8. Shall not be located within 500 feet of the City's downtown district, as defined in the City's current Downtown Master Plan.

D. Secure Transporter Facility:

1. Must not have an interest in a Grower, Processor, Provisioning Center, or Safety Compliance Facility and must not be a patient or a Primary Caregiver.
2. Must employ drivers that have a valid Michigan Chauffeur's License.
3. Must operate each vehicle with at least a two-person crew.
4. Shall not permit its vehicles to bear any markings or identification that it is carrying marihuana, a marihuana infused product, or currency.
5. Shall not permit outdoor storage of any kind, other than the parking or storage of the secure transporting vehicle(s).
6. Shall not be located within 1000 feet of: (a) any public or private school, college, or university, any nursery school, day nursery, or licensed day care center; (b) any public park or recreational area commonly used by minor children.
7. Must be within an Industrial zoned District
8. Must provide a professionally prepared security and floor plan to the City for approval.

E. Safety Compliance Facility:

1. Shall have a secured laboratory space that cannot be accessed by the general public.
2. Shall not permit outdoor storage of any kind.
3. Shall have appropriate education, training and/or experience to comply with State regulations on testing Medical Marihuana.
4. Shall not be located within 1000 feet of: (a) any public or private school, college, or university, any nursery school, day nursery, or licensed day care center; (b) any public park or recreational area commonly used by minor children.
5. Must be within any Industrial Zoning District.
6. Shall not have an interest in a Secure Transport Facility or Processor Facility.
7. Must provide a professionally prepared security and floor plan to the City for approval.

838.07 REVIEW OF A LICENSE

A. Approval. An Applicant may be granted a License by the City if the Applicant satisfies all of the criteria contained in this Ordinance and is selected to receive the License via the selection
process outlined by the City in the Application. No license will be issued until preliminary approval for a licensee has been obtained from the State of Michigan. No certificate of occupancy will issue for a site proposed for licensee operations until the State of Michigan has issued a license for the same license applied for under this Ordinance.

B. Denial:
   1. The City shall use the information provided on the Application as a basis to conduct a thorough background investigation on the Applicant and its Operator. Any false information provided on an Application is cause to deny a License.
   2. An Applicant is ineligible to receive a License if any of the following circumstances exist:
      a) The Applicant fails to demonstrate the ability to maintain adequate Property liability and casualty insurance for its proposed Facility or Establishment.
      b) The inability of the Applicant to otherwise comply with the MMFLA or the MRTMA.
      c) If the Applicant, or any officer, director, member, partner, or any individual holding an interest in the entity is delinquent in any tax under federal, state, or local law or is in arrears to the City, including water, special assessment(s) or taxes.
      d) If the Applicant has a history of noncompliance with any regulatory requirements in the City or any other jurisdiction.
      e) By accepting a License issued pursuant to this Ordinance, the Licensee waives and releases the City, its officers, elected officials, and employees from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of Facility or Establishment Owners or Operators, employees, clients, or customers for a violation of any laws, rules, or regulations.
      f) By accepting a License issued pursuant to this Ordinance, all Licensees agree to indemnify, defend, and hold harmless the City, its officers, elected officials, employees, and insurers against all liability, claims, or demands arising on account of bodily injury, sickness, disease, death, property loss or damage, or any other loss of any kind.

838.08 VIOLATIONS, PENALTIES, REVOCATION.

A. If an Applicant or Licensee fails to comply with this Ordinance, if a Licensee no longer meets the eligibility requirements for a License under this Ordinance, or if an Applicant or Licensee fails to provide information the City requests to assist in any investigation or inquiry, or if the applicant owes any amounts toward outstanding tax bills, water bills, or any special assessment or has outstanding zoning, building or ordinance violations, the City may deny, suspend, or revoke a License.

B. The City Manager, or his or her designee, may suspend a License without notice or hearing, subject to the appeal provisions of subsection D, upon a determination that false information was provided on the Application, the safety or health of patrons, employees, or the public is jeopardized by continuing the Facility’s operation, or for a failure to comply with City ordinances or MMFLA or MRTMA. The suspension may remain in effect until the City Manager, or his or her designee, determines that the cause for suspension has been abated. The City Manager, or his or her designee, may revoke the License upon a determination that the Licensee has not made satisfactory progress toward abating the hazard.

C. A License will automatically be revoked upon revocation or denial of a State Operating License under the MMFLA or MRTMA.
D. Any party aggrieved by an action of the City Manager or his or her designee suspending or revoking a License shall be given a hearing before the City Council upon request. A request for a hearing must be received by the City Clerk's Office, in writing, within 21 days after the date of mailing of the action by the City Manager or his or her designee.

E. The City Council may conduct investigative and contested case hearings, issue subpoenas for the attendance of witnesses, issue subpoenas duces tecum for the production of books, ledgers, records, memoranda, electronically retrievable data, and other pertinent documents, and administer oaths and affirmations to witnesses as appropriate to exercise and discharge the powers and duties of the City Council under this Ordinance.

F. In addition to the sanctions outlined in this section, any person who violates any provision of this Ordinance shall be responsible for a civil infraction and subject to the payment of a civil fine of five hundred dollars ($500.00), in addition to costs incurred for each offense. A separate offense shall be deemed committed each day or on which a violation or noncompliance occurs or continues, unless otherwise provided.

G. A violation of this Ordinance is deemed to be a nuisance per se. In addition to any other remedy available at law, the City of Wayne may bring an action for in injuction or other process against a person to restrain, prevent, or abate any violation of this Ordinance.

838.09 CITY RESPONSIBILITY. The Clerk shall provide the following information to the Applicant within 90 days after the City receives notification from the Applicant that the Applicant has applied for a State Operating License under this Ordinance:

A. A copy of the local ordinance that authorizes the Facility.

B. A copy of any zoning regulations that apply to the proposed Facility within the City.

C. A description of any violation of the local ordinance or zoning regulations included under Subdivision (A) or (B) committed by the Applicant, but only if those violations relate to activities Licensed under this ordinance or the MMFLA or MRTMA.

D. Final approval or denial of an Application.

E. Information the City obtains from an Applicant related to licensure under this Ordinance is exempt from disclosure under the Freedom of Information Act, 1976 FA 442, MCL 15.231 to 15.246. As of the effective date of this ordinance, marihuana is classified as a Schedule 1 Controlled Substance under Federal law, which makes it unlawful to manufacture, distribute, cultivate, produce, possess, dispense, or transport marihuana. Nothing in this ordinance is intended to grant immunity from any criminal prosecution under Federal law. Nothing in this ordinance is intended to promote or condone the production, distribution, or possession of marihuana in violation of any applicable law.

838.10 PRIMARY CAREGIVER OPERATIONS.

A. Scope of Primary Caregiver Operation. Only one (1) Primary Caregiver is permitted to operate within any premise of a Primary Caregiver Operation.
B. The Primary Caregiver Operation must be owned and operated by a primary caregiver or members of the immediate family and if the operation is on residential property caregiver or the patient need to reside on the property in residential areas. If the occupant is not the property owner, the property owner must consent in writing to the existence of the Operation.

C. Visibility from Street. The Primary Caregiver Operation shall not be visible from the street nor change the outside appearance of the building nor alter the residential character of any residential structure.

D. Awareness Permit. A Primary Caregiver cultivating Medical Marihuana plants for distribution to Patients in compliance with the MMMA shall provide a copy of the Primary Caregiver’s Registry Identification Card to and register with the City.

E. Amount of Marihuana. The amount of Marihuana on the property and under the control of the Primary Caregiver operating the Primary Caregiver Operation may be no more than twelve (12) Marihuana plants and no more than two and a half (2.5) ounces of usable Marihuana per Patient to whom the Primary Caregiver is lawfully connected, up to a maximum of five (5) patients, sixty (60) Marihuana plants and twelve and a half (12.5) ounces of Usable Marihuana. A Primary Caregiver who is also registered as a Patient may grow an additional twelve (12) Marihuana plants and maintain two and a half (2.5) ounces of Usable Marihuana for him or herself.

F. Storage of Marihuana. All Marihuana must be contained within a separate enclosed, locked facility for each Patient to whom the Primary Caregiver is lawfully connected, in accordance with the MMMA. The Primary Caregiver Operation shall have secure windows and doors, and the Primary Caregiver shall implement security measures to prevent theft of stored Marihuana.

G. Indoor Operation. The Primary Caregiver’s Operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Primary Caregiver Operation.

H. Permits. A Primary Caregiver Operation must obtain all necessary building, electrical, plumbing, and mechanical permits for any part of the structure in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, or harvesting of Marihuana are located. File a zoning compliance application if required before and obtain a Certificate of Occupancy from the City after paying for all necessary inspection fees.

I. A residence cannot be primarily used as a Primary Caregiver Operation.

J. Lighting. If a room with windows is used as a growing location, any lighting that exceeds usual levels between the hours of 11 p.m. and 7 a.m. shall employ shielding methods to prevent ambient lighting from creating a distraction for adjacent properties.

K. Distribution of Marihuana. No person operating a Primary Caregiver Operation shall provide or otherwise make available Medical Marihuana to any person who is not a Patient legally connected to that Primary Caregiver.

L. Compliance. The medical use of marihuana must comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as amended.
SECTION 2. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

SECTION 4. Publication. The Clerk shall cause this Ordinance to be published in the manner required by law.

SECTION 5. Effective Date. This Ordinance shall become effective ten days after enactment and upon publication thereof.
MEMO

To: Lisa Nocerini, City Manager

From: Lori B. Gouin, Community Development/Planning Director

Date: 7-13-2020

RE: DDA Board Appointment

Please place the appointment of Pierre-La’Shaye Walker (Forest Ave.) who resides within the DDA District on the July 21, 2020 Council Agenda for approval. This will be a four year appointment.

Per Public act 57 of 2018 section 204, not less than 1 of the members of the DDA Board shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. Matthew Morrow served previously as the resident in the District.
Date: July 13, 2020

To: Lisa Nocerini, City Manager

From: Kathryn Sample, Finance Director

Re: July 21, 2020 Agenda Item

Revenue and Expenditure Report for Period Ending June 2020.

Please include this communication in the next council packet for the June 2020 Revenue and Expenditure Report.

If you or any members of Council have any questions, please do not hesitate to contact me.
<table>
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<tr>
<th>ACCOUNT PROJECT DESCRIPTION</th>
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<th>2019-20 ORIGINAL</th>
<th>2019-20 BUDGET</th>
<th>06/30/2020 (ABNORMAL)</th>
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MEMO

To: Lisa Nocerini, City Manager

From: Lori B. Gouin, Community Development/Planning Director

Date: 7-15-2020

RE: Public Hearing Request

The Wayne Downtown Development Authority has passed a Resolution to recommend the Amended Downtown Development and Tax Increment Financing (TIF) Plan to the City Council for approval.

I would like to request that the City Council schedule a Public Hearing and First Reading of the Plan to be held on Tuesday, August 18, 2020 at 7:00 p.m. The notice of the Hearing will be published twice in the paper of record, mailed to each of the Taxing Jurisdictions and all property owners within the District along with being hung in 20 conspicuous locations throughout the District.

If there are any questions please have members of the Council contact me.
Downtown Development Authority (DDA)
City of Wayne, Wayne County, Michigan

Resolution # 2020-001
Resolution to Recommend the City of Wayne 2020 Amended Downtown Development and Tax Increment Financing (TIF) Plan to City Council

At a virtual Zoom meeting (held in accordance with Michigan Governor Gretchen Whitmer’s Executive Order 2020-129, Stay Home, Stay Safe and the Open Meetings Act, PA 267 of 1976) of the Downtown Development Authority (DDA) for the City of Wayne, held at City Hall, 3355 S. Wayne Road, Wayne, Michigan on July 8, 2020, the following resolution was offered:

WHEREAS, the 2020 Amended Downtown Development and Tax Increment Financing Plan ("Plan") constitutes a public purpose and has been reviewed by the DDA at multiple public meetings in 2020; and,

WHEREAS, the Plan meets the requirements of PA 57 of 2018; and,

WHEREAS, the proposed method of financing the development is feasible and the authority has the ability to arrange the financing; and,

WHEREAS, the development is reasonable and necessary to carry out the purposes of the Plan; and,

WHEREAS, the Plan is in reasonable accord with the City of Wayne’s Master Plan; and,

WHEREAS, public services, including fire and police protection and utilities, will continue to be adequate to service the project area; and,

NOW, THEREFORE BE IT RESOLVED that the City of Wayne Downtown Development Authority hereby recommends approval of the 2020 Amended Downtown Development and Tax Increment Financing Plan (with the inclusion of several additions and changes as requested by the Board during the July 8, 2020 meeting, including the mention of autonomous vehicles, the inclusion of a Main Street Manager in Table 2, and the ranking of Table 2 by the estimated project start date) to City Council.

Moved by: James Demmer
Supported by: Kim White-Jenkins

Roll Call Vote
Ayes: David Steinhauer, James Demmer, Mayor John Rhaesa, Walter Bender and Kim White-Jenkins, Scott Gocaj and Abe Chahrour
Nays: None
Absent: Vîne Law
July 10, 2020

To: City Manager Lisa Nocerini

From: Chief Ryan Strong

Re: Purchase of radios

In the 2020-2021 fiscal year, the police department was allocated funds to purchase six new portable radios. Portable police radios are used by officers in the field to communicate with each other, the station, and dispatch. Portable police radios are a vital piece of police equipment and are essential for officer safety.

We currently have 12 portable police radios. Since we only have 12 radios, they are constantly in service and receive a great deal of wear and tear, which has led to frequent repairs. In addition, if we had a large-scale incident or a large public event, we would not have enough radios. Eventually, it would be best to issue one radio to each officer (this is the standard practice), but purchasing six radios would be a good start.

I request the purchase of six Motorola APX6000 portable radios for $24,546.39 from ComSource of Plymouth, MI. This price is a state minimum price negotiated through Mideal. The cost will come out of the police department’s capital outlay budget.

Sincerely,

Chief Ryan Strong
July 13, 2020

To: City Manager Lisa Nocerini
From: Chief Ryan Strong
Re: 2019 Ford Taurus

As you know, the police department's fleet of unmarked vehicles consists of a 2017 Ford Taurus, a 2013 Ford Taurus, and three 2009 Ford Fusions. The police department was budgeted funds to purchase a used unmarked vehicle in the 2020-2021 budget year. Jack Demmer Ford in Wayne located a 2019 Ford Taurus with 15,600 miles on it for $20,900. The vehicle was inspected by an independent mechanic. With the purchase of this vehicle, we will take one of the 2009 Ford Fusions out of service. I recommend the purchase of the 2019 Ford Taurus.

Sincerely,

[Signature]
Chief Ryan Strong
July 15, 2020

To: City Manager Lisa Nocerini
From: Chief Ryan Strong
Re: New Patrol Vehicles

As you know, the police department was budgeted funds in the 2020-2021 fiscal year to purchase two new patrol vehicles. We did not purchase any new patrol vehicles in 2019. These two new patrol vehicles will replace a 2010 Ford Crown Victoria with 129,499 miles and a 2011 Ford Crown Victoria with 77,657 miles. These vehicles require constant maintenance, and it is difficult to obtain appropriate equipment for the vehicles because Crown Victorias are no longer manufactured.

I recommend the purchase of two 2021 Ford Police Interceptor Utility vehicles, which are basically Ford Explorers designed for police use. Jack Demmer Ford has agreed to offer us these vehicles at $33,385 each, which is $411 per vehicle above the Mideal price (negotiated statewide minimum pricing on vehicles and other frequently purchased equipment). I recommend purchasing these vehicles through Jack Demmer. Jack Demmer is obviously a local business. In addition, they have offered us good pricing on used vehicles, have been responsive on maintenance concerns, and have been helpful on other matters. If there are any problems with ordering, etc., it would be beneficial to use a local business. The additional $411 per vehicle will come out of the police department’s existing budget.

Sincerely,

[Signature]

Chief Ryan Strong
July 15, 2020

MEMO

TO: Lisa Nocerini, City Manager
FR: Ed Queen, DPW Asst. Director
RE: Buy Back of Grave

David Stier has requested the City buy back one grave in Section R, Lot 67, Grave 3 which he no longer needs. He will receive one half of the original purchase price for a total refund of $175.00. I recommend the City buy the grave back and respectfully request the City Council agree to this transaction.
July 16, 2020

MEMO

To: Lisa Nocerini, City Manager

From: Michael Buiten, City Engineer

Re: Avenue American Bistro – 3632 Elizabeth

The Avenue American Bistro located at 3632 Elizabeth is requesting to place a mural on the east side of their building, the side facing Elizabeth street. According to Ordinance 1280.06 (a) (5), “Murals are prohibited unless utilized only for aesthetic and architectural purposes and approved by City Council.”

For your consideration, please see the attached, proposed, 14’ wide by 10’ high, mural.

**THEREFORE, IT IS RECOMMENDED** that City Council consider approving the attached mural for the Avenue American Bistro.

attachment
CITY OF WAYNE  
PLANNING COMMISSION  
MINUTES

A regular meeting of the City of Wayne Planning Commission was called to order by Chairman Pugh on Tuesday, June 9, 2020 via Zoom.

Members Present: Robert Pugh, Patricia Rice, David Story, Deborah Wass, Robert Boertje, Don Quarles, Mike Smith, Merle Baum and Beverly Shackelford

Others present: Community Development Director, Lori Gouin, City Engineer, Michael Buiten, Mayor John Rhaesa, Mayor Pro-Tem Porter and Petitioner Anwar Baker.

Based on a motion by Boertje supported by Shackelford the agenda was approved as presented. Motion carried with a 9-0 Roll call vote.

Based on a motion by Quarles, supported by Baum, the minutes of the meeting held on May 12, 2020 were approved with a 9-0 roll call vote.

The Public Hearing was opened by Chairman Pugh. There were not Citizens present on the call. Gouin read into the record a question received via e-mail on 6/9/2020 at 4:15 p.m. from Resident Linda Brindley (3266 Elizabeth). My questions are if this application is approved does it follow the plan? Is a Medical/Rehabilitation Clinic the best/appropriate use for a retail area? While I agree these facilities are needed I don’t think it is appropriate downtown. A motion was made by Quarles and supported by Boertje to close the Public Hearing. Baum inquired about the hours of operation, Shackelford inquired about the average length of stay for a patient, Wass inquired about the staff to patient ratio over night and Boertje inquired about the entrances to the facility. The Petitioner answered all questions. A motion was made by Quarles and supported by Wass forward the rezoning of 35540 Michigan Ave. from B-5 to B-5 (C) to include overnight stays as a Medical/Rehabilitation Clinic for substance recovery subject to the petitioner signing a Conditional Rezoning Agreement to the City Council for approval. Motion carried with a 9-0 roll call vote.

Gouin reported that she and Buiten had finished a Site Plan Class and were taking a Zoning Administration Class hosted by the Michigan Association of Planning. They will receive certificates of completion. She also reported that the DDA has submitted a grant application to secure $50,000.00 through MEDC Match on Main Program. Gouin explained the Temporary Use Permit Program that was approved by the City Council.

Next Meeting – July 14, 2020 at 7:00 p.m.

There being no further business, based on a motion by Was, supported by Boertje and unanimously carried, the meeting was duly adjourned at 7:26 P.M.

Lori B. Gouin  
Community Development/Planning Director
Members Present: Steinhauer, Demmer, Rhaesa, White-Jenkins, Gocaj, Bender, Chahrou and Law

Also Present: Lori Gouin and Lori Morrow

Chairman Steinhauer called the meeting to order at 6:10 p.m.

A motion was made by Demmer, supported by Gocaj to approve the agenda. Motion carried with an 8-0 roll call vote.

A motion was made by Gocaj, supported by White-Jenkins to approve the minutes of the May 13, 2020 regular meeting. Motion carried 7-1 with Chahrou abstaining.

A motion was made by Demmer, supported by Gocaj to approve the minutes of the May 18, 2020 special meeting. Motion carried 7-1 with Chahrou abstaining.

A motion was made by White-Jenkins, supported by Demmer to approve the ratification of the following bills: City of Wayne Veterans Memorial- $10,000.00, City of Wayne Water- $39.48, $46.08, $157.92, $157.92, $98.19, $98.19, $112.19, $39.48, $39.48, $88.84. Motion carried with an 8-0 roll call vote.

A motion was made by Gocaj, supported by Law to pay the following bill: City of Wayne DPW- $1,080.50. Motion carried with an 8-0 roll call vote.

A motion was made by Gocaj, supported by White-Jenkins to approve the New DDA official Logo. Motion carried with an 8-0 roll call vote.

A motion was made by Gocaj, supported by Rhaesa to approve the Façade Improvement Grant in the amount of $10,000.00 for The Avenue Bistro. Motion carried with an 8-0 roll call vote.

Morrow gave a detailed update on the following: WMS has been sharing information via FB with their FB friends on how to open safely, WMS e-mailed the Temporary Use Guidelines and Permit to all business owners in their database. WMS will be in Derby’s Alley on July 11th during the US 12 Cruise. They are encouraging Social Distancing. Morrow indicated that WMS was starting to see an increase in individuals wanting to volunteer.

Gouin reported on the following: Match on Main, Rezoning of former Wayne Eagle Building and Temporary Use Permit.

6:45 p.m. Law left meeting.

Board Member Comments: Demmer asked if the DDA Plan would be presented at the July meeting. Steinhauer asked Gocaj and White-Jenkins if they were going to take advantage of the Temporary Use Permits. Rhaesa indicated that he may be approaching the DDA to approve a Sponsorship for the Summer Concert Series if they continue this year.

A motion was made at 6:55 p.m. by Gocaj, supported by Demmer to adjourn. Motion carried

Lori B. Gouin, Director
3355 S. Wayne Rd. Wayne, MI 48184
734-722-2002 lgouin@cityofwayne.com
Minutes  
City of Wayne  
ELECTION COMMISSION  
Meeting of February 21, 2020

A meeting of the Election Commission was held on Tuesday, February 21, 2020 at 5:00 p.m. at the Wayne Police Department Multipurpose Room, 33701 E. Michigan Avenue.

MEMBERS PRESENT: City Manager Lisa Nocerini, City Attorney Michael Bosnic, City Clerk Tina M. Stanke

MEMBERS ABSENT: None

ALSO PRESENT: None

The meeting was called to order at 5:00 p.m. by City Clerk Stanke.

Motion by Bosnic seconded by Nocerini and unanimously carried, to approve the minutes of January 21, 2020.

The Commission witnessed the Public Accuracy Test performed by Election Source.

There was no one in attendance from the public to witness the test.

Motion by Bosnic seconded by Nocerini and unanimously carried to adjourn the meeting at 5:30 p.m.

Tina M. Stanke  
City Clerk