

CITY OF WAYNE  
CITY COUNCIL  
REGULAR MEETING NO. 2008-09 - FEBRUARY 19, 2008  
WAYNE CITY HALL  
3355 SOUTH WAYNE ROAD  
8:00 P.M.

A regular meeting of the Wayne City Council was held on Tuesday, February 19, 2008, at 8:00 p.m. in the Council Chamber of Wayne City Hall, 3355 South Wayne Road.

Mayor Haidous called the meeting to order at 8:14 p.m., following the adjournment of the Special Meeting held at 7:00 p.m, and led the Council and the audience in the Pledge of Allegiance to the Flag.

Members Present: Mayor Abdul Haidous, Mayor Pro Tem Donna M. McEachern, Thomas H. Kelly, Albert M. Damitio, Pamela Dobrowolski, Susan M. Rowe, Mathew P. Mulholland

Members Absent: None

Also Present: John P. McKinney, Attorney; John J. Zech, City Manager; Mary E. Carney, City Clerk

A Moment of Silence was held for former Wayne resident Richard Brewis. Mayor Haidous extended sympathy to the family on behalf of the Council and citizens of Wayne.

**02-08-0062** Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to approve the minutes of the Regular Meeting of February 5, 2008, as printed.

A Public Hearing was held to consider approving the proposed Dynamite Park Master Plan. Parks and Recreation Director Kimberly Alexander presented an overview of the proposed project. There were no questions posed by the Council or members of the audience.

**02-08-0063** Motion by Kelly, seconded by Dobrowolski and unanimously carried, it was resolved to approve the Dynamite Park Master Plan.

A Public Hearing was held to consider amending the current Parks & Recreation Master Plan. Parks and Recreation Director Kimberly Alexander presented an overview of the amendments to the Master Plan. Councilman Kelly asked if there was any difficulty with the County on the proposed amendment. Director Alexander stated that she was not aware of any difficulties, but that the City's Recreation Master Plan would become part of the County's Recreation Master Plan in the end. The City will be working with the County to attempt to obtain grants for the project. Councilwoman Rowe questioned

the cost of the project projected at 2.7 million dollars and asked if it would be attempted in phases. Director Alexander stated that it would be undertaken in phases and that she would be meeting with City Manager John Zech and Community Development Director Peter McInerney with regards to City matches in funds as to exactly what funds City could put forth at this time.

**02-08-0064** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve amending the current Parks & Recreation Master Plan.

**02-08-0065** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve Site Plan #2008-1, Ringmasters, 36502 Van Born Road, subject to the following conditions which have been approved by the Planning Commission and shall be implemented prior to the issuance of a site development permit.

1. That the applicant shall obtain the necessary permits and pay the required fees from all City Departments (Building, Engineering, Fire, Water).
2. That fully dimensioned drawn to scale building plans that show room dimensions, use and engineering details shall be reviewed and approved by the Engineer, Fire Marshal and Building Official prior to the construction.
3. That the building shall be made accessible to people with disabilities.
4. That the following deferred general maintenance items shall be addressed:
  - a. Remove all debris on the property.
  - b. Repair all fencing on the property.
  - c. Repair the downspouts on the building.
5. That the gravel access road shall be repaired to adequately handle Fire Department apparatus.
6. That all Police Department information shall be submitted (business registration and abandoned vehicle letter).
7. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Mr. Bob Manning, representative for the project, accepted the conditions without exception.

**02-08-0066** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve Site Plan #2008-2, All Auction Services, 32412 Michigan Avenue, subject to the following conditions which have been approved by the Planning Commission and shall be implemented prior to the issuance of a site development permit.

1. That the applicant shall obtain the necessary permits and pay the required fees from all City Departments (Building, Engineering, Fire, Water).
2. That fully dimensioned drawn to scale building plans that show room dimensions and use shall be reviewed and approved by the Fire Marshal and Building Official prior to the construction.
3. That the building shall be made accessible to people with disabilities.
4. That the following deferred general maintenance items shall be addressed:
  - a. Paint the outside of the building.
  - b. Remove all old bollards and unused sign poles.
  - c. Add fascia boards to garage door.
5. That the parking lot surface shall be removed and replaced then striped in accordance to the Off-Street Parking Code.
6. Repair the concrete slabs at the south side of the building.
7. That a Certificate of Occupancy inspection shall be completed.
8. That the address shall be posted on the front of the building.
9. That a fence plan shall be reviewed by the Community Development Department and Building Official prior to the issuance of a permit.
10. That all signage shall be reviewed by the Community Development Department and Building Official prior to the issuance of the permit.
11. That a landscape plan shall be submitted in conformance with Chapter 1281.
12. That all Police Department information shall be submitted (business registration, handicapped letter and abandoned vehicle letter).
13. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Mr. Carlos Davila, representative for the project, accepted the conditions without exception.

**02-08-0067** Motion by Kelly, seconded by Rowe and unanimously carried, the following resolution was adopted:

#### RESOLUTION

WHEREAS, bids were requested for two four-wheel-drive extended cab pick-up trucks; and

WHEREAS, nine (9) bids were received, opened and publicly read by the City Clerk at 9:00 a.m., Wednesday, February 13, 2008, in the Council Chamber of City Hall as follows:

	<u>Per Truck</u>	<u>Total Bid</u>
Jorgensen Ford, Detroit, MI	\$22,893.00	\$45,786.00
Red Holman GMC, Westland, MI	\$23,407.00	\$46,814.00
Jack Demmer Ford, Wayne, MI	\$23,905.87	\$47,901.74
Signature Ford, Owosso, MI	\$24,207.00	\$48,414.00
Jefferson Chevrolet, Detroit, MI	\$24,465.00	\$48,930.00
Wink Chevrolet, Dearborn, MI	\$25,359.00	\$50,718.00
Gorno Ford, Woodhaven, MI	\$25,411.00	\$50,822.00
Joseph Chevrolet, Millington, MI	\$25,545.43	\$51,090.86
Signature Ford, Owosso, MI (alt. bid)	\$26,788.00	\$53,576.00

WHEREAS, the bids were sent to the Department for evaluation and recommendation has been received; and

WHEREAS, the City Council discussed and decided that it was in the best interest of the City in this instance to select a local bidder;

NOW, THEREFORE BE IT RESOLVED, that the bid submitted by Jack Demmer Ford in the amount of \$47,901.74, to be paid from the Water & Sewer Capital Outlay Budget, be accepted in the best interest of the City.

**02-08-0068** Motion by McEachern, seconded by Rowe and unanimously carried, the following resolution was adopted:

#### RESOLUTION

WHEREAS, bids were requested for the 2008 Streetscape Horticultural Maintenance Program; and

WHEREAS, twelve (12) bids were received, opened and publicly read by the City Clerk at 9:00 a.m., Wednesday, January 30, 2008, in the Council Chamber of City Hall as follows:

	<u>Maintenance Mulch</u>	<u>Edging</u>
Parks Landscaping, Troy, MI	\$32,100.00	\$1.85/ft. \$0.55/ft.
Yardmaster, New Hudson, MI	\$39,253.00	\$1.75/ft. \$0.50/ft.
Great Oaks Maintenance, Novi, MI	\$39,995.00	\$1.57/ft. \$0.33/ft.
United Lawnscape, Washington Twp. MI	\$41,177.00	\$1.56/ft. \$0.56/ft.
Commercial Mowing Service, Burton, MI	\$41,690.00	\$1.42/ft. \$0.70/ft.
Owens Landscape, Westland, MI	\$42,750.00	\$1.40/ft. \$0.45/ft.
B&B Lawn Service, Fenton, MI	\$47,500.00	\$4.77/ft. \$0.60/ft.
B&L Landscaping, Oak Park, MI	\$52,677.00	\$1.66/ft. \$0.56/ft.
Torre & Bruglio, Pontiac, MI	\$57,750.00	\$1.70/ft. \$0.58/ft.
Reliable Landscape, Canton, MI	\$84,900.00	\$2.20/ft. \$1.40/ft.
Davey Tree, Flat Rock, MI	\$101,334.00	\$1.62/ft. \$0.10/ft.
R&M Contracting, Dearborn, MI	\$122,000.00	\$3.15/ft. \$1.00/ft.

WHEREAS, the bids were sent to the Department for evaluation and recommendation has been received; and

WHEREAS, after reviewing the bids and visiting the facilities of the three lowest bidders and evaluating each company's equipment, it was determined that the two lowest bidders did not understand the scope of project and did not have the facilities, equipment or employees to administer the project;

NOW, THEREFORE, BE IT RESOLVED, that the bid submitted by Great Oaks Maintenance in the amount of \$39,995.00 with mulch at \$1.57/ft. and edging at \$0.33/ft., to be paid from the Downtown Development Authority Budget, be accepted in the best interest of the City.

**02-08-0069** Motion by McEachern, seconded by Damitio and unanimously carried, it was resolved to approve the reappointment of Jennifer Vasely to the 2020 Committee, until February of 2011.

**02-08-0070** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve the reappointment of Mayor Haidous as the City's Representative to the Wayne County CDBG Program Advisory Council.

**02-08-0071** Motion by Damitio, seconded by Rowe and unanimously carried, it was resolved to approve the reappointment of Councilwoman Dobrowolski as the City's 1<sup>st</sup> Alternate to the Wayne County CDBG Program Advisory Council.

**02-08-0072** Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve the reappointment of Councilwoman Rowe as the City's 2<sup>nd</sup> Alternate to the Wayne County CDBG Program Advisory Council.

**02-08-0073** Motion by Rowe, seconded by Damitio and unanimously carried, it was resolved to approve the reappointment of Patricia Rice to the Dangerous Buildings Board of Appeals, until February of 2011.

**02-08-0074** Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to approve the reappointment of Randy McMahan to the Dangerous Buildings Board of Appeals, until February of 2011.

**02-08-0075** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the reappointment of Mike O'Brien as the Dangerous Buildings Hearing Officer, until February of 2011.

Upon the request of Mayor Haidous for comments from members of the audience on matters not covered by the Council Agenda, the following were expressed:

David Williams, 4447 Chamberlain Street, questioned the cancellation fee (\$37.50) for a for sale housing inspection. He stated at the time he scheduled an inspection he was not notified of a cancellation fee, nor is it posted on the web site. After scheduling the inspection he decided not to sell his home and cancelled the inspection at which time he was informed of the fee. He stated that in his opinion the fee is too high as there is not

much involved with the scheduling or the cancelling of an inspection.

By consensus of Council, Communications and Reports were received and filed or acted upon as indicated:

- a. Report from Mayor Pro Tem McEachern regarding the Kimberly Loveless Fund
- b. Letter from Mary F. Vangieson, Resource Recovery Coordinator, Land Resource Management Division, concerning a Wayne County sponsored Household Hazardous Waste Collection Event, which will be held on Saturday, March 15, 2008, from 8:00 a.m. to 2:00 p.m. at the Downriver Community Conference Offices, 15100 Northline Road, Southgate
- c. Letter from Carl Levin, United States Senator, regarding the home foreclosure problem
- d. Memo from the Assistant City Manager concerning the establishment of a purchasing cooperative
- e. Action Alert from the Michigan Municipal League (MML) regarding SBs 1078-83

**02-08-0076** Motion by Kelly, seconded by Rowe and unanimously carried, it was resolved to oppose SBs 1078-83 and for the City Clerk to send copies of the resolution to Governor Granholm, Senator Basham, Representative Corriveau, The Conference of Western Wayne and the Michigan Municipal League.

- f. Letter from Jason Wolfe, Constituent Services, Office of the Governor, concerning HB 5667
- g. Memo from the Police Chief regarding the annual review of all Class C Liquor Licences for 2007 by the Liquor License Review Committee (LLRC)
- h. Memo from the Finance Director concerning the South John Hix Road Reconstruction Project
- i. Memo from the Assistant City Manager in response to a question that was raised by a resident at the February 5, 2008 City Council Meeting regarding being able to see the Wayne City Council Meetings on the AT&T cable television government channel
- j. Memo from the Director of the Parks & Recreation Department concerning various health & wellness programs at the Community Center
- k. Memo from the Director of the Parks & Recreation Department regarding various programs at the Senior Activity Center
- l. Memo from the Director of the Parks & Recreation Department concerning the Boundless Playground Bowling Fundraiser, which will be held on Saturday,

March 15, 2008, at Wayne Bowl starting at 5:00 p.m.

- m. Memo from the Assistant Director of the Parks & Recreation Department in response to a question that was raised by a citizen at the February 5, 2008 City Council Meeting regarding the bidding process for vending services for the Community Center
- n. Memo from the Assistant Director of the Parks & Recreation Department concerning the 2008 Mardi Gras, which was held on Saturday, February 2, 2008

**02-08-0077** Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to approve the adoption of the Municipal Employees Retirement System (MERS) Membership Agreement.

**02-08-0078** Motion by McEachern, seconded by Mulholland and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Supervisors.

**02-08-0079** Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Supervisors hired after 11/20/07.

**02-08-0080** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Department Heads.

**02-08-0081** Motion by Mulholland, seconded by McEachern and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for Department Heads hired after 11/20/07.

**02-08-0082** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the 29<sup>th</sup> District Court employees.

**02-08-0083** Motion by McEachern, seconded by Mulholland and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Fire Fighters Association.

**02-08-0084** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Technical, Professional and Officeworkers of Michigan (TPOAM).

**02-08-0085** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Technical, Professional and Officeworkers of Michigan (TPOAM) hired after 6/5/07.

**02-08-0086** Motion by McEachern, seconded by Damitio and unanimously

carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Dispatchers.

**02-08-0087** Motion by Mulholland, seconded by Dobrowolski and unanimously carried, it was resolved to approve the adoption of the Municipal Employee Retirement System (MERS) Defined Benefit Program for the Dispatchers hired after 11/20/07.

**02-08-0088** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to approve a resolution defining a day of work or hours per month for the Municipal Employee Retirement System (MERS) for retirement purposes, for the Supervisors, Supervisors hired after 11/20/07, Department Heads, Department Heads hired after 11/20/07, Court Employees and TPOAM Employees hired after 6/5/07.

**02-08-0089** Motion by McEachern, seconded by Mulholland and unanimously carried, it was resolved to approve a resolution defining a day of work or hours per month for the Municipal Employee Retirement System (MERS) for retirement purposes, for the Firefighters Association.

**02-08-0090** Motion by Mulholland, seconded by Rowe and unanimously carried, it was resolved to approve a resolution defining a day of work or hours per month for the Municipal Employee Retirement System (MERS) for retirement purposes, for the Dispatchers and Dispatchers hired after 11/20/07.

**02-08-0091** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve a resolution adopting Act 88 of the Public Acts of Michigan of 1961.

**02-08-0092** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve a resolution regarding the electronic payment of invoices to Municipal Employees Retirement System (MERS).

**02-08-0093** Motion by McEachern, seconded by Mulholland and unanimously carried, it was resolved to approve a resolution permitting the purchase of generic service time.

**02-08-0094** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to amend resolution 02-08-0088 to include members of TPOAM.

**02-08-0095** Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to approve a resolution declaring the City's intent to reimburse itself for expenditures incurred prior to the sale of bonds for the Racquet and Exercise Club (REC) Renovation Project as follows:

**RESOLUTION DECLARING INTENT TO REIMBURSE FOR EXPENDITURES  
FOR COMMUNITY CENTER PROJECT**

WHEREAS, the City of Wayne, County of Wayne, State of Michigan (the "City") may issue tax-exempt bonds, or may enter into a contract with the City of Wayne Building Authority to issue bonds (the "Bonds"), in an amount not to exceed One Million Eight

Hundred Thousand Dollars (\$1,800,000), for the purpose of paying all or part of the costs of renovating, refurbishing and reequipping the Community Center, including signage and site improvements therefor (the "Project"); and

WHEREAS, the City intends, at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project is \$1,800,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the City in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d)

above.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

**02-08-0096**

Motion by Damitio, seconded by McEachern and carried by a 6-1 vote (Rowe nay), it was resolved to approve a resolution approving a Building Authority Contract Notice regarding the Racquet & Exercise Club (REC) Renovation Project as follows:

**RESOLUTION APPROVING BUILDING AUTHORITY CONTRACT NOTICE  
(COMMUNITY CENTER)**

WHEREAS, there exists in and for the City an imperative need to renovate, refurbish and reequip the Community Center, including signage and site improvements therefor (the "Project"); and

WHEREAS, this City Council has determined, and does hereby reaffirm, that it is necessary for the public health, safety and welfare of the City to acquire and construct the Project for the use of the City; and

WHEREAS, Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, provides through the procedures of building authority financing a means for the acquisition, construction and financing of the Project; and

WHEREAS, the City, in accordance with the provisions of said Act 31, as amended, has previously adopted Articles of Incorporation and has established the City of Wayne Building Authority (the "Authority"), with full powers to acquire and construct the Project; and

WHEREAS, this City Council determines it to be in the best interest of the City to acquire, construct and finance the Project through the Authority in accordance with the provisions of said Act 31, as amended; and

WHEREAS, a Contract between the City and the Authority providing for the acquisition, construction and financing of the Project and such matters as are deemed necessary thereto is in the process of being prepared; and

WHEREAS, this City Council is desirous of publishing a Notice of Intention of Entering into Contract of Lease so as to begin the statutory referendum period.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines it to be necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip the Project for the use of the City.
2. This City Council deems it to be in the best interest of the City to finance the Project through the Authority in accordance with the provisions of the aforesaid Act 31, as amended, in the amount of not to exceed One Million Eight

Hundred Thousand  
Dollars (\$1,800,000).

3. The Notice of Intention of Entering into Contract of Lease as hereto attached shall be published in the **Wayne Eagle**, a newspaper of general circulation in the City, promptly upon adoption of this resolution, said Notice to appear as a display advertisement at least one-quarter (1/4) page in size.
4. The City Council does hereby determine that the designated newspaper is the newspaper circulating in the City which reaches the largest number of persons to whom the aforesaid Notice is directed and that publication of the aforesaid Notice in the designated newspaper represents the most practical and feasible means of informing the taxpayers and electors of the City of the Project and the financing thereof. A copy of the Contract shall be placed on file in the office of the City Clerk and shall be available for public examination no later than 30 days from the date of publication of said Notice of Intent.
5. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

NOTICE OF INTENTION OF ENTERING INTO LIMITED  
TAX-SUPPORTED CONTRACT OF LEASE AND OF  
RIGHT TO PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS  
OF THE CITY OF WAYNE, MICHIGAN:

PLEASE TAKE NOTICE that the City of Wayne intends to approve and execute a Contract of Lease with the City of Wayne Building Authority pursuant to Act No. 31, Public Acts of Michigan, 1948 (First Extra Session), as amended. Such Contract will provide, among other things, that said Building Authority will renovate, refurbish and reequip the Community Center, including signage and site improvements therefor (the Project"), and WILL ISSUE ITS BONDS TO FINANCE THE ESTIMATED COST OF ACQUIRING AND CONSTRUCTING THE SAME FOR SAID CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,800,000. Said bonds will mature serially in not to exceed 25 annual installments, and will bear interest not exceeding 6% per annum on the outstanding principal balance or such higher rate as may be authorized by law.

The Contract will further provide that the City will lease the Project from said Building Authority and WILL PAY AS RENTAL TO SAID BUILDING AUTHORITY ALL SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON SAID BONDS, TOGETHER WITH ALL COSTS OF OPERATING AND MAINTAINING THE PROJECT AND ALL COSTS of said Building Authority in connection therewith, regardless of whether the Project is tenantable. The principal amount to be borrowed by the Building Authority will be indebtedness of the City for purposes of statutory, charter and constitutional debt limitations, and said principal amount, together with the City's rental obligation for payment thereof, may be increased to cover increased costs of the Project.

CITY  
CONTRACT OBLIGATION

BY VIRTUE OF SAID PROPOSED CONTRACT AND ACT, THE CITY'S REQUIRED PAYMENTS UNDER THE CONTRACT TO THE BUILDING AUTHORITY WILL BE LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATIONS OF THE CITY PAYABLE FROM ANY AVAILABLE FUNDS OF THE CITY, AND THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES ON ALL TAXABLE PROPERTY WITHIN ITS BOUNDARIES, TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO RETIRE THE BONDS AND INTEREST THEREON, IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE, AND AS LIMITED BY LAW. THE OBLIGATION TO LEVY TAXES IS LIMITED BY APPLICABLE CONSTITUTIONAL, CHARTER AND STATUTORY TAX RATE LIMITATIONS.

SAID PROPOSED CONTRACT SHALL BECOME EFFECTIVE WITHOUT VOTE OF THE ELECTORS OF THE CITY, AS PERMITTED BY LAW, UPON THE EXPIRATION OF 60 DAYS FOLLOWING THE DATE OF PUBLICATION OF THIS NOTICE, UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF WHETHER SUCH CONTRACT SHOULD BE EFFECTIVE, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN 45 DAYS FROM THE DATE OF SUCH PUBLICATION. If such petition is so filed, the Contract shall not be effective without an approving vote by a majority of electors of the City voting on the question.

This Notice is given pursuant to the requirements of Section 8(b) of the aforesaid Act 31, as amended. Further information concerning the details of said Contract, the Project being financed and the matters set out in this Notice may be secured from the City Clerk's office. A copy of the Contract will be on file in the office of the City Clerk for public inspection within 30 days from the date hereof.

**02-08-0097** Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve a one year agreement with the Michigan Humane Society for animal control services.

**02-08-0098** Motion by McEachern, seconded by Damitio and unanimously carried, it was resolved to approve the 2<sup>nd</sup> year of a possible 5 year contract with B&B Snowplowing & Lawn Service, for an amount not to exceed \$50,760.00, to provide lawn service at Glenwood Cemetery and various other city properties, to be paid from the City Properties Budget, the Cemetery Budget and the Downtown Development Authority Budget.

**02-08-0099** Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to approve accepting a grant from the Federal Emergency Management Agency (FEMA) in the amount of \$261,535.00 with a match from the City

of 5% or \$13,765.00 for a total of \$275,300.

**02-08-0100** Motion by Rowe, seconded by Damitio and unanimously carried, it was resolved to approve accepting the Warranty Deed for the former Wayne Theater.

**02-08-0101** Motion by Rowe, seconded by Kelly and unanimously carried, it was resolved to approve the continuation of the process for the demolition of the former Wayne Theater as per City ordinance.

**02-08-0102** Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to approve the acceptance by the City of various artifacts of interest from the former Wayne Theater.

**02-08-0103** Motion by Damitio, seconded by Rowe and unanimously carried, it was resolved to approve a Professional Services Agreement with Stantec, Inc., for an amount not to exceed \$45,000.00, to provide design and engineering services related to the South John Hix Road Reconstruction Project, to be paid from the Major Streets Budget.

**02-08-0104** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the 2<sup>nd</sup> year of a possible 6 year contract with TruGreen Chemlawn, for an amount not to exceed \$5,014.00, for lawn fertilizing of all Parks & Recreation Department properties, to be paid from the Parks & Recreation Department Buildings & Grounds Contractual Services Budget.

**02-08-0105** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the 5<sup>th</sup> year of a possible 5 year contract with Ron's Field Cutting LLC, for an amount not to exceed \$49,839.00, for grass cutting in all of the Parks & Recreation Department parks and properties, to be paid from the Parks & Recreation Department Buildings & Grounds Contractual Services Budget.

**02-08-0106** Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve a 3-year Collective Bargaining Agreement with the General Employees Association for the period July 1, 2008 to June 30, 2011, to include the transfer of the membership to the MERS retirement plan.

**02-08-0107** Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve a 3-year agreement with the Confidential Employees for the period July 1, 2008 to June 30, 2011.

**02-08-0108** Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve amending the ballot language for Proposal No. 1 regarding the May 6, 2008 Election, by changing the number of bargaining units that have agreed by collective bargaining agreement to transfer their members to MERS from five to six.

Upon the request of Mayor Haidous for comments from members of the City Council on matters not covered by the Council Agenda, the following were expressed:

Mayor Pro Tem McEachern stated that she and the Mayor had attended the Open House/Ribbon Cutting at Oakwood Annapolis Hospital for the wide-open MRI unit which is the only one in Wayne County. She stated it is a nice addition to the hospital. She further stated that she also toured the new birthing center which is also a nice addition to the hospital.

Mayor Pro Tem McEachern also stated that she had received many thanks for the work of the Public Works Department following church services a few weeks ago.

Mayor Haidous stated that Oakwood Annapolis Hospital is celebrating its 50<sup>th</sup> Anniversary of service to the community.

Councilwoman Rowe stated that she had received an Action Alert from the Michigan Municipal League regarding the rental housing inspection program which would remove local control. She stated that in her opinion the rental inspection program is outstanding and has greatly improved the housing in the City.

**02-08-0109** Motion by McEachern, seconded by Damitio and unanimously carried, it was resolved to oppose SB 635 regarding the rental inspection program and to send copies of the resolution to Senator Basham, Senator Garcia and members of the Senate Economic Development and Regulatory Reform Committee.

Councilwoman Rowe also stated that while she doesn't have a problem with renovating older buildings, in her opinion the timing is wrong for the Community Center renovation. She questioned whether or not the City is in the health and wellness business or to provide services to the community. She stated that the City would have a debt for 20 - 25 years and she is worried about revenue shortfalls with the present economy.

**02-08-0110** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to call a Special Meeting for 7:00 p.m., Tuesday, March 4, 2008, regarding the Community Center.

Councilwoman Dobrowolski stated that the City is providing a service with the Community Center and that the building must be maintained and improved to continue to provide affordable services for senior citizens and families.

Councilman Mulholland stated that it is ironic that the Council is discussing the renovation of a 30 year old building and has just decided to demolish a building that was built in the 1920's. He thanked those persons who dedicated many hours to try to save the former Wayne Theater building. He stated that in his opinion, the facility had potential to attract business to the City. He further stated that many people have discussed their frustration with the downtown area but asked everyone to not focus on what was but rather on what can be as there is now the opportunity to develop the downtown.

Councilman Mulholland further expressed his sympathies to the Brewis family.

Mayor Haidous stated that being involved with the City Administrator's and Elected Officials, he has seen many improvements in the City, even though they have been

somewhat slow at times. He stated that many people enjoy the Community Center and that the City needs to stay competitive with other businesses of the same type. He further stated he looks forward to the renovation project. Mayor Haidous also stated that while some people are concerned with the way money is spent in the City, people can also see how the money is spent with regards to recent projects. He further stated that discussion on the issue is good. He thanked those persons involved with the plans for the renovation on their hard work.

**02-08-0111** Motion by Rowe, seconded by Damitio and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Building Department Monthly Report for the month of January
- b. Library Board Minutes of January 9
- c. Library Board Minutes of January 23
- d. Planning Commission Minutes of February 12
- e. Housing Commission Minutes of January 9

**02-08-0112** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to adjourn the meeting at 10:29 p.m.

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Mary E. Carney  
City Clerk

Abstract published February 28, 2008