

CITY OF WAYNE  
CITY COUNCIL  
REGULAR MEETING NO. 2009-29 - OCTOBER 20, 2009  
WAYNE CITY HALL  
3355 SOUTH WAYNE ROAD  
8:00 P.M.

A regular meeting of the Wayne City Council was held on Tuesday, October 20, 2009, 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 8:00 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, Albert M. Damitio, Pamela Dobrowolski, Susan M. Rowe, Mathew P. Mulholland

Members Absent: Thomas H. Kelly, excused (personal business)

Also Present: Richard S. Clark, City Attorney; John J. Zech, City Manager; Mary E. Carney, City Clerk

A moment of silence was held for Peter Lekas, former owner of the Wayne Dairy Queen, with sympathy extended to his family.

**10-09-0484** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the minutes of the Regular Meeting of October 6, 2009, as printed.

Presentation of the James J. Poplin Award was made to Bill Copland for his many years of volunteer service to the Parks and Recreation Department.

A Public Hearing was held to consider the proposed changes to the Regulated Uses Section of the Zoning Ordinance. Community Development Director Peter McInerney presented an overview of the proposed changes. There were no questions or comments from the Council or the audience.

**10-09-0485** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to close the Public Hearing and approve the first reading of the proposed changes to the Regulated Uses Section of the Zoning Ordinance, Section 1234.12(d)(1).

By consensus of Council, it was resolved to proclaim October 18-24, 2009 as National Business & Professional Women's Week in Wayne.

Mayor Haidous excused himself from the Council table and turned the chair of the meeting over to Mayor Pro Tem McEachern, as he personally had a financial interest in Site Plan #2009-19.

**10-09-0486** Motion by Damitio, seconded by Mulholland and unanimously carried, it was resolved to approve Site Plan #2009-19, New York Gourmet Deli, 4554 Howe 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 four sets of fully dimensioned, drawn to scale building and engineering plans that show room dimensions and use shall be reviewed and approved by the City prior to any construction.
3. That the building shall be made accessible and usable to people with disabilities.
4. That a Certificate of Occupancy Inspection shall be completed.
5. That a more detailed plan shall be submitted to the Fire Department regarding the grill.
6. That the Police Department information shall be submitted (business registration).
7. That the address shall be posted on the front and rear of the unit.
8. That all deferred general maintenance items shall be repaired:
  - a. Scrape and paint the building where loose paint is present.
  - b. Remove all overgrowth along the fence line.
  - c. Repair the dumpster enclosure.
  - d. Repair the gutters and install elbows and splash blocks.
9. That the applicant shall coordinate a parking lot repair plan with the Building & Engineering Department.
10. That the applicant shall contact Hydro Design to register with the Cross Connection/Back Flow Prevention Program.
11. That the signs shall be reviewed and approved by Community Development prior to the issuance of a permit.
12. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Edmund Spratt, representative for the project, accepted the conditions without exception.

Mayor Haidous returned to the Council table as chair of meeting.

**10-09-0487** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve Site Plan #2009-20, Strait Gate Church, 31650 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 four sets of fully dimensioned, drawn to scale building and engineering plans that show room dimensions and use shall be reviewed and approved by the City prior to any construction.
3. That the permitted work shall be made accessible and usable to people with disabilities.
4. That a Certification of Occupancy inspection shall be completed.
5. That any changes or modifications to the fire alarm shall be submitted to the Fire Marshal prior to the work.

6. That the applicant shall certify that the fire alarm and smoke detection system is fully operational for the entire building.
7. That the Police Department information shall be submitted (business registration and traffic enforcement letters).
8. That all deferred general maintenance items shall be repaired:
  - a. Scrape and paint the building where loose paint is present at the trim, block, windows and facia.
  - b. Remove the shed from the property.
  - c. Repair and replace all gutters, downspouts, elbows and splash blocks.
9. That all exterior lighting shall be repaired, lighting plans shall be submitted to Community Development and all substandard lights removed.
10. That all missing windows and doors shall be replaced or repaired for the entire building.
11. That the applicant shall coordinate a parking lot repair plan with the Building & Engineering Department. The remaining parking area not used shall be removed and the area restored.
12. That appropriate separation shall be installed between usable and non-usable areas of the building.
13. That the building shall be inspected periodically by the Fire Department for occupancy status.
14. That a fire lane shall be posted around the entire building.
15. That a dumpster enclosure shall be constructed on the site.
16. That the applicant shall contact Hydro Design to register with the Cross Connection/Back Flow Prevention Program.
17. That a plan shall be developed to ensure that the water system is operational for the entire building. Any portion of the system that is in an unheated section of the building, it shall be winterized.
18. That the signs shall be reviewed and approved by Community Development prior to the issuance of a permit.
19. That a landscape plan shall be submitted in conformance with Chapter 1281.
20. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Pastor Art Wilson, representative for the project, accepted the conditions without exception.

**10-09-0488** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to approve Site Plan #2009-21, Jack Cooper Transport, 38000 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) and MDOT.
2. That four sets of fully dimensioned, drawn to scale building and engineering plans that show room dimensions and use shall be reviewed and approved by the City prior to any construction.

3. That the water meter location, tap fees and connection shall be coordinated with DPW.
4. That the building shall be made accessible and usable to people with disabilities.
5. That the address shall be posted on the building and the fence.
6. That the Police Department information shall be submitted (business registration and traffic enforcement letters).
7. That all deferred general maintenance items shall be repaired:
  - a. Remove all overgrowth along the fence line.
  - b. Paint the fence facing Michigan Avenue.
8. That the applicant shall coordinate a parking lot repair plan with the Building & Engineering Department.
9. That the applicant shall contact Hydro Design to register with the Cross Connection/Back Flow Prevention Program.
10. That the signs shall be reviewed and approved by Community Development prior to the issuance of a permit.
11. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Dan Skinner, representative for the project, accepted the conditions without exception.

**10-09-0489** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the reappointment of Terry Shenk as the 1<sup>st</sup> Alternate to the Zoning Board of Appeals until November of 2012.

**10-09-0490** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the reappointment of Don Quarles as the 2<sup>nd</sup> Alternate to the Zoning Board of Appeals until November 2012.

**10-09-0491** Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to approve the appointment of Darrell Duncan as the DTE Representative, to the Electrical Appeal Board, until July of 2012.

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

Bill Hawley questioned the two Charter Amendments that are on the November General Election ballot, asking for clarification. City Attorney Clark explained the proposals. Mayor Pro Tem McEachern questioned the telephone calls that residents have been receiving regarding the proposed amendments. Administration will look into the issue.

Daniel Valdez, 3850 Gloria Street, asked if there had been cutbacks with regards to the use of the streetsweeper cleaning the streets. Public Works Director Tom MacDonald informed him that the schedule is the same as in the past.

Mr. Valdez also questioned his property taxes and his assessment with regards to Proposal A. Mr. Valdez stated that he is working with State Representative Marc Corriveau regarding the issue.

Pat Turley and Roger Kurzey, representatives for U.S. Nutrition, stated that they had previously attended a Council Meeting for the Site Plan for their new business. They informed everyone that they are now open for business and invited everyone to come and try their product.

Angie Sullivan and Richard Rohde, expressed their displeasure with the group home located next door to their residence. They stated that the Police Department has been called numerous times and they don't know what else to do regarding the situation. Administration informed them that they will assist them with the situation.

Mark Blackwell stated that on behalf of himself and his family, he would like to thank the Council for the moment of silence for his mother and also for the very caring Paramedics and Police Officer who assisted in their time of need. He also thanked the City Hall staff for their expressions of sympathy.

Sarah Balasia, Volunteer Coordinator for Hospice, stated that the organization is looking for volunteers. She further stated that all volunteers would receive training. Mayor Haidous thanked the Hospice organization through Ms. Balasia, on behalf of the citizens and City Council.

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

- a. Memo from the City Planner concerning upcoming events at the Farmers Market
- b. Memo from the Community Development Director regarding the 2009 Friends: People Helping People Project
- c. Memo from the Police Chief concerning the 2009 Bureau of Justice Assistance Bulletproof Vest Partnership Grant Program
- d. Memo from the Police Chief regarding a donation of \$500.00 made by the Wayne Rotary Club
- e. Memo from the Fire Chief concerning a donation of \$500.00 made by the Wayne Rotary Club
- f. Memo from the Fire Chief and a thank you card regarding Firefighters Cindy Boring and Kevin Brookshire
- g. Memo from the Fire Chief concerning the 12<sup>th</sup> Annual Pancake Breakfast with Your Firefighters, which was held on Saturday, October 10, 2009
- h. Memo from the Public Works Director regarding a Wayne County sponsored Household Hazardous Waste Collection Event, which will be held on Saturday, October 24, 2009, from 8:00 a.m. to 2:00 p.m. at the Flat Rock Community Fields, 25600 Seneca Street, Flatrock

- i. Flyer from the Library Director concerning “Scare UP a Good BOOOOK”, which will be held on Thursday, October 29, 2009, at 6:30 p.m., at the Library
- j. Flyer from the Library Director regarding the program: Lincoln and the Constitution, which will be held on Wednesday, November 4, 2009, at 7:00 p.m., at the Library
- k. Memo from the Parks & Recreation Director concerning the Touch-A-Truck Program, which was held on Saturday, October 10, 2009
- l. Memo from the Parks & Recreation Department Director regarding upcoming Senior Activity Center Programs
- m. Memo from the Parks & Recreation Director concerning upcoming programs
- n. Memo from the Parks & Recreation Director regarding “The Spooktacular Musical Revue”, which will be held on October 20 & 21, 2009, at the State Wayne Theater
- o. Memo from the Parks & Recreation Administrative Specialist concerning the 2009 Halloween Dueling Pianos Show, which will be held on Saturday, October 24, 2009, at 8:00 p.m., at the Community Center

**10-09-0492** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to call a Public Hearing for Tuesday, November 17, 2009 at 8:00 p.m. to consider the establishment of the B-5 Business Concentrated Zoning District (B-5).

**10-09-0493** Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to call a Public Hearing for Tuesday, November 17, 2009 at 8:00 p.m. to consider rezoning various properties from the Business Limited Zoning District (B-1) and Business Intensive Zoning District (B-4) to Business Concentrated Zoning District (B-5).

**10-09-0494** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve the execution of the necessary documents by the Mayor and the City Clerk to complete the transactions of four tax foreclosed properties the City obtained from Wayne County.

**10-09-0495** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve entering into a Professional Services Agreement with Spyglass Group, Inc., to perform a telecommunications audit.

**10-09-0496** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve entering into a Professional Services Agreement with SME/SES, for an amount not to exceed \$14,200.00, for the preparation of the application, plans and specifications and reports as well as oversee the implementation of a Energy Efficiency and Conservation Block Grant (EECBG).

**10-09-0497** Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve a resolution that would establish a liquor license transfer fee of \$1,000.00.

**10-09-0498** Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve a payment to McKenna Heating & Cooling, in the amount of \$8,965.33, for the emergency repair of the Governair Unit at the Community Center, to be paid from the Parks & Recreation Department Repairs & Maintenance Budget

**10-09-0499** Motion by Mulholland, seconded by McEachern and unanimously carried, it was resolved to approve a resolution to Wayne County requesting the closure of Wayne Road from Glenwood Road to Michigan Avenue West and from the Michigan Department of Transportation for the closure of Michigan Avenue West from Wayne Road to the State Wayne Theater parking lot from 10:00 a.m. to 11:00 a.m. for the 2009 Christmas Parade, which will be held on Saturday, November 21, 2009. (Tom Lynch, Parade Coordinator, acknowledged Mayor Pro Tem McEachern's many years of support and dedication for the parade and informed everyone that she is the Parade Grand Marshall this year.)

Tom Lynch also informed the audience of the Community Nativity Scene re-dedication to be held on Friday, November 27<sup>th</sup> at 7:00 p.m.

**10-09-0500** Motion by Damitio, seconded by McEachern and unanimously carried, it was resolved to approve rescinding the contract with R. J. Montgomery and Associates, Inc., concerning the auctioning of the Personal Property at 35400 Michigan Avenue East and 35545 Michigan Avenue West.

**10-09-0501** Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the Proposed Downtown Master Plan for review, comment and public distribution pursuant to Act 33 of the Public Acts of Michigan of 2008.

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:

Councilman Mulholland expressed congratulations to Tom and Maryann Daily on their 50<sup>th</sup> wedding anniversary and stated that they have a beautiful family.

Councilman Mulholland also reminded everyone that it will be Halloween very soon and to slow down, leave porch lights on and watch for children to make it a safe and happy Halloween season.

Councilwoman Rowe distributed a packet to the Council entitled "Michigan's Defining Moment." She continued by saying that she is hosting an event for public comment at the Wayne Community Center on November 19<sup>th</sup> from 6:30 p.m. - 8:30 p.m. and that it is a great time for your voice to be heard.

Councilwoman Rowe also reminded everyone to watch over their neighbors, especially the elderly, as many people are unemployed or just don't know where to go for assistance.

Mayor Pro Tem McEachern informed the audience that the Beautification Committee is looking to recognize Halloween displays or harvest displays. She stated that residents can call the Public Works Department or visit the website for nominations.

Mayor Pro Tem McEachern also wished everyone a Happy Halloween!

Mayor Haidous informed the audience that if anyone has questions regarding the ballot proposals, they should call and speak with someone. He also encouraged everyone to get out and vote!

**10-09-0502** Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Planning Commission Minutes of October 13
- b. Commission on Aging Minutes of July 14
- c. Commission on Aging Minutes of July 21
- d. Commission on Aging Minutes of August 11
- e. Building Department Report for the month of September
- f. Library Board Minutes of September 9
- g. Zoning Board of Appeals Minutes of October 8
- h. Recreation Advisory Board Minutes of September 2
- i. Recreation Advisory Board Minutes of September 11
- j. Commission on Aging Minutes of September 8

**10-09-0503** Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to adjourn the meeting at 10:19 p.m.

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Mary E. Carney  
City Clerk