

CITY OF WAYNE
CITY COUNCIL
REGULAR MEETING NO. 2009-12 - APRIL 21, 2009
WAYNE CITY HALL
3355 SOUTH WAYNE ROAD
8:00 P.M.

A regular meeting of the Wayne City Council was held on Tuesday, April 21, 2009, at 8:00 p.m. at Wayne City Hall, 3355 South Wayne Road.

Mayor Haidous called the meeting to order at 8:03 p.m. and led the Council and the audience in the Pledge of Allegiance.

Members Present: Mayor Abdul H. Haidous, Thomas H. Kelly, Albert M. Damitio, Pamela Dobrowolski, Mathew P. Mulholland

Members Absent: Mayor Pro Tem Donna M. McEachern, Susan M. Rowe, both excused (personal business)

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

04-09-0155 Motion by Damitio, seconded by Mulholland and unanimously carried, it was resolved to approve the minutes of the Regular Meeting of April 7, 2009, as printed.

Presentation of the 2008 Fire Fighter of the Year Award was made to Deputy Fire Chief/Fire Marshal Michael McKee.

Presentation of the 2008 Police Officer of the Year Award was made to Police Officer Jacob Emerick.

Presentation of a Life Saving Award was made to Police Officer Kevin Schmidtke.

A Public Hearing was held to consider the adoption of a Final Project Plan for Water System Improvements/Drinking Water Revolving Fund (DWRF).

Dima El Gamal of Stantec, Inc., presented an overview of the projects, the replacement of approximately 9,200 feet of watermain in an area bounded by Hubbard-Gloria, and Annapolis-Stellwagen and the replacement of all residential water meters with new remote meters, including a centralized reading system.

Councilman Mulholland inquired as to whether or not the City was aware of the level of unaccounted for water usage. Public Works Director Thomas MacDonald stated that approximations are known and could be attributed to the present meters as they are aging. Director MacDonald also stated that with a centralized system the water billing clerk would have data readily available at all times.

Keith Butkovich stated that he is not in the neighborhood of the proposed project but questioned the various amounts allocated to the different projects. Dima El Gamal stated that there are two different projects which is why there are different amounts. Mr. Butkovich further inquired if the money was a loan and was informed that it was.

Suzanna Talo, a resident of Gloria Street, stated that the water meters in her neighborhood had been replaced about 10 years ago with electronic meters and inquired as to whether or not the streets would again be replaced as there are markings in her yard to indicate some type of project.

Public Works Director Thomas MacDonald stated that the marking are probably for another project in the area and as for the meter, probably only the components had been replaced. He further stated that one of the problems with the present water meters is that they are obsolete and it is difficult to obtain replacement parts.

04-09-0156 Motion by Kelly, seconded by Dobrowolski and unanimously carried, it was resolved to close the Public Hearing.

04-09-0157 Motion by Dobrowolski, seconded by Damitio and unanimously carried, the following resolution was adopted:

A RESOLUTION ADOPTING A FINAL PROJECT PLAN
FOR WATER SYSTEM IMPROVEMENTS AND
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE

WHEREAS, the City of Wayne recognizes the need to make improvements to its existing water distribution and metering systems; and

WHEREAS, the City of Wayne authorized Stantec Consulting Michigan, Inc. (Stantec) to prepare a Project Plan, which recommends the replacement of approximately 9200 LF of 8-inch water main with associated copper water services and replacement of all residential water meters; and

WHEREAS, said Project Plan was presented at a Public Hearing held on April 21, 2009 and all public comments have been considered and addressed;

NOW THEREFORE BE IT RESOLVED, that the City of Wayne formally adopts said Project Plan and agrees to implement the selected alternative.

BE IT FURTHER RESOLVED, that the Public Works Director - a position currently held by Tom MacDonald, is designated as the authorized representative for all activities associated with the above reference project, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a Drinking Water Revolving Fund Loan to assist in the implementation of the selected alternative.

A Public Hearing was held to consider the 2009 Special Assessment Roll. Finance Director Timothy McCurley presented an overview of the roll.

Fred Arthur stated that his main concern was that he was being held accountable for an issue that happened before he owned the property. He further stated that the original invoice had been sent to the former owner over a year ago and that when the title company called the City it was stated that there was nothing outstanding against the property.

City Manager Zech stated the Mr. Arthur's explanation was accurate in that the invoice was sent to the home address and that when the Arthur's purchased the home in June

they and the bank did inquire as to any outstanding invoices. Mayor Haidous asked Mr. Arthur if the bank had a local branch and was informed that they did not.

04-09-0158 Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to close the Public Hearing and approve the 2009 Special Assessment Roll as follows, with the exception of the property located at 35021 Chestnut Street which will be sent to the bank for payment.

RESOLUTION
CONFIRMATION OF ROLL

WHEREAS, the City Council has received from the City Assessor a certified special assessment roll being the 2009 Special Assessment Roll for 2008 Delinquent Hazard & Nuisance; and

WHEREAS, said 2009 Special Assessment Roll for 2008 Delinquent Hazard & Nuisance has been made available for public examination; and

WHEREAS, the City Clerk has given notice to all parties affected by the 2009 Special Assessment Roll for 2008 Delinquent Hazard & Nuisance, and in addition has given notice by publication in the Wayne Eagle on the 26th day of March, 2009 of such special assessment roll and the right for an opportunity to inspect same; and

WHEREAS, the City Council has held a hearing on objections on the 21st day of April, 2008 and has considered all objections thereto;

NOW THEREFORE, BE IT RESOLVED, that the 2009 Special Assessment Roll for 2008 Delinquent Hazard & Nuisance hereby is confirmed and is final and conclusive including all and any corrections and changes to that special assessment roll previously certified by the Assessor.

ASSESSOR'S CERTIFICATE

The attached 2009 Special Assessment Roll for 2008 Delinquent Hazard & Nuisance was prepared by the Assessor's Department pursuant to Council resolutions, especially resolutions:

05-08-0247 adopted May 5, 2008
05-08-0269 adopted May 20, 2008
06-08-0295 adopted June 3, 2008
06-08-0316 adopted June 17, 2008
07-08-0374 adopted July 1, 2008
07-08-0392 adopted July 15, 2008
08-08-0420 adopted August 4, 2008
08-08-0438 adopted August 19, 2008
09-08-0448 adopted September 2, 2008
09-08-0471 adopted September 16, 2008
10-08-0498 adopted October 7, 2008
10-08-0514 adopted October 21, 2008

and conforms in all respects, according to our best judgement, to the directions contained in such resolutions and the City Charter.

Timothy D. McCurley
City of Wayne Assessor

<u>AMT.</u>	<u>LEGAL DESCRIPTION</u>	<u>PARCEL #</u>
162.81	001-01-0663-000	Lots 663 and 664 exc the nely tri pt of lot 664 Supervisors Nankin Plat No 14
162.81	001-02-0091-001	N81 ft of Lots 91 to 96 incl also ½ adj vac alley also Lot 184 and N1/2 adj vac alley Michigan Boulevard Sub
250.00	002-03-0189-000	Lot 189 Avondale Sub No 1
968.75	002-03-0196-000	Lot 196 Avondale Sub No 1
250.00	002-03-0310-301	Lot 310 and the S 7 ft of Lot 311 Avondale Sub No 1 also the N ½ vac alley adj to the E ½ of Lot 673 to 676 incl Avondale Sub No 3
162.81	002-04-0653-302	E 2.5 ft of Lot 653 also lots 654 to 656 incl also adj vac alley 20 ft wide Avondale Sub No 3
325.63	006-09-0012-001	S pt of Lot 12 also Lot 13 also E ½ vac alley adj to S 84 ft Isabella Clarks Sub No 1
937.50	006-09-0015-002	W 17 ft of Lot 15 also Lot 16 and 17 Isabella Clarks Sub No 1
312.50	007-01-0007-000	Lot 7 Glenwood Heights Sub
297.00	007-01-0061-000	Lot 61 Glenwood heights Sub
250.00	010-01-0255-000	Lot 255 Louis Savage Garfield Park Sub
812.50	010-01-0256-000	Lots 256 and 257 Louis Savage Garfield Park Sub
500.00	010-01-0436-000	Lot 436 also N 20 ft of Lot 437 Louis Savage Garfield Park Sub
250.00	010-01-0444-000	Lot 444 Louis Savage Garfield Park Sub
312.50	012-99-0003-000	1113.4 ft from S 1/4 corner of section 31
250.00	013-03-0009-003	Lots 9 and 10 exc the N 80 ft thereof O.C. Abells Addition to Wayne
350.00	016-01-0111-000	Lot 111 Powers Sub
250.00	016-01-0349-000	Lot 349 also W ½ adj vac alley Powers Sub
162.81	016-02-0071-000	Lot 71 Supervisors Nankin Plat No 1
162.81	017-01-0636-307	W 86 ft of Lot 636 also Lot 637 Supervisors Nankin Plat No 13
250.00	017-03-0035-000	Lot 35 Alfred A Lauppe Sub
250.00	017-03-0045-000	Lot 45 Alfred A Lauppe Sub
250.00	017-04-0025-000	Lot 25 Block 1 the South add to Village of Wayne Block 1
162.81	017-05-0002-000	Lot 2 Block 2 the South add to Village of Wayne Block 2
162.81	017-05-0003-000	Lots 2 and 4 Block 2 the South add to Village of Wayne Block 2
162.81	017-06-0005-000	Lot 5 Block 3 also the E ½ of adj vac alley the South add to Village of Wayne Block 3
162.81	017-08-0019-000	Lot 19 Block 5 also the W ½ of ad vac alley the South Addition to Village of Wayne Block 5
162.81	017-13-0015-300	Lot 15 Block 10 also E ½ adj vac alley the South Add

		to Village of Wayne Block 10
162.81	017-13-0029-002	W 75 ft of Lots 29 and 30 Block 10 also W ½ adj vac alley the South Add to Village of Wayne Block 10
1,225.56	017-14-0025-000	Lot 25 Block 11 also W ½ adj vac alley the South Add to Village of Wayne Block 11
162.81	018-04-0049-000	Lot 49 Glenmorrison Sub
687.50	018-04-0127-000	Lots 127 and 128 Glenmorrison Sub
899.38	018-05-0055-002	S 27 ft of Lot 55 also Lot 56 and vac portion of adj Forest Ave David Deforest Addition
250.00	018-05-0148-002	N 40 ft of Lot 148 except the E 194.29 ft thereof David Deforest Addition
250.00	018-06-0092-000	Lot 92 and N 15 ft of Lot 93 also E ½ adj vac alley Hazel Park Sub
250.00	018-06-0156-000	Lot 156 and N 15 ft of Lot 157 also E ½ adj vac alley Hazel Park Sub
687.50	018-07-0252-000	Lot 252 Assessors Wayne Plat No 5
162.81	018-09-0003-000	Lot 3 also W ½ adj vac alley Ernest L. Bird Sub
625.00	019-01-0260-000	Lots 260 261 and 262 also N 6 ft of adj vac alley Harroun Pk Currier Invest Cos Sub
250.00	019-01-0260-000	Lots 260 261 and 262 also N 6 ft of adj vac alley Harroun Pk Currier Invest Cos Sub
162.81	019-01-0314-000	Lots 314 315 and 316 also the N ½ of adj vac alley Harroun Pk Currier Invest Cos Sub
162.81	019-01-0406-000	Lot 406 and S ½ adj vac alley Harroun Pk Currier Invest Cos Sub
162.81	019-01-0429-000	Lot 429 and W 20 ft of Lot 430 also N 6 ft adj vac alley Harroun Pk Currier Invest Cos Sub
662.81	019-01-0432-000	Lots 432 and 433 also N 6 ft of adj vac alley Harroun Pk Currier Invest Cos Sub
406.25	019-02-0871-000	Lots 871 and 872 also the N ½ of adj vac alley Harroun Park No 1 Currier Invest Co's Sub
162.81	019-02-0892-000	Lot 892 and E 28 ft of Lot 893 also S ½ adj vac alley Harroun Park No 1 Currier Invest Co's Sub
1,143.75	019-02-0916-000	Lots 916 and 917 also S ½ adj vac alley Harroun Park No 1 Currier Invest Co's Sub
162.81	019-03-0003-306	S 22.46 ft of Lot 3 also Lots 4 to 7 combined exc the E 20 ft of Lot 7 also adj vac alley Resub of Henry and Edsel Sub
250.00	020-01-1022-000	Lot 1022 and S ½ adj vac alley Harroun Park No 2
162.81	020-01-1039-000	Lot 1029 and N ½ adj vac alley Harroun Park No 2
162.81	020-01-1069-000	Lot 1069 and E ½ adj vac alley Harroun Park No 2
375.00	020-01-1072-000	Lot 1072 and S ½ adj vac alley Harroun Park No 2
162.81	020-01-1096-000	Lot 1096 and N ½ adj vac alley Harroun Park No 2
162.81	020-01-1140-000	Lot 1140 and S ½ adj vac alley Harroun Park No 2
162.81	020-01-1261-000	Lot 1261 and S ½ adj vac alley Harroun Park No 2
325.63	020-01-1262-000	Lot 1262 and S ½ adj vac alley Harroun Park No 2
162.81	020-01-1285-000	Lot 1285 and N ½ ad vac alley Harroun Park No 2
250.00	020-01-1359-000	Lot 1359 and S ½ adj vac alley Harroun Park No 2
312.50	021-01-0481-300	Lots 481 and 482 Avondale Sub No 2
162.81	021-01-0497-000	Lot 497 Avondale Sub No 2
543.75	021-01-0561-000	Lot 561 Avondale Sub No 2

2,218.75	021-02-0799-000	Lot 799 Avondale Sub No 4
162.81	021-02-0800-000	Lot 800 Avondale Sub No 4
162.81	021-04-0197-000	Lot 197 Gloria Acres Sub No 2
250.00	022-03-0013-300	Lots 13 and 14 Woodworth Gardens Sub
500.00	022-06-0045-000	Unit 45 Wayne County Cond Sub Plan No 577 aka Forest Park
500.00	022-06-0046-000	Unit 46 Wayne County Cond Sub Plan No 577 aka Forest Park
500.00	022-06-0047-000	Unit 47 Wayne County Cond Sub Plan No 577 aka Forest Park
718.75	022-06-0048-000	Unit 48 Wayne County Cond Sub Plan No 577 aka Forest Park
701.63	022-99-0019-000	E 249 ft of the W 309 ft of N 85 ft of S ½ of N ½ of S ½ of SE ¼ of NW ¼ of Sec 34
312.50	023-01-0009-000	Lot 9 Lynn Dale Sub
250.00	024-01-1020-000	Lot 1020 Avondale Sub No 5
250.00	024-01-1025-000	Lot 1025 Avondale Sub No 5
187.50	024-01-1089-000	Lot 1089 Avondale Sub No 5
368.75	024-01-1106-000	Lot 1106 Avondale Sub No 5
250.00	024-01-1179-000	Lot 1179 Avondale Sub No 5
312.50	024-02-0030-000	Lot 30 Sue Win Gardens Sub
312.50	024-02-0047-000	Lot 47 Sue Win Gardens Sub
375.00	024-99-0016-000	Part of SE ¼ of Sec 34
28,864.76	Total	

04-09-0159 Motion by Damitio, seconded by Dobrowolski and unanimously carried, it was resolved to remove the property located at 4691 Winifred Street from the 2009 Special Assessment Roll and send to the bank for payment, as the owner had inquired prior to purchase and was informed that there was nothing outstanding.

A Public Hearing was held to consider the establishment of a Plant Rehabilitation District for the Ford Motor Company. Community Development Director Peter McInerney presented an overview of the project.

Keith Butkovich inquired as to whether or not this was the same thing that happened when the Ford Plant closed in the City of Wixom.

Kathleen McIntyre of Ford Motor Company explained that a Plant Rehabilitation District needs to be established in order to facilitate investing in the property and has nothing to do with a plant closing.

Keith Butkovich inquired as to whether or not Ford Motor Company would be committed to the project if the district were approved.

Kathleen McIntyre stated that approval would only establish the district, which freezes the taxes at the current level to assist in bringing in a new project and that Ford Motor Company would only benefit if it would make an investment.

Mayor Haidous stated it would be no loss or benefit to the City if Ford Motor Company would decide not to go through with the project.

04-09-0160 Motion by Kelly, seconded by Mulholland and unanimously carried, to close the Public Hearing and approve establishing a Plant Rehabilitation District for the Ford Motor Company as follows:

CITY OF WAYNE
RESOLUTION

WHEREAS, On April 2, 2009, the Ford Motor Company requested the establishment of a Plant Rehabilitation District pursuant to Public Act 1974, as amended, for the following property: Body Shop, 38000 Van Born Road, Wayne, MI #55-012-99-0001-705 (est. 34.74 acres); Michigan Truck Plant, 38303 Michigan Avenue, Wayne, MI #55-009-99-0015-000 (est. 71.38 acres); and Paint Plant, 38547 Michigan Avenue, Wayne, MI #55-010-99-0004-001 (est. 28.87 acres); Total (estimated): 134.99 acres, as depicted on Maps/Site Plan, Attachment B, hereto; and

WHEREAS, On April 21, 2009, the City Council conducted a Public Hearing on said request of the Ford Motor Company which had been duly noticed by means of written notice by mail to the sole owner of said property, being the applicant Ford Motor Company and by notice to the public by newspaper advertisement; and at such Public Hearing all residents and taxpayers of the City of Wayne were afforded an opportunity to be heard thereon;

NOW, THEREFORE BE IT RESOLVED:

1. The City Council finds that construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district.
2. The City Council finds and determines that property comprising not less than 50% of the state equalized valuation of the industrial property within the district is obsolete, as more specifically set forth in the Affidavit of Gary Evanko, Wayne County Assessor, dated March 31, 2009 which is Attachment C, hereto.
3. The City Council approves the request of the Ford Motor Company dated April 2, 2009 and hereby establishes the Plant Rehabilitation District No. 2009-01 for the property described on Attachment A, hereto.

LEGAL DESCRIPTION

TAX PARCEL 55-012-99-0001-705:

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 31 TOWNSHIP 2 SOUTH RANGE 9 EAST, CITY OF WAYNE, WAYNE COUNTY MICHIGAN, EXCEPT THAT PORTION THEREOF OF DESCRIBED AS: BEGINNING AT THE CENTER IF SAID SECTION 31 THENCE SOUTH 02 DEGREES 18 MINUTES EAST 146.85 FEET THENCE NORTH 76DEGREES 41 MINUTES 50 SECONDS EAST 755.85 FEET THENCE SOUTH 87 DEGREES 54 MINUTES 01 SECONDS WEST 741.96 FEET TO THE POINT OF BEGINNING; AND, EXCEPT THE SOUTH 300 FEET OF THE EAST 300 FEET OF THE WEST 333 FEET THEREOF; AND, ALSO EXCEPT THE NORTH

200 FEET OF THE SOUTH 1,872.71 FEET OF THE WEST 333 FEET THEREOF;
CONTAINING 34.74 ACRES, MORE OR LESS.

TAX PARCEL 55-009-99-0015-000:

PARCEL A:

A PARCEL OF LAND SITUATE LYING AND BEING IN PART OF THE EAST 1/2 OF SECTION 31, TOWN 2 SOUTH, RANGE 9 EAST, CITY OF WAYNE, WAYNE COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECTION OF THE NORTH AND SOUTH 1/4 LINE OF SECTION 31 WITH THE NORTHERLY LINE OF THE RIGHT-OF-WAY NOW OR FORMERLY PENN CENTRAL COMPANY; SAID BEGINNING POINT BEING ALSO THE SOUTHWEST CORNER OF FORD MOTOR COMPANY PROPERTY AS DESCRIBED IN WARRANTY DEED - GRANTOR WILLOW RUN NURSERIES, GRANTEE FORD MOTOR COMPANY - DATED NOVEMBER 15, 1950 AND RECORDED IN LIBER 10688, PAGES 358, 359 AND 360 OF DEEDS, WAYNE COUNTY RECORDS; RUNNING THENCE NORTH 01 DEGREE 40 MINUTES 38 SECONDS WEST 1490.90 FEET, MORE OR LESS ALONG THE SAID NORTH AND SOUTH 1/4 LINE; THENCE SOUTH 66 DEGREES 40 MINUTES 38 SECONDS EAST 36.41 FEET TO A POINT IN THE EASTERLY LINE OF COGSWELL ROAD 66.0 FEET WIDE; THENCE NORTH 01 DEGREES 40 MINUTES 38 SECONDS WEST 191.08 FEET ALONG THE SAID EASTERLY LINE OF COGSWELL ROAD TO A POINT OF CURVE ON THE SOUTHERLY LINE OF MICHIGAN AVENUE OF 247 FOOT WIDTH; THENCE EASTERLY ALONG THE ARC OF THE CURVE TO THE LEFT, RADIUS OF 2598.04 FEET, THE CHORD WHICH BEARS NORTH 84 DEGREES 02 MINUTES 32 SECONDS EAST 785.87 FEET FROM THE LAST MENTIONED POINT; THENCE NORTH 15 DEGREES 05 MINUTES 28 SECONDS WEST 23.0 FEET TO THE SOUTHERLY LINE OF MICHIGAN AVENUE OF 204 FOOT WIDTH; THENCE NORTH 74 DEGREES 52 MINUTES 32 SECONDS EAST 147.29 FEET ALONG THE SAID SOUTHERLY LINE; THENCE SOUTH 06 DEGREES 55 MINUTES 23 SECONDS EAST 392.90 FEET; THENCE NORTH 80 DEGREES 02 MINUTES 42 SECONDS EAST 188.27 FEET; THENCE SOUTH 43 DEGREES 19 MINUTES 33 SECONDS WEST 19.70 FEET TO A POINT OF CURVE; THENCE SOUTHERLY ALONG THE ARC OF THE , CURVE TO THE LEFT, RADIUS 323.92 FEET THE CHORD OF WHICH BEARS SOUTH 32 DEGREES 45 MINUTES 18 SECONDS WEST 118.87 FEET; THENCE SOUTHERLY ALONG THE ARC OF THE CURVE TO THE LEFT, RADIUS 323.92 FEET THE CHORD OF WHICH BEARS SOUTH 32 DEGREES 45 MINUTES 18 SECONDS WEST 118.87 FEET FROM THE LAST MENTIONED POINT TO A POINT OF CURVE; THENCE SOUTHERLY ALONG THE ARC OF THE CURVE TO THE LEFT RADIUS OF 489.34 FEET, THE CHORD OF WHICH BEARS SOUTH 14 DEGREES 58 MINUTES 58 SECONDS WEST 122.66 FEET FROM THE LAST MENTIONED POINT TO A POINT OF CURVE; THENCE SOUTHERLY ALONG THE ARC OF THE CURVE TO THE LEFT, RADIUS 323.80 FEET, THE CHORD OF WHICH BEARS SOUTH 03 DEGREES 55 MINUTES 26 SECONDS EAST 131.40 FEET FROM THE LAST MENTIONED POINT; THENCE SOUTH 15 DEGREES 17 MINUTES 50 SECONDS EAST 402.95 FEET TO A POINT OF CURVE; THENCE SOUTHERLY ALONG THE ARC OF THE CURVE TO THE RIGHT, RADIUS 436.21 FEET, THE CHORD OF WHICH BEARS SOUTH 09 DEGREES 41 MINUTES 10 SECONDS EAST 85.30 FEET FROM THE LAST MENTIONED POINT TO A POINT OF CURVE; THENCE SOUTHERLY ALONG THE ARC OF THE CURVE TO THE RIGHT, RADIUS OF 75.09 FEET, THE CHORD OF

WHICH BEARS SOUTH 20 DEGREES 10 MINUTES 30 SECONDS WEST 60.86 FEET FROM THE LAST MENTIONED POINT; THENCE SOUTH 44 DEGREES 25 MINUTES 30 SECONDS WEST 363.28 FEET; THENCE SOUTH 45 DEGREES 57 MINUTES 50 SECONDS WEST 29.34 FEET; THENCE SOUTH 48 DEGREES 58 MINUTES 49 SECONDS WEST 19.90 FEET; THENCE SOUTH 54 DEGREES 31 MINUTES 34 SECONDS WEST 59.21 FEET; THENCE SOUTH 67 DEGREES 36 MINUTES 01 SECONDS WEST 8.59 FEET; THENCE SOUTH 68 DEGREES 49 MINUTES 00 SECONDS WEST 188.65 FEET; THENCE SOUTH 66 DEGREES 44 MINUTES 25 SECONDS WEST 31.79 FEET; THENCE SOUTH 59 DEGREES 04 MINUTES 35 SECONDS WEST 10.76 FEET; THENCE SOUTH 68 DEGREES 09 MINUTES 31 SECONDS WEST 73.72 FEET TO A POINT ON THE NORTHERLY LINE OF THE RIGHT-OF-WAY NOW OR FORMERLY PENN CENTRAL COMPANY; THENCE SOUTH 77 DEGREES 18 MINUTES 42 SECONDS WEST 516.81 FEET ALONG THE SAID NORTHERLY LINE OF THE RIGHT-OF-WAY TO THE POINT OF BEGINNING.

PARCEL B:

THE PART OF THE WEST 1/2 OF SECTION 31, TOWN 2 SOUTH, RANGE 9 EAST, CITY OF WAYNE, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SECTION 31 DISTANT NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 1121.96 FEET FROM THE CENTER 1/4 CORNER OF SAID SECTION 31 AND PROCEEDING THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 323.15 FEET; THENCE NORTH 54 DEGREES 54 MINUTES 30 SECONDS WEST 41.52 FEET TO A POINT ON THE WESTERLY LINE OF COGSWELL ROAD RIGHT-OF-WAY 66 FEET WIDE; THENCE ALONG SAID WESTERLY LINE OF COGSWELL ROAD RIGHT-OF-WAY NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 155.99 FEET TO A POINT ON THE SOUTHERLY LINE OF MICHIGAN AVENUE RIGHT-OF-WAY (U.S. 12) 247 FEET WIDE; THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF MICHIGAN AVENUE RIGHT-OF-WAY ALONG A CURVE CONCAVE TO THE NORTH, RADIUS OF 2612.88 FEET, CENTRAL ANGLE OF 03 DEGREES 39 MINUTES 32 SECONDS, ARC DISTANCE OF 166.86 FEET, CHORD DISTANCE OF 166.83 FEET, CHORD BEARING NORTH 85 DEGREES 01 MINUTES 26 SECONDS WEST TO A POINT OF TANGENCY OF SAID CURVE AND CONTINUING ALONG SAID SOUTHERLY LINE OF MICHIGAN AVENUE RIGHT-OF-WAY, NORTH 83 DEGREES 11 MINUTES 40 SECONDS WEST 1.52 FEET; THENCE SOUTH 02 DEGREES 16 MINUTES 30 SECONDS EAST 500.00 FEET; THENCE SOUTH 84 DEGREES 58 MINUTES 11 SECONDS EAST 201.64 FEET TO THE POINT OF BEGINNING.

PARCEL C:

THAT PART OF THE WEST 1/2 OF SECTION 31, TOWN 2 SOUTH, RANGE 9 EAST, CITY OF WAYNE, WAYNE COUNTY, MICHIGAN DESCRIBED AS: BEGINNING AT THE CENTER 1/4 CORNER OF SECTION 31 AND PROCEEDING THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 31 NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 1121.96 FEET; THENCE NORTH 84 DEGREES 58 MINUTES 11 SECONDS WEST 201.64 FEET; THENCE SOUTH 02 DEGREES 16 MINUTES 30 SECONDS EAST 467.44 FEET; THENCE NORTH 88 DEGREES 39 MINUTES 27 SECONDS WEST 1234.62 FEET TO A POINT ON THE EASTERLY LINE OF HIX ROAD RIGHT-OF-WAY, 30 FEET WIDE, SAID EASTERLY

LINE OF HIX ROAD RIGHT-OF-WAY BEING ALSO THE EASTERLY BOUNDARY LINE OF LOUIS SAVAGE GARFIELD PARK SUBDIVISION, AS RECORDED IN LIBER 50, PAGE 85 OF PLATS, WAYNE COUNTY RECORDS; THENCE ALONG SAID EASTERLY LINE OF HIX ROAD RIGHT-OF-WAY SOUTH 02 DEGREES 26 MINUTES 15 SECONDS EAST 1082.06 FEET TO A POINT ON THE NORTHERLY LINE OF THE RIGHT-OF-WAY NOW OR FORMERLY PENN CENTRAL COMPANY; THENCE ALONG SAID NORTHERLY LINE OF THE RIGHT-OF-WAY NORTH 76 DEGREES 40 MINUTES 39 SECONDS EAST 1456.10 FEET TO A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SECTION 31; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 31 NORTH 02 DEGREES 18 MINUTES 40 SECONDS WEST 44.98 FEET TO THE POINT OF BEGINNING; EXCEPTING FROM THE HEREINBEFORE DESCRIBED PARCEL C THE FOLLOWING: A STRIP OF LAND 30 FEET WIDE IN SECTION 31, TOWN 2 SOUTH, RANGE 9 EAST, CITY OF WAYNE, WAYNE COUNTY, MICHIGAN, THE BOUNDARY OF SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SECTION 31, TOWN 2 SOUTH, RANGE 9 EAST; THENCE SOUTH 02 DEGREES 16 MINUTES 30 SECONDS EAST ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 31, A DISTANCE OF 44.90 FEET TO A POINT ON THE NORTHERLY LINE OF THE RIGHT-OF-WAY NOW OR FORMERLY PENN CENTRAL COMPANY; THENCE SOUTH 76 DEGREES 40 MINUTES 39 SECONDS WEST ALONG SAID NORTHERLY LINE OF THE RIGHT-OF-WAY 1425.55 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 76 DEGREES 40 MINUTES 39 SECONDS WEST 30.55 FEET ALONG SAID NORTHERLY LINE OF THE RIGHT-OF-WAY TO A POINT ON THE EASTERLY LINE OF HIX ROAD, 30 FEET WIDE; THENCE NORTH 02 DEGREES 26 MINUTES 15 SECONDS WEST ALONG SAID EASTERLY LINE OF HIX ROAD 1082.06 FEET; THENCE SOUTH 88 DEGREES 39 MINUTES 27 SECONDS EAST 30.07 FEET; THENCE SOUTH 02 DEGREES 26 MINUTES 15 SECONDS EAST ALONG A LINE PARALLEL WITH AND 30.0 FEET EASTERLY OF SAID EASTERLY LINE OF HIX ROAD 1074.31 FEET TO THE TRUE POINT OF BEGINNING.

[Parcels A, B and C comprise approximately 71.0251 acres]

[Parcels A, B and C are also reflected on the assessor's records as the following property:

31F1A H2 H3A PART SEC 31 T2S R9E BEGINNING S 1D 40M 38SEC E 49.98 FT FROM CENTER 1/4 CORNER SEC 31 TH S 77D 18M 42SEC W 1425.55 FT TH N 1D 50M 23SEC W 1074.31 FT TH S 88D 03M 35SEC E 1204.55 FT TH N 1D 40M 38SEC E 967.44 FT TH S 82D 45M 48SEC E 1.52 FT TH ELY ALONG A CURVE CONCAVE TO N RADIUS 2612.88 FT ARC 166.86 FT TH S 1D 40M 36SEC E 155.99 FT TH S 66D 40M 38SEC E 77.97 FT TH N 1D 40M 38SEC W 191.08 FT TH ELY ALONG CURVE CONCAVE TO N RADIUS 2598.04 FT ARC 785.87 FT TH N 15D 05M 28SEC W 23 FT TH N 74D 52M 32SEC E 147.29 FT TH S 6D 55M 23SEC E 392.90 FT TH N 80D 02M 42SEC E H2188.27 FT TH S 43D 19M 33SEC W 19.70 FT TH ON CURVE TO LEFT RADIUS 323.92 FT ARC 118.87 FT TH ON TANGENT CURVE TO LEFT RADIUS 489.34 FT ARC 122.66 FT TH ON TANGENT CURVE TO LEFT RADIUS

323.80 FT ARC 131.40 FT TH S 15D 17M 50SEC E TANGENT TO SAID CURVE 402.95 FT TH ON CURVE TO RIGHT RADIUS 436.21 FT ARC 85.30 FT TH ON CURVE TO RIGHT RADIUS 74.09 FT ARC 60.86 FT TH S 44D 25M 30SEC W 363.28 FT TH S 45D 57M 50SEC W 29.34 FT TH S 48D 8M 49SEC W 19.90 FT TH S 54D 31M 34SEC W 59.21 FT TH S 67D 36M 01SEC W 8.59 FT TH S 68D 49M W 188.65 FT TH S 66D 44M 25SEC W 31.79 FT TH S 59D 04M 35SEC W 10.76 FT TH

S 68D 09M 31SEC W 73.72 FT TH S 77D 18M 42SEC W 516.81 FT TO POB 71.38 ACRES]

TAX PARCEL 55-010-99-0004-001:

PART OF THE NORTHWEST 1/4 OF SECTION 31 TOWNSHIP 2 SOUTH RANGE 9 EAST, CITY OF WAYNE, COUNTY OF WAYNE, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 1,445.11 FEET AND NORTH 54 DEGREES 54 MINUTES 30 SECONDS WEST 41.52 FEET AND NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 155.99 FEET AND ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2,612.88 FEET AN ARC LENGTH OF 166.86 FEET AND NORTH 83 DEGREES 11 MINUTES 40 SECONDS WEST 1.52 FEET FROM THE CENTER OF SAID SECTION; THENCE NORTH 83 DEGREES 11 MINUTES 40 SECONDS WEST 30.37 FEET; THENCE NORTH 06 DEGREES 48 MINUTES 20 SECONDS EAST 20 FEET; THENCE NORTH 83 DEGREES 11 MINUTES 40 SECONDS WEST 1,223.81 FEET; THENCE SOUTH 02 DEGREES 26 MINUTES 15 SECONDS EAST 1,107.43 FEET THENCE SOUTH 88 DEGREES 39 MINUTES 27 SECONDS EAST 1,234.62 FEET; THENCE NORTH 02 DEGREES 16 MINUTES 30 SECONDS WEST 967.44 FEET TO POINT OF BEGINNING; EXCEPTING THE WEST 30 FEET THEREOF; AND, ALSO EXCEPT THE NORTHWESTERLY TRIANGULAR PART MEASURING 20 FEET ON THE NORTH LINE AND 20 FEET ALONG THE EAST RIGHT OF WAY LINE OF JOHN HIX ROAD (60 FEET WIDE); CONTAINING 28.87 ACRES, MORE OR LESS.

The agenda was moved to Item 9g.

04-09-0161 Motion by Damitio, seconded by Dobrowolski and unanimously carried, it was resolved to call a Public Hearing for Monday, May 4, 2009 at 7:00 p.m. to consider applications submitted by the Ford Motor Company for tax abatement in conjunction with the reopening of the Michigan Truck Plant.

The agenda was moved to Item 9k.

04-09-0162 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to approve the Brownfield Plan submitted by the Ford Motor Company for the Michigan Truck Plant, Body Shop and Paint Facility, as follows:

CITY OF WAYNE

WHEREAS, the Wayne County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has established the Wayne County Brownfield Redevelopment Authority ("WCBRA") to facilitate the cleanup and redevelopment of brownfields within Wayne County's communities; and

WHEREAS, certain property owned by the Ford Motor Company, to wit: Body Shop, 38000 Van Born Road, #55-012-99-0001-705 (est. 34.74 acres); Michigan Truck Plant, 38303 Michigan Avenue, #55-009-99-0015-000 (est. 71.38 acres); and Paint Plant, 38547 Michigan Avenue, #55-010-99-0004-001 (est. 28.87 acres); is within Wayne County and within the City of Wayne and is Eligible Property as that term is defined in

the Act because said property is functionally obsolete as defined in the Act; and

WHEREAS, On April 9, 2008, the Wayne County Brownfield Redevelopment Authority, pursuant to and in accordance with Section 13 of the Act, recommended that the Wayne County Board of Commissioners approve Ford Motor Company's *Brownfield Plan*, dated April 3, 2009 for Ford's Michigan Assembly Plant Project, to be carried out within Wayne County and within the City of Wayne relating to the redevelopment of the Property; and

WHEREAS, On April 14, 2009 the Wayne County Board of Commissioners approved said *Brownfield Plan*;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Wayne concurs with the provisions of the Ford Motor Company's *Brownfield Plan*, dated April 3, 2009 for Ford's Michigan Assembly Project.

BE IT FURTHER RESOLVED That the City Council of the City of Wayne consents to the implementation of said *Brownfield Plan* by the Wayne County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED That should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid.

BE IT FURTHER RESOLVED That all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

RESOLUTION DECLARED ADOPTED

The agenda was moved to Item 9j.

04-09-0163 Motion by Damitio, seconded by Mulholland and unanimously carried, it was resolved to approve the appointment of Ms. Angela Talo as the City's Millennial Mayors Congress Representative.

04-09-0164 Motion by Damitio, seconded by Dobrowolski and unanimously carried, it was resolved to approve the request from The Scleroderma Foundation to proclaim June Scleroderma Awareness Month in Wayne as follows:

RESOLUTION

WHEREAS, Scleroderma is a chronic, autoimmune connective tissue disease, and the term Scleroderma literally means "hard skin"; and

WHEREAS, common symptoms include hardening and thickening of the skin which is one of the most visible manifestations of the disease with other symptoms to include Raynaud's Phenomenon, abnormal sensitivity to cold in the extremities, swelling of the hands and feet, pain and stiffness of the joints, joint contractures, digestive system and gastrointestinal tract problems, oral, facial and dental problems and kidney, heart and

lung problems; and

WHEREAS, characteristics of the disease include an over-production of collagen and damage to blood vessels;

WHEREAS, Scleroderma is chronic and debilitating and is classified as an autoimmune disease which affects more than 50 million Americans and is the third leading cause of death in the United States; and

WHEREAS, Scleroderma is the most fatal and least recognized of these diseases, primarily affecting women between the ages of 25 and 55 and of which there is no known cause or cure; and

WHEREAS, the Scleroderma Foundation Michigan Chapter's three-fold mission is:

Support: To help patients and their families cope with Scleroderma through mutual support programs, peer counseling, physician referrals and educational information.

Education: To promote public awareness and education through patient and health professional seminars, literature and publicity campaigns.

Research: to stimulate and support research to improve treatment and ultimately find the cause of and cure for Scleroderma and related diseases.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Wayne commend the efforts of the staff and volunteers of the Scleroderma Foundation Michigan Chapter to build awareness of this devastating disease; and

BE IT FURTHER RESOLVED, that the Mayor and City Council hereby declare the month of June as Scleroderma Awareness Month in Wayne.

04-09-0165 Motion by Damitio, seconded by Dobrowolski and unanimously carried, the following resolution was adopted:

RESOLUTION

WHEREAS, the City of Wayne opposes the re-opening of two deep injection toxic waste wells on Citrin Drive and is also calling for the wells to be permanently closed; and

WHEREAS, a broad and deep coalition of citizens, community and congressional leaders, environmental activists had repeatedly warned that the wells represented an unacceptable risk to our health and quality of life; and

WHEREAS, in a brief 10-month period of operation, the two wells had compiled a lengthy safety record of more than a dozen violations, including dangerous leaks of toxic chemicals and serious mismanagement of the facility that threatened public health, property and safety; and

WHEREAS, the two wells, upon briefly operating in 2006 despite strong protests and

concerns, caused thousands of gallons of hazardous waste to enter the community and put Romulus citizens, businesses, infrastructure and public safety personnel at risk every day; and

WHEREAS, the wells' record of violations and mismanagement had led to a massive public outcry and prompted state and federal regulators to shut the wells down in response to the wave of public pressure; and

NOW, THEREFORE, BE IT RESOLVED, that for the future of Romulus and all surrounding communities in southeast Michigan, the City Council of Wayne strongly opposes the reopening of the two hazardous waste wells in Romulus; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Wayne City Council calls on the Michigan Department of Environmental Quality and the Federal Environmental Protection Agency to take all regulatory procedures needed to close these two wells permanently and irreversibly for the safety, health and future of our citizens.

04-09-0166 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to approve Site Plan #2009-04, Athena Career Academy, 3625 Metro Mall, Employment Training & Design, 3649 Metro Mall, 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 Building Official prior to the construction.
3. That a Certificate of Occupancy inspection shall be completed.
4. That the units shall be made accessible and usable to people with disabilities.
5. That the address shall be posted on each unit.
6. That the Police Department information shall be submitted (business registration).
7. That all deferred general maintenance items as marked by the City Engineer shall be repaired.
8. That the paving program commitment letter (dated November 1, 2007) for the northeast parking lot shall be updated.
9. That the signs shall be reviewed and approved by Community Development prior to the issuance of a permit.
10. That all conditions at this site shall be completed before the issuance of a

Certificate of Occupancy.

Margaret Werabelski, representative for the project, accepted the conditions without exception.

04-09-0167 Motion by Dobrowolski, seconded by Damitio and unanimously carried, the following resolution was adopted:

RESOLUTION

WHEREAS, bids were requested for the 2009 Goudy Park Amphitheater Concrete Rehabilitation Project; and

WHEREAS, nineteen (19) bids were received, opened and publicly read by the City Clerk on Thursday, April 2, 2009 at 10:00 a.m., in the Council Chamber of City Hall as follows:

C & L Enterprizes, Inc., Shelby Twp., MI	\$39,920.00
Rotondo Construction Corp., Farmington Hills, MI	\$45,404.00
Dominic Gaglio Construction, Southgate, MI	\$45,885.00
Hartwell Cement, Oak Park, MI	\$46,060.00
Action Traffic Maintenance, Shelby Twp., MI	\$47,145.00
A Land Construction, Dearborn Heights, MI	\$47,180.00
Lacaria Concrete Construction, Detroit, MI	\$47,220.00
Gaglio PR Cement Corporation, Taylor, MI	\$47,999.00
GV Cement Contracting, Brownstown, MI	\$49,425.00
Hard Rock Concrete, Westland, MI	\$49,995.00
AAD Contracting, Dearborn, MI	\$61,000.00
Audia Concrete Construction, Milford, MI	\$64,570.00
Caasti Contracting Services, Detroit, MI	\$70,000.00
Soulliere Decorative Stone, Inc., Utica, MI	\$76,667.00
McCarthy Construction Co., Commerce, MI	\$76,865.00
WJH Concrete, Mayville, MI	\$77,000.00
Davenport Brothers Const. Belleville, MI	\$81,140.00
TDS General Contractors, Union Lake, MI	\$82,255.00
Barthel Contracting Co., Detroit, MI	\$86,993.38

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

NOW, THEREFORE, BE IT RESOLVED, that the low bid submitted by C & L Enterprizes, Inc., in the amount of \$39,920.00, to be paid from the Risk Management Budget, be accepted in the best interest of the City.

04-09-0168 Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to adopt Ordinance 2009-05, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-05

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF WAYNE
THE CITY OF WAYNE ORDAINS:

Section 1. THAT THE CODIFIED ORDINANCES OF THE CITY OF WAYNE BE AMENDED BY ADDITIONS OR AMENDMENTS TO PART FOURTEEN, BUILDING AND HOUSING CODE; CHAPTER 1472, DANGEROUS BUILDINGS; 1472.05 (b)(2)(3), (c)(3), (j)

1472.05 NOTICE AND ORDER TO SHOW CAUSE

- (b)
 - (2) Mailing a copy by certified mail, postage paid, return receipt requested, and first class mail, postage paid, to the owner.
 - (3) Posting a copy thereof upon a conspicuous part of the building or structure.
(A, B, C, D, E are all eliminated)
- (c)
 - (3) The date of posting.

1472.07

- (j) If the Hearing Officer shall determine that the building or structure is a dangerous building at the conclusion of the hearing, the Hearing Officer shall sustain the findings of the City Engineer or the City Engineer's designee. The Hearing Officer shall then order the building or structure to be demolished or made safe, as the facts determined by the Hearing Officer shall dictate. The Hearing Officer shall fix a time by which the owner of the building or structure shall complete the demolition or make the building or structure safe. In no event shall the period established by the Hearing Officer exceed 30 days from the date of the service of the Hearing Officer's notice of findings and order. The Hearing Officer's notice of findings and order shall be given to the owner in the manner set forth in this chapter. The effective date of the Hearing Officer's notice of findings and order shall be upon service as provided in this chapter.

Section 2. That this Ordinance shall be published as required by law.

Section 3. That this Ordinance shall become effective ten days after enactment and upon publication thereof.

04-09-0169 Motion by Damitio, seconded by Dobrowolski and unanimously carried, it was resolved to adopt Ordinance 2009-06, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-06

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF WAYNE

THE CITY OF WAYNE ORDAINS:

Section 1. THAT THE CODIFIED ORDINANCES OF THE CITY OF WAYNE BE AMENDED BY ADDITIONS OR AMENDMENTS TO PART TWO, ADMINISTRATIVE CODE; CHAPTER 218. SPECIAL ASSESSMENTS

218.03 IMPROVEMENT PROCEDURE

- (d)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation.....
- (l)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation....

218.04 HAZARD OR NUISANCE PROCEDURE

- (a)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation in the City, to be designated by the Council, or by posting notice thereof for the same length of time in three public places within the City, to abate such nuisance or remove such hazard.
- (e)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation in the City, or by posting notice thereof for the same length of time in three public places within the City.

218.05 SIDEWALK AND DRIVEWAY APPROACH PROCEDURE

- (f)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation in the City, to be designated by Council or by posting notice thereof for the same length of time in three public places within the City.
- (m)at his or her address or the address shown on the last tax roll of the City or by publication at least once in a newspaper of general circulation in the City, to be designated by Council or by posting notice thereof for the same length of time in three public places within the City.

218.06 SINGLE LOT PROCEDURE

- (b)by first class mail sent to the last known address of the owner as shown on the assessment roll of the City, or by publication or by posting notice thereof for the same length of time in three public places within the City.

218.08

INSTALLMENTS AND COLLECTION OF LIEN

- (e)not a part of the annual tax roll, the Treasurer may give notice by publication at least once in a newspaper.....
- (f) Notice by Mail. As an alternative to Section (e) herein, the Treasurer.....

Section 2. That this Ordinance shall be published as required by law.

Section 3. That this Ordinance shall become effective ten days after enactment and upon publication thereof.

04-09-0170 Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to adopt Ordinance 2009-07, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-07

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF WAYNE

THE CITY OF WAYNE ORDAINS:

Section 1. THAT THE CODIFIED ORDINANCES OF THE CITY OF WAYNE BE AMENDED BY ADDITIONS OR AMENDMENTS TO PART SIX, GENERAL OFFENSES; CHAPTER 690, WEAPONS AND EXPLOSIVES

690.04 CARRYING CONCEALED WEAPONS

- (a) No person shall carry a dangerous weapon on his or her.....
- (b) "Dangerous weapon" means any article or device which is designed or reasonably adapted for use as an offensive, dangerous or deadly weapon.

Section 2. That this Ordinance shall be published as required by law.

Section 3. That this Ordinance shall become effective ten days after enactment and upon publication thereof.

04-09-0171 Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to adopt Ordinance 2009-08, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-08

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF WAYNE

THE CITY OF WAYNE ORDAINS:

Section 1. THAT THE CODIFIED ORDINANCES OF THE CITY OF WAYNE BE AMENDED BY ADDITIONS OR AMENDMENTS TO PART TWELVE, PLANNING AND ZONING; CHAPTER 1280, SIGNS

1280.07, TEMPORARY SIGNS

a) Temporary Sign Permit

Temporary signs on private property shall be allowed only upon the issuance of a temporary sign permit by the City Building and Engineering Department or as elsewhere authorized by the Code of Ordinances.

b) Display Period

A. Each zoning lot or single tenant building shall be allowed a maximum of three temporary sign permits within a 12-month time period. Each permit shall be for a maximum period of four weeks. In the instance where more than one business is located on a lot or in a building, structure or shopping center, each business shall be permitted two temporary sign permits within a 12-month period. However, not more than two such permits shall be issued to the lot, building, structure or shopping center for simultaneous display periods.

B. One temporary banner pertaining to the opening or “Grand Opening” of a new commercial enterprise may be temporarily affixed to the commercial building or the new business for a period of not more than four weeks. The length of such banner shall not exceed 25 feet.

c) Rights-of-Way

No temporary signs shall be placed, strung or located within the right-of-way or project in any way beyond the property line except as specifically authorized elsewhere by the Code of Ordinances.

d) Area and Height

No temporary sign shall have a surface area greater than 32 square feet for a single surface area or 64 square feet for signs of two or more faces, except for A-frame signs which shall be limited to 12 square feet per side. Temporary signs shall not exceed a height of six feet measured from the normal grade, except for A-frame signs which shall not exceed a height of five feet measured from the normal grade. Temporary balloon signs shall be exempt from the area and height requirements of temporary sign permits unless balloons are included as an integral part of the requested temporary sign.

Section 2. That this Ordinance shall be published as required by law.

Section 3. That this Ordinance shall become effective ten days after enactment and upon publication thereof.

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:

Keith Butkovich, 4424 Second Street, stated that there was supposed to be a meeting of the Website Evaluation Committee prior to the Council Meeting but thanked the Council for the cancellation being on the website. He inquired if the meeting would be rescheduled in the evening.

Councilman Damitio stated that the meeting had been postponed because Mayor Pro Tem McEachern was ill.

Councilman Mulholland stated that an evening meeting had been intentionally set-up due to schedules.

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

- a. Memo from the Police Chief concerning a question raised by a resident at the April 7, 2009 City Council Meeting regarding on-street parking at Michigan Avenue West and Newberry Street
- b. Memo from the Police Chief regarding a question raised by a resident at the April 7, 2009 City Council Meeting concerning on-street parking during Phase 9 of the Watermain & Sewer Replacement Project
- c. Memo from the Community Development Director concerning the Downtown Master Plan Open House, which will be held on Thursday, April 30, 2009 from 5:00 p.m. to 8:00 p.m. at the Library
- d. Memo from the Public Works Director regarding a tree planting ceremony, which will be held on Friday, April 24, 2009 at 10:00 a.m. at Hoover Elementary School, in conjunction with Arbor Day and a report concerning the plastic bottle recycling contest
- e. Memo from the Director of the Parks & Recreation Department regarding upcoming Health & Wellness Programs
- f. Memo from the Director of the Parks & Recreation Department concerning upcoming Spring Programs
- g. Memo from the Director of the Parks & Recreation Department regarding the ACT Production of "The Wizard of Oz", which will be held April 24-26, 2009 and May 1-3, 2009 at the State Wayne Theater
- h. Memo from the Director of the Parks & Recreation Department concerning the

Wayne Rotary Club/Wayne Parks & Recreation Department Auction "Off to the Races", which will be held on Friday, April 24, 2009 at 6:00 p.m. at the Community Center

- l. Memo from the Assistant Director of the Parks & Recreation Department regarding Classic Movies at the State Wayne Theater
- j. Memo from the Assistant Director of the Parks & Recreation Department concerning the 34th Annual Ice Show, which will be held May 1- 3, 2009 at the Community Center
- k. Memo from the City Clerk regarding a recommendation from the Local Officers Compensation Commission
- l. Memo from the City Engineer regarding a question raised by a resident at the April 7, 2009 City Council Meeting regarding Phase IX of the Watermain & Sewer Replacement Project
- m. Memo from the City Manager concerning the Newberry Square Apartments
- n. Memo from the Fire Chief regarding the Sky Warning Class, which will be held on Thursday, May 7, 2009 at 7:00 p.m. at the Fire Station

04-09-0172 Motion by Dobrowolski, seconded by Damitio and unanimously carried, it was resolved to approve declaring 34934 Brush Street a Hazard/Nuisance, on an emergency basis, and assess the charges to the owner of record.

04-09-0173 Motion by Damitio, seconded by Mulholland and unanimously carried, it was resolved to approve declaring 34574 Elm Street a Hazard/Nuisance, and assess the charges to the owner of record.

04-09-0174 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to approve a contract with Leo's Jewelry & Gifts, to provide 25 items for the Rotary/Parks & Recreation Auction, which will be held on Friday, April 24, 2009 at the Community Center at 6:00 p.m.

04-09-0175 Motion by Damitio, seconded by Mulholland and unanimously carried, it was resolved to call a Public Hearing for Monday, May 4, 2009 at 7:00 p.m. to consider amending Section 1234.12(d)(7) & (8) of the Zoning Ordinance: Regulated Uses.

04-09-0176 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to call a Public Hearing for Monday, May 4, 2009 at 7:00 p.m. to consider amending Section 1280.04: Projecting Signs.

04-09-0177 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to approve a resolution of support for Streetscape Phase VI; eastside of South Wayne Road from Annapolis Avenue to Harroun Parkway.

04-09-0178 Motion by Damitio, seconded by Mulholland and unanimously

carried, it was resolved to approve a contract with Terry Ryckman, to provide 40 items for the Rotary/Parks & Recreation Auction, which will be held on Friday, April 24, 2009 at the Community Center at 6:00 p.m.

04-09-0179 Motion by Kelly, seconded by Dobrowolski and unanimously carried, it was resolved to approve the 3rd year of a possible 6 year contract with TruGreen Chemlawn, for an amount not to exceed \$5,014.00, for lawn fertilizing at Parks & Recreation Department properties, to be paid from the Parks & Recreation Department Buildings & Grounds Contractual Services Budget.

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 Haidous addressed the issue of the negotiations with the Ford Motor Company. He thanked City Attorney Richard Clark, City Manager John Zech, Assistant City Manager Robert English, Finance Director Timothy McCurley and Community Development Director Peter McInerney for all their hard work. He stated that the City has a great team under the leadership of City Manager John Zech which created a sense of comfort for the City and exhibited proud professionalism. He further stated that he feels that the City has contributed to the success of Ford Motor Company and that Ford Motor Company has contributed to the success of the City of Wayne. He again congratulated the team on a job well done and also thanked Ford Motor Company for their efforts in keeping the company in the City.

Councilman Mulholland stated Go Pistons! Go Red Wings!

Councilman Damitio encouraged everyone to get out and shop in Wayne. He also encouraged everyone to see the production of the Wizard of Oz at the State Wayne Theater as it is a great show.

Mayor Haidous expressed get well wishes to Mayor Pro Tem McEachern from the Council and wished her the best of health.

04-09-0180 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Housing Commission Minutes of March 11
- b. Library Board Minutes of March 11
- c. Planning Commission Minutes of April 14
- d. Zoning Board of Appeals Minutes of April 9
- e. Local Officers Compensation Commission Minutes of April 9
- f. Festival Commission Minutes of January 30, 2009
- g. Festival Commission Minutes of March 26, 2009

h. Website Committee Minutes of March 7

04-09-0181 Motion by Dobrowolski, seconded by Mulholland and unanimously carried, it was resolved to adjourn the meeting at 9:49 p.m.

Mary E. Carney
City Clerk

Abstract published April 30, 2009