

CITY OF WAYNE
CITY COUNCIL
REGULAR MEETING NO. 2009-33 - DECEMBER 1, 2009
WAYNE CITY HALL
3355 SOUTH WAYNE ROAD
8:00 P.M.

A regular meeting of the Wayne City Council was held on Tuesday, December 1, 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 8:03 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, James K. Henley

Members Absent: None

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

12-09-0545 Motion by McEachern, seconded by Rowe and carried by a 6-0 vote (Dobrowolski abstained), it was resolved to approve the minutes of the Regular Meeting of November 17, 2009, as printed.

Presentation of Certificates of Participation were made to the 2010 Wayne-Westland Junior Miss Contestants.

12-09-0546 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to adopt Ordinance 2009-17, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-17

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 AN ADDITION TO PART TWELVE, PLANNING AND ZONING; CHAPTER 1261, B-5, BUSINESS CONCENTRATED DISTRICT

CHAPTER 1261 - B-5 - BUSINESS CONCENTRATED DISTRICT

1261.01 INTENT

The provisions of this chapter are intended to encourage, facilitate and concentrate the development of sound and efficient shopping and central business districts, among such necessary regulations being the exclusion of certain uses and activities that sometimes disrupt the functioning of a highly concentrated business district.

1261.02 PERMITTED PRINCIPAL USES

The following principal uses are permitted in the B-5 District:

- a. Uses permitted in the B-4 District except for the uses specified in Section 1260.02(a)(5) [being Semipublic uses, including churches, museums, libraries, fire stations and police stations] and Section 1260.02(a)(6) [being Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations].
- b. Conditions for the uses permitted in subsection (a) hereof are the same conditions set forth for the B-4 District in Section 1260.02(b).

1261.03 PERMITTED ACCESSORY USES

The following accessory uses are permitted in the B-5 District.

- a. Any use customarily incidental to the permitted principal use, compatible with the intent of this District to exclude disruptive activities.
- b. Drive-in facilities for banking or package pick-up are permitted only when accessory to a principal use not being a drive-in type of facility.
- c. Parking, in accordance with Chapter 1282.
- d. Signs, in accordance with Chapter 1280.
- e. Fences, in accordance with Chapter 1279.
- f. Not more than four properly licensed mechanical and electronic amusement devices, as defined in Chapter 840 of the Business Regulation and Taxation Code, provided, however, that an establishment that has been issued a Class C Liquor License by the State Liquor Control Commission may have not more than six such devices.
- g. Satellite television dishes, but not more than one such dish shall be located in accordance with setback provisions applicable to other accessory structures. If located on the roof of a building, the height of the uppermost part of such device shall not exceed 12 feet above the maximum building height of this Zoning District.

1261.04 USES REQUIRING A SPECIAL EXCEPTION PERMIT

- a. Uses requiring a Board of Zoning Appeals special exception permit are the same uses specified for the B-4 District in Section 1260.04(a).
- b. Uses requiring a Planning Commission special exception permit are the same uses specified for the B-4 District in Section 1260.04(b).

1261.05 SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS

The area, height, bulk and placement regulations for the B-5 District are the same as set forth for the B-4 District in Section 1260.05.

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.

12-09-0547 Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to adopt Ordinance 2009-18, an ordinance to amend the codified ordinances of the City of Wayne, as follows:

ORDINANCE NO. 2009-18

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

THE CITY OF WAYNE ORDAINS:

Section 1. THAT THE ZONING MAP OF THE CITY OF WAYNE BE AMENDED AND CHANGED TO SHOW B-5, BUSINESS CONCENTRATED DISTRICT, WHERE B-1, BUSINESS LIMITED ZONING DISTRICT AND B-4, BUSINESS INTENSIVE ZONING DISTRICT ARE NOW SHOWN, AS HEREINAFTER DESCRIBED:

	Property Tax ID No.	Address	Street
1	55-006-03-0002-000	35858	Michigan Avenue West
2	55-006-03-0006-000	35836	
3	55-006-03-0009-000	35830	
4	55-006-03-0012-000	35816	
5	55-006-03-0014-000	35812	
6	55-006-05-0061-000	35760	Michigan Avenue West
7	55-006-05-0060-000	35732	
8	55-006-05-0057-002	35712	
9	55-006-06-0001-000	35731	Michigan Avenue West

10	55-006-08-0025-000	35640	Michigan Avenue West
11	55-006-08-0024-001	35634	
12	55-006-08-0023-000	35630-22	
13	55-006-08-0022-001	35612	
14	55-006-07-0002-001	SE corner	Michigan Ave. W.; Clark Street
15	55-006-07-0001-302	3629	Clark Street
16	55-006-07-0002-002	3617	
17	55-006-07-0001-301	35613-03	Michigan Avenue West
18	55-006-09-0015-002	35550	Michigan Avenue West
19	55-006-09-0014-000	35540	
20	55-006-09-0012-001	35512	
21	55-006-10-0022-300	35545	Michigan Avenue West
22	55-013-01-0056-000	35505	
23	55-006-10-0011-003	35501	Mich. Ave. W.; 3616-32 Elizabeth St.
24	55-006-10-0015-302	3680	Elizabeth Street
25	55-006-10-0015-301	35518	Park Street
26	55-006-10-0002-004	35445	Michigan Avenue West
27	55-006-10-0001-304	35425	Mich. Ave. W.; Metro Mall 3601-3709
28	55-006-09-0001-000	35454	Michigan Avenue West
29	55-003-11-0104-001	35310	
30	55-003-12-0001-000	35240	Michigan Avenue West
30	55-003-12-0002-301		
30	55-003-12-0003-000		
30	55-003-12-0004-000		
31	55-003-11-0101-001	35234	Michigan Avenue West
32	55-003-11-0100-001	35228-18	
33	55-003-11-0099-002	35164	
34	55-003-11-0097-001	35150	
35	55-003-11-0084-001	35136	
36	55-003-11-0085-001	35132	Michigan Avenue West
37	55-003-11-0095-001		
38	55-003-11-0086-302	35128	Michigan Avenue West
39	55-003-11-0087-004	35122	
40	55-003-11-0087-003	35118	
41	55-003-11-0091-302	35112	
42	55-003-11-0090-302	35104-02	
43	55-018-01-0112-301	SW corner	Mich. Ave. W; Newberry St. (0.61 acre)
44	55-018-01-0115-003	35215	Michigan Avenue West
45	55-018-01-0120-301	35111	Michigan Avenue West
46	55-003-10-0047-305	3519	S. Wayne Road
47	55-003-10-0008-001	35028-06	Michigan Avenue West
48	55-003-10-0009-303	35004	
49	55-003-10-0011-001	34932	
50	55-003-10-0012-001	34924-14	
51	55-003-10-0013-307	34912	
52	55-003-10-0013-305	34904-00	

53	55-003-10-0014-303	34852	
54	55-003-10-0015-307	34844-40	
55	55-003-10-0016-303	34836	
56	55-003-10-0016-305	34830-28	
57	55-003-10-0017-000	34816	
58	55-003-10-0019-000	34806	
59	55-003-10-0042-000	3518	Second Street
60	55-003-10-0041-000	3515	Second Street; 34646 Sims Avenue
61	55-003-10-0020-000	34630-10	Michigan Avenue West
62	55-013-06-0315-007	36137-11	Michigan Avenue East
63	55-013-01-0032-001	35400-12	Michigan Avenue East
64	55-018-01-0180-301	35354-00	Michigan Avenue East
65	55-018-01-0188-300	35250-00	Michigan Avenue East
66	55-018-02-0018-002		Parking Structure
67	55-018-02-0023-000	34841	Veterans Plaza
68	55-018-02-0022-001	3850	Second Street
69	55-018-07-0220-304	35173-01	Michigan Avenue East

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.

12-09-0548 Motion by McEachern, seconded by Damitio and unanimously carried, that the request to add a new SDM License in conjunction with the 2009 Class C Licensed Business located at 32036 Michigan Avenue, Wayne, MI 48184, Wayne County, Luther Enterprises of Michigan, Inc., be approved.

12-09-0549 Motion by McEachern, seconded by Rowe and unanimously carried, that the request for a Dance Permit for the 2009 Class C Licensed Business located at 32036 Michigan Avenue, Wayne, MI 48184, Wayne County, Luther Enterprises of Michigan, Inc., be approved.

12-09-0550 Motion by Damitio, seconded by Mulholland and unanimously carried, that the request for an Entertainment Permit be denied for the 2009 Class C Licensed Business located at 32036 Michigan Avenue, Wayne, MI 48184, Wayne County, Luther Enterprises of Michigan, Inc.

12-09-0551 Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to approve the reappointment of Cynthia Graham to the Board of Canvassers, until December of 2013.

12-09-0552 Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to approve the reappointment of Michael Smith to the Board of Canvassers, until December of 2013.

Upon the request of Mayor Haidous for comments from persons in the audience on matters not covered by the Council Agenda, none were expressed.

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

- a. Memo from the Finance Director regarding the City's Annual Operating Portfolio Investment Report
- b. Memo from the Finance Department Administrative Specialist I concerning the City's Financial Institution Investment List
- c. Memo from the Fire Chief regarding the 2009 Wayne Goodfellows "No Child Without A Christmas" Program
- d. Memo from the Public Works Director concerning the Leaf and Compost Collection Program
- e. Memo from the Parks & Recreation Director regarding upcoming programs
- f. Memo from the Parks & Recreation Director concerning the 35th Anniversary of the Community Center
- g. Memo from the Parks & Recreation Director regarding the production of "Seussical", which will be held December 4-6, 2009 and December 11-13, 2009, at the State Wayne Theater
- h. Memo from the Parks & Recreation Department Administrative Specialist I concerning the Winterfest New Health & Wellness Expo
- i. Memo from the Finance Director regarding the FY '08-'09 Comprehensive Annual Financial Report (CAFR)

12-09-0553 Motion by Damitio, seconded by McEachern and unanimously carried, it was resolved to call a Public Hearing for January 5, 2010, at 8:00 p.m., to consider the proposed uses of the City's FY '10-'11 Community Development Block Grant (CDBG) Program Funds.

12-09-0554 Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve a four year lease with Pitney Bowes, in the amount of \$292.00 per month, for a Digital Mailing System, to be paid from the Finance Department Rentals Budget.

12-09-0555 Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to approve declaring 3570 Swanson Street, a Hazard/Nuisance, on an emergency basis, and assess the charges to the owner of record.

12-09-0556 Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to approve an Addendum to the Intergovernmental Agreement with Wayne County for the 2009 Justice Assistance Grant (JAG) in the amount of \$55,568.00 (no local match is required) for the purchase of three patrol cars.

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 stated that Mayor Pro Tem McEachern had been the Parade Marshall at the Christmas Parade and wanted to present a trophy to the Police and Fire Departments for a job well done. Mayor Haidous also thanked the Rotary Club for a job well done with the parade and all their other great contributions to the City.

Councilman Mulholland also congratulated the Police and Fire Departments on a job well done. He further stated it was a great parade and a great Parade Marshall.

Councilman Mulholland further stated that Parks and Recreation Director Nathan Adams is doing a great job at the Community Center. He further stated that the Community Center is a great facility and there is a long list of things to do. Everyone at the Community Center is working very hard to make the holidays spectacular.

Councilwoman Rowe also stated that the parade was great and the weather cooperated nicely. She also thanked the Police and Fire Departments and Santa!

Councilman Henley reminded everyone to shop in Wayne, especially during the holiday season.

Councilwoman Dobrowolski stated that everyone did a nice job with the tree lighting held before the meeting at the Historical Museum. She also thanked Santa for being there!

Councilwoman Dobrowolski also welcomed Councilman Henley as she was out of town for his first meeting.

Councilman Damitio congratulated Finance Director Timothy McCurley on a great financial report.

Councilman Damitio told Councilman Mulholland that they can both lace up their skates on Saturday during the "free skating" time at the Community Center.

Mayor Pro Tem McEachern thanked the Public Works Department for having the Christmas banners on the light poles for the parade.

Mayor Pro Tem McEachern also encouraged everyone to shop in Wayne.

Mayor Haidous thanked Museum Director Richard Story and City Planner Matthew Miller for the efforts with the tree lighting at the Museum.

Mayor Haidous further stated that he hopes everyone has a season full of joy and that the Goodfellows do well at their upcoming fundraiser as assistance for families is needed more than ever this year.

12-09-0557 Motion by Rowe, seconded by Mulholland and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Housing Commission Minutes of October 21
- b. Zoning Board of Appeals Minutes of November 12
- c. Commission on Aging Minutes of October 13
- d. Recreation Advisory Minutes of November 4

12-09-0558 Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to adjourn the meeting at 8:42 p.m.

Mary E. Carney
City Clerk

Abstract published December 10, 2009