

CITY OF WAYNE  
REGULAR CITY COUNCIL MEETING  
JANUARY 3, 2016 - 8:00 P.M.  
WAYNE CITY HALL  
3355 SOUTH WAYNE ROAD  
AGENDA

Pledge of Allegiance

Roll Call

**1. City Council Minutes**

- a. Regular Meeting of December 20

**2. Appointments to Boards, Commissions and Committees (Matthew Miller)**

- a. Approve the reappointment of Rupert Hillyard to the Housing Commission, until February of 2022

**3. Communications and Reports**

- a. Memo from the Fire Chief regarding the promotion of Fred Gilstorff
- b. Revenue and Expenditure Report period ending 11/30/2016

**4. General Items for Consideration**

- a. Discussion regarding Retiree Healthcare options
- b. Recommendation from the Rules and Procedures Committee
- c. Policy for contacting the City Attorney
- d. Approve a resolution to the Michigan Department of Transportation (MDOT) authorizing Ramzi El-Gharib, Ed Queen and Michael Buiten to apply for permits to work within MDOT rights-of-way

**5. Consent Calendar**

- a. Housing Commission Minutes of November 9

**CITIZEN COMMENTS OR REQUESTS ON ITEMS NOT ON THE AGENDA** - Citizens are to limit their comments or requests to 3 minutes. The City Council asks that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and the City Council. The Mayor, the City Council and the Department Heads may not respond to the questions at the meeting, but will respond by the next City Council Meeting or as soon as possible, once they have looked into the matter.

**6. Staff Updates**

**COMMENTS FROM MEMBERS OF THE CITY COUNCIL**

Respectfully Submitted,  


Lisa Nocerini  
City Manager

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CITY OF WAYNE  
REGULAR CITY COUNCIL MEETING - #2016-34  
TUESDAY, DECEMBER 20, 2016 - 8:00 P.M.  
WAYNE CITY HALL  
3355 SOUTH WAYNE ROAD

A regular meeting of the Wayne City Council was held on Tuesday, December 20, 2016, at 8:00 p.m. in the Wayne City Hall, 3355 Wayne Road.

Mayor Rowe 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 Susan M. Rowe, Mayor Pro-Tem Anthony W. Miller, John P. Rhaesa, Thomas E. Porter, Christopher J. Sanders, Ryan R. Gabriel, Richard T. Sutton IV

Members Absent: None

Also Present: Lisa Nocerini, City Manager, Breeda O'Leary-Brassfield, Asst. City Attorney, Matthew K. Miller, City Clerk

**12-16-0357** Motion by Sanders, seconded by Gabriel and unanimously carried, it was resolved to approve the Minutes of the Regular Meeting of December 6, 2016 as printed.

The City Council gave a presentation of a Certificates of Appreciation for the Holiday Night at the Museum.

The City Council heard a presentation for the Healthy Communities Award to Ali Sayed and Albert Damitio by Lynette Ish-Green from Beaumont Hospital.

Maxwell Cameron, Director of the Wayne Main Street, introduced himself to the City Council and the community.

State Representative Robert Kosowski addressed the City Council with a legislative update from Lansing.

**12-16-0358** Motion by Rhaesa, seconded by Sutton and unanimously carried, it was resolved to approve Site Plan #2016-10, DQ Drive Thru, 3017 S. Wayne Rd. 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 of fully dimensioned, drawn to scale building and engineering plans that show room dimensions, use and grading shall be reviewed and approved by the Building Official, City Engineer and Fire Marshal prior to any construction.
3. That the curb cut on Chestnut St. shall be redesigned for one-way traffic.

4. That the City tree shall be replaced on Chestnut in the area of the redesigned curb cut.
5. That the curb cut shall meet all Engineering Department requirements with restoration of the berm area included in the development.
6. That any changes to the plumbing system plans shall be reviewed by Hydro-Designs for cross connection/back flow prevention.
7. That the three western parking spaces shall be removed from the plan.
8. That no standing signs are installed in the public alleyway.
9. That no parking fire lane signs are installed in the public alleyway.
10. That there shall be no more than four vehicles stacked in the drive-thru lane.
11. That the speaker volume in the drive thru shall not be disturb adjacent properties.
12. That a barrier (such as a fence or landscaping) shall be placed near the outdoor seating area.
13. That all conditions at this site shall be completed before the issuance of a Certificate of Occupancy.

Mike and Jennifer Petrou, owners, were present to represent the Site Plan and accepted the conditions.

**12-16-0359** Motion by Rhaesa, seconded by Gabriel and unanimously carried, it was resolved to approve the reappointment of Willie Coleman to the Board of Review until December 2017.

**12-16-0360** Motion by Gabriel, seconded by Porter and unanimously carried, it was resolved to approve the reappointment of Albert Damitio to the Board of Review until December 2017.

**12-16-0361** Motion by Sanders, seconded by Gabriel and unanimously carried, it was resolved to approve the reappointment of Deborah Wass to the Board of Review until December 2017.

**12-16-0362** Motion by Sanders, seconded by Gabriel and unanimously carried, it was resolved to approve the reappointment of Terry Shenk (alt) to the Board of Review until December 2017.

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

- a. Flyer regarding One-Stop Health Screening on Wednesday, January 18, 2017 at the Hype Recreation Center
- b. Memo from the City Clerk regarding the 2016 Presidential Recount

**12-16-0363** Motion by Rhaesa, seconded by Gabriel and unanimously carried, it was resolved to approve the purchase of three Police Motorola Radios from ComSource to be paid by a Michigan State Police Bryne Grant for an amount not to exceed \$12,069.60.

**12-16-0364** Motion by Rhaesa, seconded by Porter and unanimously carried, it was resolved to approve Budget Amendment #2017-9 for the purchase of the police radios.

**12-16-0365** Motion by Sanders, seconded by Miller and unanimously carried, it was resolved to approve the Annual Wayne County resolutions for Road Maintenance, Special Events and Pavement Restoration and authorized Ramzi El-Gharib P.E., City Engineer, Michael Buiten, Engineering Manager and Ed Queen, DPW Asst. Director to sign permits on behalf of the City.

**12-16-0366** Motion by Gabriel, seconded by Porter the motion carried 6-1 (Sanders), it was resolved to approve the Uniform Video Service Franchise Agreement with Comcast for a 10 year period.

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

Tim Reynolds, retiree, addressed the City Council about the retiree healthcare.

Vern Amos, Stellwagen St., addressed the City Council about the Wayne Neighborhood Watch Patrol.

Tom Miller, retiree, addressed the City Council about the retiree healthcare.

John Smith, retiree, addressed the City Council about the retiree healthcare.

Elmer Daniels, retiree, addressed the City Council about the retiree healthcare.

Joe Kadlec, retiree, addressed the City Council about the retiree healthcare.

Victor Osborne, Adele St., addressed the City Council about the retiree healthcare.

Mike McKee, retiree, addressed the City Council about the retiree healthcare.

Barb Smith, resident, addressed the City Council about the retiree healthcare.

Miguel Bronfman, Williams St., addressed the City Council about freedom of speech.

Ben Corney, retiree, addressed the City Council about the retiree healthcare.

**12-16-0367** Motion by Sanders, seconded by Porter and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Planning Commission Minutes of October 11
- b. Downtown Development Authority Minutes of October 12

STAFF REPORTS

There were no staff reports.

**12-16-0368** Motion by Sanders, seconded by Miller, the motion carried 6-1 (Rowe), it was resolved to have a policy for contacting the City Attorney on the January 3, 2017 City Council Agenda.

**12-16-0369** Motion by Sanders, seconded by Gabriel the motion carried by 4-3 roll call vote, it was resolved to place a stay on the motion for Option #4 for retiree healthcare that includes a monthly stipend: \$175/single; \$400/two person; \$485/family and \$110/post 65 and place Retiree Healthcare Options on the January 3, 2017 City Council Agenda.

ROLL CALL

AYES: Miller, Sanders, Gabriel, Sutton  
NAYS: Rhaesa, Porter, Rowe  
ABSENT: None

**12-16-0370** Motion by Miller, seconded by Sanders, the motion carried 6-1 (Rhaesa), it was resolved to place the recommendation from the Rules and Procedures Committee on the January 3, 2017 City Council Agenda.

**12-16-0371** Motion by Miller, seconded by Gabriel the motion carried by 4-2 roll call vote with one abstention, it was resolved to suspend all financial transactions of the City Council (except the City Manager Contract) with a business owned by a person sitting at the City Council table until a vendor list is established and an Ethics Policy is approved.

ROLL CALL

AYES: Miller, Sanders, Gabriel, Sutton  
NAYS: Porter, Rowe  
ABSTAINED: Rhaesa  
ABSENT: None

**12-16-0372** Motion by Sanders, seconded by Gabriel and unanimously carried, it was resolved to adjourn the meeting at 10:08 p.m.

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Susan M. Rowe  
Mayor

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Matthew K. Miller  
City Clerk

Abstract Published December 29, 2016

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# MEMO

DATE: December 22, 2016

TO: Lisa Nocerini, City Manager

FROM: Katherine Lindsay, Executive Director

RE: Consider Re-Appointment of Rupert Hillyard to Wayne Housing Commission Board

Commissioner Hillyard's current term on the Wayne Housing Commission board will expire on February 28, 2017. Mr. Hillyard has indicated that he would like to continue serving on the board and is interested in renewing for an additional five-year term, which will expire on February 28, 2022.

Therefore the Wayne Housing Commission Board recommends that City Council consider approval of Mr. Hillyard's reappointment to the Wayne Housing Commission Board at their next scheduled meeting.



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*City of*  
**WAYNE**

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**FIRE DEPARTMENT**

December 27, 2016

TO: Lisa Nocerini, City Manager  
FROM: Michael Stradtner, Fire Chief  
RE: Promotion of Fred Gilstorff

It is my pleasure to announce the promotion of FRED GILSTORFF to Deputy Chief effective January 9, 2017.

Fred began his career with the Wayne Fire Department 22 years ago, in June of 1994. He was promoted to Lieutenant in 2007 and Captain in May of 2014. Fred is an instructor for the Rapid Intervention Team and Fire Fighter Safety. He has spent many hours planning safe and educated training for the four automatic aid communities involved. Fred has assisted in coordinating secure simulations of emergency situations that fire fighters may face in their careers. His input was engaged in the MABAS and our Auto Aid policies. Safety and training is a large part of Fred's goals. He manages a shift of fire fighters prepared to respond to any emergency. Fred also has secured much needs equipment through grant writing and fundraising.

During his career, Fred has exhibited the professionalism and enthusiasm that all fire fighters strive to achieve. Fred's desire to excel and further his knowledge is observed daily in his eagerness to share his progressive thoughts. While engaged in emergency situations, Fred displays considerable courage, knowledge, strength, and determination.

Please, join me in congratulating Fred Gilstorff on his advancement to Deputy Chief with the City of Wayne Fire Department.



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Date: December 13, 2016  
 To: Lisa Nocerini, City Manager  
 From: Plante Moran, Contracted Finance Director  
 Re: November 30, 2016 Revenue and Expenditure Report

Listed below are the totals for each fund for the revenue and expenditures through November 30, 2016.  
 At this point in the fiscal year the percentage of the budget for revenues should be 41.7% or greater.  
 At this point in the fiscal year the percentage of the budget for expenditures should be 41.7% or less.

12/13/2016 REVENUE AND EXPENDITURE REPORT FOR CITY OF WAYNE  
 PERIOD ENDING 11/30/2016

GL NUMBER	DESCRIPTION	END BALANCE	2016-17		PERIOD	% BDGT
		06/30/2016 DR(CR)	ORIGINAL BUDGET	2016-17 AMENDED BUDGET	BALANCE DR (CR)	
<b>Fund 101 - GENERAL FUND:</b>						
TOTAL REVENUES		16,609,312.68	15,397,305.00	15,511,809.00	8,421,197.00	54.29
TOTAL EXPENDITURES		15,698,936.69	15,304,641.00	15,530,030.00	6,162,274.00	39.68
NET OF REVENUES & EXPENDITURES		910,375.99	92,664.00	(18,221.00)	2,258,923.00	12,397.36
<b>Fund 102 - RECREATION FUND:</b>						
TOTAL REVENUES		594,342.18	345,239.00	345,239.00	272,622.56	78.97
TOTAL EXPENDITURES		1,491,091.28	1,181,908.00	1,181,908.00	714,260.79	60.43
NET OF REVENUES & EXPENDITURES		(896,749.10)	(836,669.00)	(836,669.00)	(441,638.23)	52.79
<b>Fund 104 - PARKS &amp; RECREATION PROGRAMS:</b>						
TOTAL REVENUES		0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		221,172.99	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		(221,172.99)	0.00	0.00	0.00	0.00
<b>Fund 202 - MAJOR STREET FUND:</b>						
TOTAL REVENUES		959,725.02	810,000.00	810,000.00	362,231.13	44.72
TOTAL EXPENDITURES		814,576.74	810,000.00	810,000.00	180,906.08	22.33
NET OF REVENUES & EXPENDITURES		145,148.28	0.00	0.00	181,325.05	100.00
<b>Fund 203 - LOCAL STREET FUND:</b>						
TOTAL REVENUES		1,056,361.06	841,538.00	841,538.00	508,914.06	60.47
TOTAL EXPENDITURES		438,909.78	841,538.00	841,538.00	166,618.96	19.80
NET OF REVENUES & EXPENDITURES		617,451.28	0.00	0.00	342,295.10	100.00
<b>Fund 226 - REFUSE COLL &amp; DISP FUND:</b>						
TOTAL REVENUES		1,067,855.48	993,069.00	993,069.00	773,236.64	77.86
TOTAL EXPENDITURES		1,015,019.87	1,089,612.00	1,089,612.00	322,265.77	29.58
NET OF REVENUES & EXPENDITURES		52,835.61	(96,543.00)	(96,543.00)	450,970.87	467.12
<b>Fund 264 - VEHICLE FORFEITURE FUND:</b>						
TOTAL REVENUES		2,292.40	2,000.00	2,000.00	902.86	45.14
TOTAL EXPENDITURES		528.75	1,000.00	1,000.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		1,763.65	1,000.00	1,000.00	902.86	90.29
<b>Fund 265 - DRUG LAW ENFORCEMENT FUND:</b>						
TOTAL REVENUES		7,559.88	3,000.00	3,000.00	943.96	31.47
TOTAL EXPENDITURES		8,189.74	4,500.00	4,500.00	519.95	11.55
NET OF REVENUES & EXPENDITURES		(629.86)	(1,500.00)	(1,500.00)	424.01	28.27
<b>Fund 271 - LIBRARY OPERATIONS FUND:</b>						
TOTAL REVENUES		435,031.49	405,093.00	420,593.00	307,163.50	73.03
TOTAL EXPENDITURES		428,696.03	404,544.00	420,044.00	142,705.79	33.97
NET OF REVENUES & EXPENDITURES		6,335.46	549.00	549.00	164,457.71	29,955.87
<b>Fund 275 - COMMUNITY DEVELOPMENT GRANT:</b>						
TOTAL REVENUES		16,101.92	141,367.00	141,367.00	137,367.58	97.17
TOTAL EXPENDITURES		153,465.54	141,367.00	141,367.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		(137,363.62)	0.00	0.00	137,367.58	100.00
<b>Fund 276 - COMMUNITY DEV PROGRAM INCOME:</b>						
TOTAL REVENUES		9,540.32	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		9,541.92	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		(1.60)	0.00	0.00	0.00	0.00
<b>Fund 411 - 2006 WATER AND SEWER BONDS:</b>						
TOTAL REVENUES		931.80	0.00	0.00	284.87	100.00

TOTAL EXPENDITURES	122,897.76	0.00	0.00	1,757,984.38	100.00
NET OF REVENUES & EXPENDITURES	(121,965.96)	0.00	0.00	(1,757,699.51)	100.00
Fund 494 - DOWNTOWN DEVELOPMENT AUTHORITY:					
TOTAL REVENUES	1,282,750.95	1,224,000.00	1,224,000.00	519,369.66	42.43
TOTAL EXPENDITURES	1,377,570.67	1,197,698.00	1,197,698.00	406,469.04	33.94
NET OF REVENUES & EXPENDITURES	(94,819.72)	26,302.00	26,302.00	112,900.62	429.25
Fund 592 - WATER AND SEWER FUND:					
TOTAL REVENUES	10,729,173.01	12,063,724.00	12,063,724.00	6,569,536.52	54.46
TOTAL EXPENDITURES	9,237,113.56	12,059,875.00	12,059,875.00	3,656,344.55	30.32
NET OF REVENUES & EXPENDITURES	1,492,059.45	3,849.00	3,849.00	2,913,191.97	75,686.98
Fund 680 - INVESTMENT FUND:					
TOTAL REVENUES	(6,711.05)	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	(6,711.05)	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00
Fund 703 - CURRENT TAX COLLECTION FUND:					
TOTAL REVENUES	22,316,913.02	0.00	0.00	17,340,524.69	100.00
TOTAL EXPENDITURES	22,316,913.02	0.00	0.00	14,695,197.55	100.00
NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	2,645,327.14	100.00
Fund 704 - DELINQUENT TAX COLLECTION FUND:					
TOTAL REVENUES	62,762.06	0.00	0.00	2,017.67	100.00
TOTAL EXPENDITURES	62,762.08	0.00	0.00	6,380.07	100.00
NET OF REVENUES & EXPENDITURES	(0.02)	0.00	0.00	(4,362.40)	100.00
Fund 711 - CEMETERY PERPETUAL CARE FUND:					
TOTAL REVENUES	5,400.00	5,300.00	5,300.00	520.00	9.81
TOTAL EXPENDITURES	1,336.00	0.00	0.00	816.00	100.00
NET OF REVENUES & EXPENDITURES	4,064.00	5,300.00	5,300.00	(296.00)	5.58
Fund 736 - PUBLIC EMPLOYEE HEALTH CARE:					
TOTAL REVENUES	(66,074.99)	0.00	0.00	72,424.07	100.00
TOTAL EXPENDITURES	1,184,247.97	0.00	0.00	1,153,211.51	100.00
NET OF REVENUES & EXPENDITURES	(1,250,322.96)	0.00	0.00	(1,080,787.44)	100.00
TOTAL REVENUES - ALL FUNDS					
TOTAL REVENUES - ALL FUNDS	55,083,267.23	32,231,635.00	32,361,639.00	35,289,256.77	109.05
TOTAL EXPENDITURES - ALL FUNDS	54,576,259.34	33,036,683.00	33,277,572.00	29,365,954.44	88.25
NET OF REVENUES & EXPENDITURES	507,007.89	(805,048.00)	(915,933.00)	5,923,302.33	646.70

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## City of Wayne, Michigan

### Procedures and Rules of City Council

#### Authority

City Council of the City of Wayne be adopted by resolution under the authority of the City Charter (Section 7.6). These rules are superseded by the City Charter, City Code of Ordinances and the laws of the State of Michigan.

#### Meetings

1. Regular meetings of the City Council will be held on the first and third Tuesday of each month beginning at 8:00 P.M. (EDT) in the Council Chambers of Wayne City Hall. With the exception of special circumstances e.g. holidays, elections, closing of City Hall, 3355 South Wayne Rd. Wayne, Michigan, etc., warrant otherwise.
2. All meetings shall be governed by and subject to all applicable provisions of the City Charter and relevant State of Michigan Statutes, including but not limited to Michigan Open Meetings Act. ( MCL 15.261 et seq.; MSA 4.1800(1) et seq.)
3. The rules of parliamentary procedure shall govern the meetings. Practice as contained in Robert's Rules of Order. (Most recent edition).
4. Council members shall not speak out of turn and direct all requests through the Chair person.
5. As a member of Council, actions are now taken in the form of resolutions and ordinances. Acting alone without the knowledge of the City Administration or other Council members shall be deemed against the rules and procedure and can lead to censure.
6. Special meetings shall be called by the City Clerk upon the written request of the Mayor or of any (two) members of the City Council with at least (24 hours) notice to each member of the City Council. The request of Special meetings is reserved for urgencies of City business that cannot be completed during regularly scheduled meetings or for the immediate public safety in the community.

7. Quorum is defined to be minimum of (four) members of City Council. (Four) votes carry any motion. With the exception of sale of City own property, where as a super majority of (five) votes is required. In the absence of a quorum a meeting adjournment shall take place with a rescheduled time and date.
  
8. The voting upon the passage of all ordinances and resolutions shall be taken by a "yes" or "no" vote and entered upon record ,except where as the vote is unanimous, it shall only be necessary to state. Each member shall vote on all questions decided by the City Council unless excused by the unanimous consent of the other City Council member's present.
  
9. If a roll call vote is called it will be in the following order. Mayor Pro Tem, then by seniority of Council members. Followed by the Mayor as the last member to vote.
  
10. Any member may call a question during any discussion. Once it is called no further discussion may occur and the City Clerk shall call for a vote.
  
11. Any member of Council may call a point of order during any discussion. This can only be done when there is an irregularity in procedure, irrelevance or continued repetition of a speaker or a breach of established practices. It cannot be used if a member of Council disagrees with what is being said. Once it is called, no further discussions occur and the Mayor shall direct what will procedurally occur next.
  
12. The seating of Council members shall be determined by the Mayor.

#### Public Hearings

1. Public Hearings are to be held in accordance of Local, State and Federal Laws.
2. Public Hearings are for the public to address the Council. The Council shall not interfere during these times.
3. All legal documentation will be posted on City of Wayne Administration website.

#### Agenda

The following shall be the form of the agenda for City Council to conduct the business of the city.

Call to Order

Pledge of Allegiance

Roll Call of Council Members with the announcement of Quorum.

Public Comment for matters on the Agenda.

Approval of Agenda

Approval of Minutes

New Business (Any new proposals from the Mayor, or Council that they would like to bring to the table)

Presentations

Public Hearings

Requests

Site Plan Reviews

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Bid Awards

Business Licenses and Permits

Ordinances and Amendments

Appointment to Boards, Commission and Committees

Communications and Reports

General Items

Public Comments for matters not on the Agenda

Consent Calendar

Staff updates

Communications from the Mayor and City Council

Closed Sessions

Adjournment

Recording of Meetings

1. Minutes of the meetings will be taken by the City Clerk. The minutes shall contain the approved resolutions of the City Council. The minutes shall be open for review to the public by the Monday following the meeting on the City of Wayne website. An abstract of the proceedings of the Council shall be published at least once within fifteen days after each meeting in the official newspaper of the City.
2. With the exception of Closed Sessions, All meetings of the City Council shall be recorded through the use of video recording device. Such recordings will be done under the supervision of the City Clerk. The video recording will be done at meetings held in the Council Chambers to the best of the ability of staff and the functionality of the equipment. Meetings held off site are not required to be recorded.
3. The recordings of Council meetings will be retained by the City Clerk for a period of ninety days from date of the meeting.

#### Committee Assignments

1. There shall be no standing Committees of the City Council. However the Mayor may assign three members of the City Council, with the approval of Council for the purpose to determined consensus of direction for City Council consideration.
2. Council member's responsibilities will be generally limited to policy and not the administration of a department.
3. The City Administration and Department Leads may request the presence of a Council representative at any meeting they deem necessary. A Council representative should be requested to attend meetings where other elected public governmental representatives are to be present.
4. All residents are encouraged to volunteer and participate on Boards and Commissions in the City of Wayne through the online application form @ [www.ci.wayne.mi.us](http://www.ci.wayne.mi.us) or at City Hall during normal business hours.

5. Committees shall be advisory of recommendations for City Council.
6. No committee shall have a budget or spending authority to incur costs to the city.
7. Any committee recommendations that would require funding must include a report on method of funding.

#### Proposed Council Vacancy Process

1. All candidates would follow guidelines of application for consideration with a time stamped letters of interest, with a resume, to the City Clerk's office on an ongoing basis.
2. When applicable depending on applicants received in filling vacant council seat. Ward representation must be considered under advisement and remain a part of the overall selection.
3. Qualifications and ability remain a priority over ward residency in the appointment process.
4. A special meeting would be scheduled in adjacent to the beginning of a regularly scheduled meeting for the purpose to fill vacant council seat.
5. Each candidate in alphabetical order will be interviewed in a sequestered manner prior to each other's presentation.
6. The pledge of allegiance followed by an explanation of procedure and a public comment period.
7. Each candidate will then be given three minutes to make presentation.
8. The council will have up to ten minutes to ask questions of the candidate. Standard line of questions is to remain confidential prior to interviews.
9. The candidate will then have an additional two minutes to provide closing comments to the council.
10. A short recess may be called.
11. After vetting process is completed council will select his or hers top selection of candidates. Each member of council would be allowed the same number of chooses at each level of elimination.
12. A series of round voting mechanism will take place to narrow (depending on number of applications) down and systematically eliminate candidates under consideration down to two candidates. Final round will lead to a majority cast vote to fill vacancy.
13. Following end of regular meeting the successful candidate will be sworn in by the City Clerk.
14. On next regular scheduled council meeting a formal swearing in will take place and appointment will take his or her place on council.
15. All information can be acquired regarding process through the City Clerk office and City Administration website.
16. An abstract of notification of vacancy will be posted and or published on the City of Wayne Administration website and the official newspaper of the City promptly once acknowledgment of vacancy occurs.



This was given out at  
the first meeting

November 25, 2015

TO: Lisa Nocerini, City Manager  
FROM: Matthew K. Miller, City Clerk  
SUBJECT: City Council Procedures and Rules of City Council

Attached is a draft copy of the City Council Procedures and Rules of City Council. The attached is a culmination of some of the already adopted procedures, some issues relating directly to the City Charter and some issues that have never been solidified. Also, the Mayor has discussed that she wanted to review the procedures for City Council. Since the City Council has many new members, I felt it was a good time to bring these forward.

I have worked with yourself and City Attorney to pull together this document as well as researching past resolutions on procedures. In doing so, I reviewed other similar communities (meaning a City Manager form of government) and utilized the MML.

One change that you have discussed is to provide a Public Comment at the beginning of the meeting to have the citizens comment on anything on the agenda and then a Public Comment at the end of the meeting for items not on the agenda. This will now leave the discussion to only the City Council members during the General Items for Consideration section on the agenda.

Please have this as a Communication and Report on the agenda for December 1, 2015. If there are extensive changes or recommendations from the City Council, they can be submitted through the City Manager. The Council can review for a couple of weeks and then it could go forward for adoption at the next City Council meeting.

If you have any additional questions please do not hesitate to contact me.

cc: P. Bohn, City Attorney

**City of Wayne, Michigan**  
**Procedures and Rules of City Council**

**Authority**

These rules are adopted by resolution of the City of Wayne City Council under the authority of the City Charter (Section 7.6). These rules are superseded by the City Charter, City Code of Ordinances and the laws of the State of Michigan.

**Meetings**

1. Regular meetings of the City Council will be held on the first and third Tuesday of each month beginning at 8:00 p.m., local prevailing time, in the Council Chambers of City Hall, 3355 South Wayne Road, Wayne, Michigan, unless special circumstances, e.g. holidays, elections, closing of City Hall, etc., warrant otherwise.
2. All meetings shall be governed by and subject to all applicable provisions of the City Charter and relevant Michigan State Statutes, including but not limited to Michigan's Open Meetings Act, MCL 15.261 et seq.; MSA 4.1800 (1) et seq.
3. The rules of parliamentary procedure shall govern the meetings. practice as contained in Robert's Rules of Order, most recent edition.
4. Special meetings shall be called by the City Clerk upon the written request of the Mayor or any two members of the City Council at least 24 hours notice to each member of the City Council.
5. Quorum is determined to be at least four members of the City Council and four votes carry any motion, except in the case of the sale of City-owned property where a super-majority of five votes is required. In the absence of a quorum a lesser number may adjourn any meeting to a later date.
6. The voting upon the passage of all ordinances and resolutions shall be taken by "yea" and "nay" votes and entered upon the record, except where the vote is unanimous, it shall only be necessary to state. Each member shall vote on all questions decided by the Council unless excused by the unanimous consent of the other members present.
7. If a roll call vote is called it will be in the following order: Mayor Pro-Tem, then by seniority and vote count and the Mayor is the last member to vote.
8. Any member may call a question during any discussion. Once it is called no further discussion may be done and the City Clerk shall call for a vote.
9. Any member may call a point of order during any discussion. This can only be done when there is an irregularity in procedure, irrelevance or continued repetition of a

speaker or a breach of established practices. It cannot be used if a member disagrees with what is being said. Once it is called, no further discussion may be done and the Mayor shall direct the next move for the meeting.

10. The seating of council members shall be determined by the Mayor.

### **Agenda**

The following shall be the form of the agenda for Council Meetings:

Pledge of Allegiance  
Roll Call of Council with announcement of Quorum  
Public Comment for matters on the Agenda  
Presentations  
Public Hearings  
Requests  
Site Plan Review  
Bid Awards  
Business Licenses and Permits  
Ordinances and Amendments  
Appointment to Boards, Commission and Committees  
Communications and Reports  
General Items  
Public Comment for matters not on the Agenda  
Consent calendar  
Staff updates  
Communications from the Mayor and City Council  
Closed Sessions  
Adjournment

### **Recording of Meetings**

1. With the exception of Closed Sessions, all meeting of the City Council shall be recorded through the use of a video recording device. Such recordings shall be under the control and supervision of the City Clerk. The video recording will be done at meetings held in the Council Chambers to the best of the ability of staff and the functionality of the equipment. Meeting held off-site are not to be recorded.
2. The recordings of Council meetings will be retained by the City Clerk for a period of ninety days from the date of the meeting.
3. The City Council meetings shall be live streamed to the City's cable channel.
4. Minutes of the meeting will be taken by the City Clerk. The minutes shall contain the approved resolutions of the City Council. The minutes shall be open for review to the public by the Monday following the meeting. An abstract of the proceedings of the Council shall be published at least once within fifteen days after each meeting in the official newspaper of the City.

### Citizen Meeting Participation

1. If you do have a questions or concern to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.
2. Persons addressing the City Council shall state their name and city for the record.
3. All comments are limited to three minutes per person. You cannot yield time to another person in the audience. The City Clerk is the official time keeper.
4. Persons sitting in the audience speaking out of turn are determined to be disturbing the peace and can be removed from the meeting.
5. There will be two sections of the agenda for public comment. The first at the beginning is to comment on anything on the agenda. This is your opportunity to comment on action items coming before the City Council General Items for Consideration. The second is at the end of the meeting to comment on matters not on the agenda.
6. The council shall take all matters under advisement. The City Manager will record the issue and if possible at the next meeting include a report to the City Council on the issue.

Your questions or comments may be presented during the "Public Comments" section of the agenda.

The Council Meeting is not the time for a speaker to engage in a debate with the City Council, staff or other speakers. The Council receives input from the public and deliberates the issues at hand. The speaker's opportunity to comment occurs prior to the Council's deliberation and/or action.

Council may or may not be able to answer specific questions at Council Meetings in order to facilitate the orderly processing of business.

7. No personal attacks or political speeches will be allowed. When a person in the audience becomes loud or unruly, the Mayor may declare the person to be out of order and if necessary, may rule the individual has forfeited the opportunity to speak further. A person may be excluded from the Meeting for a breach of the peace.

### Committee Assignments

1. There shall be no standing Committees of the City Council. However, the Mayor may assign three members of the Council, with the approval of Council.
2. Council members responsibilities will be generally limited to policy and not the

administration of a department or appointed organization.

3. Committees shall be advisory only and no committee shall have a budget or spending authority to incur costs to the City. Committees may make recommendations to the City Council or administration. These recommendations may result in the incurring of costs. Part of the committee's report shall be the method of funding for the committee recommendation.

4. The City Administration and Department Heads may request the presence of a Council representative at any meeting they deem necessary. A Council representative should be requested to attend meetings where other elected governmental representatives are to be present.

### **City Council Code of Conduct**

1. Members of Council shall not debate with a member of the public at Council meeting since these debates seldom resolve concerns and many times inflame feelings at a public meeting.

2. Public Hearings are to be held in accordance of Local, State or Federal Laws. These hearings are for the public to address the Council. The Council shall not interfere or speak during these times.

3. Council members shall not speak out of turn and direct all requests through the Chair.

4. The City seal is to be used only by the City. It is the seal of the City not individual Council members.

5. The City Manager and Mayor shall be the main contact for any media requests.

6. Social media now plays a part in our world but does not always relate well to the rules of conduct of Council members. As an elected official you are not only speaking for yourself but also the City Administration. It is discouraged to enter into debates, incite unrest, speak against ordinances of the City, City Staff and other Council members.

7. As a member of Council, actions are now taken in the form of resolutions and ordinances. Acting alone without knowledge of the City Administration or other Council members shall be deemed against the rules of procedure and can lead to censure.

8. Council members shall not solicit donations or money from residents or businesses in the City for purposes other than in compliance with Campaign Finance regulations.

### **City Council Relations with City Staff and general decorum**

1. Council members shall not debate with staff during a Council meeting. Any concerns by a Council member over the behavior or work of any City employee during a

Council meeting should be directed to the City Manager privately to ensure resolution.

2. Council members shall not have individual contact with any City staff other than during regular interactions at City buildings or at a pre-arranged meeting assigned by the City Manager.

3. Council members shall not loiter or enter staff areas of any City building.

4. Council members shall not request any information from individual staff members. Requests for information shall be made through the City Manager. The City Manager shall determine whether or not the request relates to City business. The same information will be shared with all City Council members.

5. Council members shall not coerce or influence staff in the processing or applications, the granting of licenses or permits, the hiring of personnel or any other decision made by staff.

6. Council members shall not retain the City Attorney or any member of the City Attorney's law firm for legal representation in any personal matter during their tenure on City Council.

7. Mail that is addressed to the Mayor and City Council shall be delivered to the City Manager. If a response is required, the City Manager will respond after conferring with Council.

8. Incoming mail shall not be opened when addressed to individual members. All mail, newspapers and communications will be at individual council places in the Council Chambers.

9. Council members may respond on City letterhead to any person or business who has written them a letter as Council member.

A. Such correspondence by the Council member shall state the City Council's position, if there is one, on the given issue.

B. No Council member will state a position contrary to that of City Council's unless the member states the position of City Council first and, then identifies their position as being personal and not that of adopted policy.

C. All correspondence shall be copied to all members of Council, the City Manager and, if involving a City Department, that Department Head.

10. Requests for certificates of recognition or resolutions shall be requested through the City Manager. The City Manager shall make the determination if the request is related to City business and that all information is coordinated in accordance with the staff. A request form is available through the City Clerk and all guidelines shall be met with adequate time given to permit staff to complete the request. In general only certificates of recognition shall be requested.

4d

December 28, 2016

M E M O

TO: Lisa Nocerini, City Manager

FR: Ed Queen, Assistant DPW Director



RE: Resolution for MDOT

Attached is a Performance Resolution for Governmental Agencies mandated by the State of Michigan. Each year an updated resolution is required from the City Council designating the names and positions of those persons authorized to sign permits for work performed with state trunkline right of way.

## PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".*

RESOLVED WHEREAS, the CITY OF WAYNE  
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.



- 5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
- 6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name: \_\_\_\_\_  
 Edmund Queen, Assistant DPW Director \_\_\_\_\_  
 Michael Buiten, Engineering Manager \_\_\_\_\_  
 Ramzi El-Gharib, City Engineer/DPW Director \_\_\_\_\_

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the City Council \_\_\_\_\_  
 (Name of Board, etc)  
 of the City of Wayne \_\_\_\_\_ of Wayne \_\_\_\_\_  
 (Name of GOVERNMENTAL AGENCY) (County)

at a \_\_\_\_\_ meeting held on the \_\_\_\_\_ day  
 of \_\_\_\_\_ A.D. \_\_\_\_\_

Signed \_\_\_\_\_ Title City Clerk \_\_\_\_\_

Wayne Housing Commission  
Minutes  
November 9, 2016

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On Wednesday, November 9, 2016 a regular meeting of the Wayne Housing Commission was held in the Housing Commission Conference Room at 3355 S. Wayne Rd., Wayne, Michigan 48184.

MEMBERS PRESENT: Terry Shenk, Vice President; Rupert Hillyard, Commissioner; Edward McMurray, Commissioner

MEMBERS ABSENT: Nelson Willis, President; Absent; Debbie Sparks, Commissioner; Excused

ALSO PRESENT: Katherine Lindsay, Executive Director; Michele Campbell, Program Administrator

The meeting was called to order at 6:00 P.M. by Vice President Shenk.

The minutes of the October 12, 2016 regular meeting were approved based on a motion by Commissioner Hillyard, supported by Commissioner McMurray, and unanimously carried.

1. Discussion was held regarding the October 2016 Expense Report. Moved by Commissioner Hillyard seconded by Commissioner McMurray, and unanimously carried to approve the October 2016 expenses.
2. Discussion was held regarding the October 2016 deposits.
3. The Board was informed on the uncollected rents.
4. The Board was updated on the repayment agreements with the residents.
5. The Board was apprised that at this time the Wayne Housing Commission is 100% occupied.
6. The Board was informed that during the month of October, 59 work orders were performed along with ground maintenance. As of November 9, 2016, there were 12 incomplete work orders outstanding.
7. The Board was given the 2017 budget. It will be voted on at the December regular meeting.
8. A 2016 Operating Budget Amendment was necessary due to unforeseen administrative costs, maintenance contracts, maintenance materials and higher than expected costs for water. Motion by Commissioner McMurray supported by Commissioner Hillyard and unanimously carried to approve the amendment to the 2016 Operating Budget.  
*Resolution #11-16-15*
9. Director Lindsay informed the Board that she has contacted the architect to get started on a Capital Fund Project to replace the kitchen floors in the senior units.
10. Commissioner Hillyard inquired about uniforms for the maintenance staff. Director Lindsay stated that she had a meeting with a representative from Cintas and was unhappy with the uniform choices she was given. Director Lindsay will look into uniforms for the maintenance staff and report on her findings at the December meeting.
11. Commissioner McMurray inquired about the condition of the Wayne Housing Commission vehicles. Director Lindsay stated that they are all in good condition and have low mileage. A report on vehicle repairs was given to all Commissioners.
12. Commissioner McMurray suggested sending maintenance to school to learn about HVAC repair and possibly starting an education fund for staff. Director Lindsay will bring up the topic at the next Public Housing Directors Meeting in January and report to the Board regarding neighboring agencies and how they approach education for staff.