

1. Agenda

Documents: [12-01 14 AGENDA.PDF](#)

2. Packet

Documents: [12-01 14 PACKET.PDF](#)



INKSTER CITY COUNCIL

December 1, 2014
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Hilliard L. Hampton, II
Mayor Pro Tem – Marcus L. Hendricks, District II

Council Members:

Timothy Williams, District I
Lorenzo A. Moner, Jr., District III
Michael A. Canty, District IV
Kim Howard, District V
Dennard Shaw, District VI

FELICIA RUTLEDGE
CITY CLERK

RICHARD MARSH
CITY MANAGER

DAVID JONES
CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

Council Orientation Agenda – 6:00 PM*

1. Call to Order
2. Discussion
 - A. Agenda Discussion
 - B. Audit Presentation – Rehmann Robson Auditors, Dave Fisher
3. Public Hearing
4. Public Participation (limit to 3 minutes)
5. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).
6. Adjournment

December 1, 2014
Regular City Council Agenda – 7:30 PM

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Prayer
- C. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

- A. Inkster Housing Commission Resident Council – President, Evonne Moore
- B. Westland School Board Member – Melandie Hines
- C. Parks and Recreation Update – Craig Lewis
- D. McKenna Update – Building Official, Jim Wright

4. Public Hearing

- A. Amendment to the City of Inkster Code of Ordinances addressing Special Events. **Pg. 3**
- B. Amendment to the City of Inkster Code of Ordinance addressing Business Registration. **Pg. 4**
- C. Amendment to the City of Inkster Zoning Ordinance addressing Blight. **Pg. 6**
- D. Amendment to the City of Inkster Building Ordinance addressing Building Codes. **Pg. 9**

5. Consent Agenda

- A. November 17, 2014 Regular City Council Meeting Minutes. **Pg. 16**

6. Boards and Commissions

- A. Update of current list of appointments to Boards & Commissions. **Pg. 21**

7. Previous Business

8. Ordinance(s)

A. First Reading(s)

1. Consider giving a first reading to the City of Inkster Zoning Code of Ordinances by amending chapter 96, Parks and Recreation and adding language for Special Events. **Pg. 31**

2. Consider giving a first reading to the City of Inkster Code of Ordinances by amending chapter 123, section 123.04 (L). by adding language to require separate Business Registration for each business. **Pg. 32**

3. Consider giving a first reading to the City of Inkster Zoning Code of Ordinances by amending chapter 157, section 157.07 (B), 157.13, 157.14, 157.15, and 157.99 (C); Chapter 157 Section 157.07 to add fee requirements for re-occupancy of vacant property, add Sections 157.12 - 157.15 to add language to permit the City to assess and levy fees for remediation of blight violations and add Section 157.99(C) to add a penalty for multiple violations. **Pg. 34**

4. Consider giving a first reading to the City of Inkster Building Code of Ordinances by amending chapter 150, Building Regulations to adopt the State of Michigan Building Code. **Pg. 37**

B. Second Reading(s)

9. New Business

A. Discussion/Action: (Jeannie Fields) Consider approval of Amendment No. 3 to the Michigan Natural Resources Trust Fund (MNRTF) Project Agreement for the Inkster Greenway Trail Project. **Pg. 43**

B. Discussion/Action: (Jeannie Fields) Consider approval of a Special Conditions Use (SCU 14-03) and accompanying Site Plan (SP14-04) for the operation of a used car lot located at 27005 Michigan Ave. in the Town Center District (TCD) with conditions noted as recommended by the Planning Commission. **Pg. 48**

C. Discussion/Action: (John Adams) Consider approval to lease one bay in the fire station to Henry Ford Hospital for the storage of their mobile health screening bus for one year. **Pg. 70**

10. Public Participation (limit to 3 minutes)

11. Mayor and Council Communication

12. City Clerk

13. City Manager

14. Closed Session

Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge
City Clerk

REQUEST FOR COUNCIL ACTION

Date: November 26, 2014

Date for Council Consideration: Dec 1, 2014

ACTION REQUESTED: Council to hold a public hearing and offer a first reading on an amendment to: 1) Chapter 96 Parks and Recreation to add language for Special Events; 2) Chapter 123 Business Regulations Section 123.04 to add language to require separate business registration for each business in the City; 3) Chapter 157 Section 157.07 to add fee requirements for re-occupancy of vacant property, add Sections 157.12 - 157.15 to add language to permit the City to assess and levy fees for remediation of blight violations and add Section 157.99(C) to add a penalty for multiple violations; and 4) Chapter 150 Building Regulations to adopt the State of Michigan Building Code.

Current Action	X	Emergency	Future
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Funds Budgeted:	If Yes	Account #	No	N/A	X
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Treasurer's Approval MDS

BACKGROUND INFORMATION

Staff, along with the City Attorney, has been working on updating outdated ordinances or adding language to existing ordinances to address on-going issues within the City. Additionally, Jim Wright, Building Official – McKenna Associates, recommended the adoption of the Michigan Building Code which is required by State law. Though the Building Dept had been using the state code, it had not been officially adopted by City Council and reflected in the Code of Ordinances.

SCOPE OF SERVICES

- To amend the code to create a Special Events license.
- Amend the Business Registration requirement to mandate a separate business registration requirement for each business (to include rental property owners with more than one rental property).
- Amend the Land Usage fees to require a registration fee for the re-occupancy of a vacant property.
- Amend the code to permit the City Assessor to assess and levy for fees owed to the City for remediation of blight violations.
- Adopt the State of Michigan Building Code.

JUSTIFICATION

- To create language in the ordinance to address special events held within the City.
- To require each business within the City to obtain a business license to include rental property owners with more than one rental property.
- Fees are not being collected for re-occupancy of vacant structures. The fee is intended to encourage property owners to keep their property occupied.

- Allow the City to collect fees and place delinquent fees on the taxes of property owners for blight remediation.
- Adopt the State of Michigan Building Code to eliminate any conflict of laws pertaining to the City of Inkster Building Code and the State of Michigan Building Code.

PROJECT OR IMPROVEMENT TASKS

Improve and promote the image of Inkster.

COSTS

N/A

PROJECT TIME TABLE

A second reading of the text amendment is scheduled during the Council meeting on December 15, 2014. If approved by Council, the amendments will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

ORDINANCE NO. 850

AN ORDINANCE TO AMEND TITLE IX GENERAL REGULATIONS,
CHAPTER 96 PARKS AND RECREATION
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER

THE CITY OF INKSTER ORDAINS

That §96.25 Special Events, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

SECTION §96.25 SPECIAL EVENTS.

(A) An occurrence or noteworthy happening of seasonal, civic or religious importance, which is organized and sponsored by a nonprofit community group, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural community enrichment. **SPECIAL EVENTS** typically run for a short period of time (less than two weeks), and are unlike the customary or usual activities generally associated with the property where the **SPECIAL EVENT** is to be located.

(B) **Special events and other temporary uses.** Upon recommendation of the City Manager or his/her designee, Council, by resolution, may grant temporary use of land and structures for **special events** and other temporary uses as defined in this chapter, subject to the following general conditions:

- (1) Adequate off-street parking shall be provided;
- (2) The applicant shall specify the exact duration of the temporary use;
- (3) Electrical and utility connections shall be approved by the Building Official; and

(C) Fees. A Special Event Fee shall be assessed for each event in an amount as may be set by resolution of the City Council. The applicant shall also furnish the City with a performance guarantee in an amount to be set annually by Council resolution to assure removal of the temporary structure (s) and clean up.

ORDINANCE NO. 851

**AN ORDINANCE TO AMEND TITLE XI BUSINESS REGULATIONS,
CHAPTER 123 BUSINESS REGISTRATION
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER**

THE CITY OF INKSTER ORDAINS

That §123.04 Certification of Registration, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

§ 123.04 CERTIFICATION OF REGISTRATION.

(A) Requirement established. It shall be unlawful for any person to operate a business within the city without having first obtained a certificate of registration.

(B) Registration form. In order to register, the owner or operator of a business shall submit registration information on a form prepared by the City Clerk. The information on the registration form shall be true and accurate. The business and the person signing the form shall be responsible for the accuracy of the information.

(C) Fees. The owner or operator of a business shall pay an annual fee for business registration. The registration fee shall be paid annually on or before December 31 of each year in an amount as may be set from time to time by resolution of the City Council.

(D) Prohibition. No certificate of registration shall be issued by the city clerk, whereupon written recommendation of any city department or official, the existing or proposed business would be illegal under any law or ordinance.

(E) Issuance of a certificate. Upon receipt of the form, and upon determining compliance with the requirements of this chapter, the City Clerk shall issue a certificate of registration for the current year.

(F) Duration. The certificate of registration shall be effective until the following December 31.

(G) Renewals. By November 1 of each year, every owner or operator of a business shall renew the registration information with the City Clerk by indicating with a signed statement that the information has not changed and is correct as of that date, or with the addition of whatever information is needed to correct the registration form.

(H) Issuance of a new certificate. If there is a necessity for the issuance of a new certificate due to a name change, or other reason, the City Clerk shall issue a new certificate of registration.

(I) Transfer. No certificate of registration may be transferred by the holder to any other person.

(J) Inspection. No certificate of registration shall be issued by the city until the place of business has been inspected. The city shall have the right of inspection of the premises to assure compliance with this chapter, either before or after the issuance of a certificate of registration.

(K) Display. The certificate of registration shall be prominently displayed in the place of business.

(L) Separate Registration for Each Business. An annual fee for business registration shall be obtained in the manner prescribed herein for each business, residential rental property (more than one), branch establishment or location of the business engaged in, as if each business, establishment, or location were a separate business; however, warehouses and distributing plants used in connection with and incidental to a business registered under the provisions of this chapter shall not be deemed to be separate places of business or branch establishments.

This separate business registration, as it relates to rental properties, shall be *in addition to* any other City registration necessary to obtain a certificate of compliance and occupancy.

ORDINANCE NO. 852

AN ORDINANCE TO AMEND TITLE XV LAND USAGE, CHAPTER 157 VACANT AND NEGLECTED PROPERTY REGISTRATION OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER

THE CITY OF INKSTER ORDAINS

That §157.07 Fees and the addition of §157.12 – 157.15 and §157.99 Penalty, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

§157.07 FEES.

(A) There shall be a registration fee established by resolution and may be changed from time to time which includes the cost of routine property maintenance and safety inspections. In addition, in the case where the owner has failed to register, there shall be assessed the added costs of the city's expenses in having to determine ownership which may include, but are not limited to, title searches. There shall be a fee for the filing of any additional or new owner's affidavit which is the same as the original registration fee.

(B) A registration fee for the re-occupancy of a vacant property shall be established by resolution and may be changed from time to time which includes the cost of routine property maintenance and safety inspections. The re-occupancy registration fee for a vacant property shall be exclusive of any assessed fee for the original registration of the property.

§157.12 DUTY OF OWNER TO KEEP PROPERTY SECURE AND FREE OF BLIGHT.

Property owners shall maintain their properties free of conditions of blight as defined in this Code and shall provide security measures thereon sufficient to prevent its deterioration from vandalism, infestation, exposure to the outside elements (rain, snow, ice), overgrowth of vegetation, grass and noxious weeds), and all other forms of Blight as defined elsewhere in this Code.

§157.13 ANNUAL PUBLICATION REQUIRED.

This subchapter shall be published for two consecutive weeks prior to May 1 and September 1 of each year with the last of said publication dates being not less than 15 days nor more than 30 days prior to May 1 and prior to September 1 of each year in some newspaper published and circulated within the city.

§157.14 REMOVAL BY CITY; ACCOUNT OF EXPENSES.

In case the owner, possessor, occupier of land or the person in charge thereof shall refuse or neglect to comply with the provisions of this subchapter within the time limited therefor in said published notice, it shall be the duty of the City Manager to cause all vacant, abandoned, neglected, foreclosed residential, commercial and industrial structures and all vacant, abandoned or foreclosed land to be registered, inspected, secured and boarded-up to prevent public access and deterioration from outside elements, and said Manager shall keep an accurate account of the expenses incurred in carrying out the provisions of this subchapter with respect to each parcel of land entered upon therefore, and shall make a statement of said account and order same paid from the fund for general city purposes in the city out of any moneys in the city treasury not otherwise appropriated.

§157.15 LIEN; PROCEDURE FOR RECOVERY.

It shall be the duty of the City Manager to forthwith certify to the City Assessor any and all accounts so allowed, and the City Assessor shall add to all said accounts so allowed 10% of the total of each several account and shall cause all such expenditures so allowed, together with the additional 10%, to be severally levied on the lands on which said expenditures were made, and the same shall become a lien upon said land and shall be collected in the same manner as city taxes are collected, and when collected shall be paid into the general city fund to reimburse the outlay therefrom as hereinbefore authorized.

§157.99 PENALTY.

(A) Violations of this chapter shall be enforced in accordance with the provisions of this chapter and in accordance with the terms and conditions of the Code of Ordinances of the City of Inkster.

(B) All blight violations under this Code are subject to enforcement by the procedures and penalties established by the Administrative Hearings Bureau pursuant to the provisions of Chapter 156. The city council has established a schedule for the potential fines by resolution for all blight violations which resolution may be amended from time to time.

(C) The City may, in its discretion and on a showing of probable cause, refer matters for misdemeanor criminal prosecution in the District Court where an Owner is found responsible of two prior violations of this Chapter. The maximum penalty for a violation of this subsection shall be a \$500 fine and 90 days in jail.

This separate business registration, as it relates to rental properties, shall be *in addition to any* other City registration necessary to obtain a certificate of compliance and occupancy.

ORDINANCE NO. 853

**AN ORDINANCE TO AMEND TITLE XV LAND USAGE,
CHAPTER 150 BUILDING REGULATIONS
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER**

THE CITY OF INKSTER ORDAINS

That Title XV, Chapter 150 of the Code of Ordinances for the City of Inkster be and hereby is Amended to delete Section 150.004, amend Sections 150.001, 150.003 and 150.005 by adding the underlined language below, and maintain the *status quo* on any other existing Sections of this Chapter:

CHAPTER 150: BUILDING REGULATIONS

Section

Building Code

- 150.001 Title
- 150.002 Purpose
- 150.003 Adoption of code by reference
- 150.004 Adoption of Michigan Building Code Rules Part One, Two, Three and Four
- 150.005 ~~Additions, insertions and changes Building Official Defined; Department fees; appeal board; inspection schedule; penalty~~

CABO One and Two Family Dwelling

- Code** 150.015 Adoption of code by reference

Mechanical Code

- 150.025 Title
- 150.026 Purpose
- 150.027 Adoption of code by reference
- 150.028 Adoption of Michigan Mechanical Code Rule Part 9a
- 150.029 Additions, insertions and changes

Electrical Code

- 150.040 Title
- 150.041 Adoption of National Electrical Code by reference
- 150.042 Electrical inspection
- 150.043 Permit required; exception
- 150.044 Inspection required
- 150.045 Inspection fees
- 150.046 Access to buildings for inspections
- 150.047 Reinspections; duty of inspector
- 150.048 Construction requirements
- 150.049 Approved materials
- 150.050 Records and review
- 150.051 Contractors and electricians; license required
- 150.052 Board of examiners
- 150.053 Fees for electrical work and permits
- 150.054 Foreign corporation; licensing
- 150.055 Responsibility or liability
- 150.056 Exemptions
- 150.057 Enforcing agency

Inkster - Land Usage***Plumbing Code***

- 150.080 Title
- 150.081 Purpose
- 150.082 Adoption of code by reference
- 150.083 Additions, insertions and changes

Reciprocal Heating Code

- 150.095 Adoption of code by reference
- 150.096 Fees
- 150.097 Deletions, additions and amendments

Refrigerating Systems Code

- 150.110 Adoption of code by reference
- 150.111 Fees
- 150.112 Deletions, changes and amendments

Property Maintenance Code

- 150.125 Adoption of code by reference
- 150.126 Additions, insertions and changes

Unsafe or Dangerous Buildings

- 150.140 Definitions
- 150.141 Notice of dangerous building; contents; board of appeals; service
- 150.142 Hearing; testimony; determination to close proceedings or order building or structure demolished, made safe, or properly maintained; failure to appear or noncompliance with order; hearing; enforcement; reimbursement and notice of cost; lien; remedies
- 150.143 Enforcement of judgment; lien for judgment amount; priority
- 150.144 Failure or refusal to comply with order; misdemeanor
- 150.145 Appeals

Fences

- 150.160 Definition
- 150.161 Compliance with requirements and restrictions
- 150.162 Permit required; application; fee
- 150.163 Specifications and restrictions
- 150.164 Maintenance of nuisance; notification
- 150.165 Appeals and hearings; authority

Swimming Pools

- 150.175 Definitions
- 150.176 Permit required for construction; fee
- 150.177 Construction standards
- 150.178 Water pressure; floor and wall requirements
- 150.179 Walkways required; specifications
- 150.180 Fences required; exception
- 150.181 Filtration system required
- 150.182 Authority to inspect

Neighborhood Enterprise Zone Inspection

- 150.200 Title
- 150.201 Definitions
- 150.202 Conditions required
- 150.203 Issuance of certificate of approval and inspection reports; inspection fees
- 150.204 Validity of certificate of approval; responsibility of city for defects

House Moving

- 150.210 Definitions
- 150.211 Notice of move; cancellation
- 150.212 Cleanup; repairs
- 150.213 Violation
- 150.214 Permit required
- 150.215 Application
- 150.216 Inspection
- 150.217 Conditions for granting permit
- 150.218 Timely completion of move
- 150.219 Duration
- 150.220 Refund of deposits

Rental Dwellings and Rental Units

- 150.230 Purpose
- 150.231 Definitions
- 150.232 Registration required
- 150.233 Registration forms
- 150.234 Registration term and renewal
- 150.235 Responsible local agent
- 150.236 Transfer of ownership
- 150.237 Certificate of compliance required
- 150.238 Certificate of compliance application form and fee
- 150.239 Posting of certificate of compliance
- 150.240 Disclaimer of liability

Cross-reference:

Blight violations, see Chapter 156

BUILDING CODE

§ 150.001 TITLE.

~~This subchapter shall be known and may be cited as the BOCA National Building Code Twelfth Edition, 1993.~~

~~(‘68 Code, § 6-1201) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93; Am. Ord. 733, passed 1-4-94) The three state statutes adopted in Section 150.003 shall be known as the Building and Property Maintenance Code of the City of Inkster, hereinafter referred to in this Chapter collectively as “this Code”.~~

§ 150.002 PURPOSE.

This ~~sub~~Chapter shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of the code.

('68 Code, § 6-1202) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93)

§ 150.003 ADOPTION OF CODE BY REFERENCE. ADOPTION OF STATE OF MICHIGAN BUILDING AND PROPERTY MAINTENANCE CODES BY REFERENCE.(A) Building Codes.

(1) STATE BUILDING CODE: The State Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all buildings and structures throughout the city. Notice is hereby given that complete copies of the State Building Code, and any amendments and/or supplements thereto are available for public use and inspection at the Clerk's office for the city. Amendments to the State Building Code shall also be incorporated into this Code.

(2) STATE RESIDENTIAL BUILDING CODE: The State Residential Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all one-and two-family dwellings throughout the city. Notice is hereby given that complete copies of the State Residential Building Code, and any amendments and/or supplements thereto are available for public use and inspection in the Clerk' office for the city. Amendments to the State Residential Building Code shall also be incorporated into this Code.

(B) Maintenance Code **INTERNATIONAL PROPERTY MAINTENANCE CODE.** A certain document, a copy of which is on file in the office of the City Clerk, the most recent edition of the International Property Maintenance Code, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, prescribed herein as follows: Amendments to the International Property Maintenance Code shall also be incorporated into this Code.:

~~A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The BOCA National Building Code Twelfth Edition, 1993, as published by the Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the Basic Building Code of the city for the control of all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the BOCA National Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter, with the additions, insertions, deletions and changes, if any, prescribed in this subchapter. ('68 Code, § 6-1203) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93; Am. Ord. 733, passed 1-4-94)~~

§ 150.004 (DELETED) ADOPTION OF MICHIGAN BUILDING CODE RULES PART ONE, TWO, THREE AND FOUR.

~~A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the 1990 Edition of the Michigan Building Code Rules Parts 1, 2, 3, and 4, by authority conferred on the Construction Code Commission by Section 4 of Act 230 of the Public Acts of 1972. As amended, being MCL 125.1504 are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter.~~

~~(Ord. 719, passed 3-15-93)~~

§ 150.005 (General)

(A) Building Official. The Building Official shall be designated as the code official and shall be the official in charge of the enforcement of this Code.

(B) Appeals. The Board of Zoning Appeals shall serve as the Building Code Appeals Board.

(C) Fees. The fees for activities and services performed by the Building Official and/or his designee in carrying out their responsibilities under this Code shall be approved by resolution of the City Council from time to time and shall be filed in the Office of the City Clerk.

(D) Failure to Comply: Any person who shall

violate a provision of this Code or continue any work after having been

served with a stop work order, except such work as that person is directed to

perform to remove a violation of unsafe conditions, shall be guilty of a

misdemeanor and shall be liable for a fine of not less than \$100 nor more

than \$500 and up to 90 days in jail.

CODE § 150.015 ADOPTION OF CODE BY REFERENCE.

A certain document, three copies of which are on file in the office of the City Clerk, being marked and designated as The CABO One and Two Family Dwelling Code, 1989 Edition, as published by Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the CABO One and Two Family Dwelling Code of the city, regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwellings, their appurtenances and accessory structures as herein provided, and each and all of the regulations of the

November 17, 2014

Regular City Council Meeting – 7:30 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday November 17, 2014.

Prior to the Regular Council Meeting:

- A. Agenda Discussion
- B. Financial Presentation – City Treasurer, Mark Stuhldreher
- C. Budget Amendment – City Treasurer, Mark Stuhldreher
- D. MSU Extension Group Strategic Plan – Glenn Pape

Call Meeting to Order

Mayor Hampton called the meeting to order at 7:40 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was lead by Reverend Belton of Middlebelt Baptist Church.

Roll Call

Mayor Hampton	Present	Councilwoman Howard	Present
Councilman Moner	Present	Councilman Williams	Present
Mayor Pro Tem Hendricks	Present	Councilman Canty	Present
Councilman Shaw	Present		

***A Quorum was present**

Approval of Agenda

**Moved by Councilmember Canty, Seconded by Councilmember Moner
to approve the agenda with the removal of items "A" and "C" under Presentations.
Resolution 11-14-186R - Motion carried unanimously.**

Presentations/Discussion

A. Financial Presentation – City Treasurer, Mark Stuhldreher

Public Hearings

Consent Agenda

- A. November 3, 2014 Regular City Council Meeting Minutes.
- B. Allen Brother's and Attorney's PLLC Invoice \$57,229.08.

Moved by Councilmember Moner, Seconded by Councilmember Howard to approve the Consent agenda.
Resolution 11-14-187R – Motion carried.

Boards and Commission

- A. Update of current list of appointments to Boards & Commissions

Previous Business

- A. TJ Adams Staffing (member of prevailing side to bring back to table)

Moved by Mayor Hampton, No Second to the motion. to bring back to the table TJ staffing for discussion.
Resolution 11-14-188R – Died for lack of support

Ordinance(s)

- A. First Reading(s)
- B. Second Reading(s)
 - 1. Consider giving a second reading to the City of Inkster Zoning Code of Ordinances by amending chapter 155, section 155.049 as permitted parking uses in the Town Center District as determined by the parking study and recommended by the Planning Commission.

Moved by Councilmember Moner, Seconded by Councilmember Shaw
Resolution 11-14-189R – Motion carried.

New Business

- A. Discussion/Action: (Jeannie Fields) Consider approval to the City of Inkster Code of Ordinances to eliminate uses incompatible with the purposes of the Town Center District.

Moved by Councilmember Moner, Seconded by Councilmember Shaw
Resolution 11-14-190R – Motion carried.

- B. Discussion/Action: (John Adams) Consider authorization to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) grant.

Moved by Councilmember Shaw, Seconded by Councilmember Moner
Resolution 09114-191R – Motion carried.

- C. Discussion/Action: (Mark Stuhldreher) Consider approval of FY2015 budget amendments for the General Fund, Major Street, Local Street, Parks, Rubbish, TIFA, Drug Forfeiture, Misc. Grants and Water/Sewer and several financial related policies.

Moved by Councilmember Moner, Seconded by Councilmember Canty
Resolution 11-14-192R – Motion carried.

- D. Discussion/Action: (Jerome Bivins) Consider approval to accept the lowest bid from Progressive sweeping Contractors, Inc. for as needed sweeping services in the City of Inkster.

Moved by Councilmember Moner, Seconded by Councilmember Shaw
Resolution 11-14-193R – Motion carried.

- E. Discussion/Action: (Richard Marsh) Consider authorization to award the project printing of 8,000 2015 calendars to Johnston Lithograph based on three quotes received in the amount of \$4,440.00 and a contingency amount of no more than \$300.00

Moved by Councilmember Moner, Seconded by Councilmember Howard
Resolution 11-14-194R – Motion carried.

- F. Discussion/Action: (Felicia Rutledge) Consider approval of the proposed 2015 City Council calendar meeting dates in accordance with the City of Inkster Charter, Section 7.1.

Moved by Councilmember Moner, Seconded by Councilmember Shaw
Resolution 11-14-195R – Motion carried.

- G. Discussion/Action: (City Council)
Moved by Councilmember Williams, Seconded by Councilmember Canty
to direct Administration to look into a new stove, ice maker and refrigerator
for the Booker Dozier Recreation Complex.
Resolution 11-14-196R – Motion carried.

Public Participation

- **Daisy Truss** – Gave informational updates about the Family Literacy Program. She stated that be a Reading Rockstar will be on November 22, 2014 and Family Literacy Night at McDonalds would be on November 19, 2014.
- **John Donald** – Stated that council should be team players and use the word we when speaking on issues. He further discussed waste on Princeton Street.
- **Gabe Henderson** – Stated that the Recreation complex should have every opportunity to remain open. He said that the stove, refrigerator, and ice maker at the complex is not working. He further stated that someone dumped trash bags that contained all types of food.
- **Keith Chatmon** – Stated he would be attending city council meetings in the future.

Mayor and Council Communications

- **Mayor Pro-Tem Hendricks** – Thanked Mr. Gabe Henderson for picking up the trash on Rosewood and Michigan Ave. He further asked citizens and city council if they knew of any persons interested in being on the Water Committee, to appoint them or give the name to a council person.
- **Councilman Canty** – Recognized the 50th Anniversary Committee for a job well done. He gave particular thanks to Mrs. Theola Jones whom he said buried her husband the day before the event. He said she is worth gold. He additionally stated to Administration that he wanted to be clear about his statements to the City Manager; he stated that he would like to have a member of council participate in meetings with the State for purposes of checks and balance. He further

thanked Police Chief Vicki Yost for working overtime so that a Police Officer did not have to be called in to work.

- **Councilwoman Howard** - Wished all residents a Happy and Safe Thanksgiving.
- **Councilman Moner** –_Paid tribute to SP/4 Frank Leptrone USA for his dedication and service to our country. He also gave a special recognition to his father, 1st SGT. Lorenzo Moner, US Army.
- **Councilman Shaw** – Inquired about the Esquire and Mona Lisa Hotel. He stated it was an honor to attend the 50th Anniversary Celebration. He said he will make mention to the Inkster Library to place a picture of LeAnn Hicks in the Library. He applauded Councilman Williams and the 50th Anniversary Committee.
- **Councilman Williams** –_Asked residents to shop Inkster. He stated that the caterer and the balloon person for the 50th Anniversary were from the City of Inkster. He further gave recognition to the 50th Anniversary Committee, Theola Jones, Geraldine Calhoun and Ruth E. Williams. He said it was a wonderful event and he got to see the history of Inkster. He wished all residents a Happy Thanksgiving.
- **Mayor Hampton** –_Gave thanks to the 50th Anniversary Committee, he stated it was a stellar event and was done with class and taste. He mentioned that the event put the city in proper perspective. He said the Recreation Complex is used by many and is a very important icon in the city. He said if the Recreation Complex is being rented out, the stove, refrigerator, and icemaker should be in working condition. He further stated that City Council should direct administration as a body to help assist with issues at the recreation complex.

City Clerk

- No comments

City Manager

- Stated he was unable to attend the 50th Anniversary due to family commitments.
- Thanked City Council for the opportunity to serve.
- Thanked Administration.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Councilmember Williams, Seconded by Councilmember Canty and carried, the Regular Council meeting of November 17, 2014 was adjourned at 10:45 p.m.



Felicia Rutledge, City Clerk
City of Inkster

CITY OF INKSTER

Boards & Commissions

[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE]

AGING COMMISSION

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term	9 Members	Ordinances: 414,457 & 508
Richard Marsh, Jr., Director		Tenure
Denise Champagne, Project Dir.		Tenure
- (Ex-Officio Member)		
Rochelle Wells		Exp. 08/20/14
April Walton		Exp. 01/18/15
Audrey Jean Searcy		Exp. 06/02/16
Doris Horne		Exp. 09/07/14
Theola Jones		Exp. 11/15/14
Henry Wade		Exp. 03/07/15
Dorothy M. Moore		Exp. 11/15/15
Nellene Moore		Exp. 08/16/16
Dorothy Gardner		Exp. 06/16/16
Chuck Coleman		Exp. 04/04/15
Gabe Henderson		Exp. 04/04/15

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment	3 Members	Charter Provision and State Law
Alfreda Robinson		Clerk of the Board – Non Voting
William S. Miller		Exp. 06/02/15
Ned Sanders (Alternate)		Exp. 05/02/14
Dante Williams		Exp. 03/19/14
Celeste McDuffie		Exp. 03/19/14

BEAUTIFICATION COMMITTEE

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term	
Toni Bailey	Exp. 04/26/16
Enoch Jackson	Exp. 04/26/14
Joe Burton	Exp. 04/26/14
Rev. George Williams (T)	Exp. 04/26/16
Eunice Williams (C)	Exp. 04/26/14
Wyanetta Motley (S)	Exp. 04/16/14
Horace Jordan	Exp. 04/26/14
Larry Motley (C)	Exp. 04/26/14
Dorothy McClendon	Exp. 05/14*
Dr. Evelyn Clark	Exp. 05/14*
Tommie Jones	Exp. 05/14*
Cephus Thomas	Exp. 04/26/14
Clareese Jordan	Exp. 11/13
LaShawn Westbrook	Exp. 05/14*
Blinda Jones	Exp. 05/14*
Robert Broadnax	Exp. 05/07/14
Minnie Johnson	Exp. 05/14*
Alana Glover	Exp. 05/07/14
Gabe Henderson	Exp. 05/19/16
Shera Johnson	Exp. 05/14*
Demetrius Dalton	Exp. 05/21/14
Henry Wade	Exp. 05/14*

BEAUTIFICATION COMMITTEE (continued)

John W. Gee, Jr.	Exp. 05/14*
Tania James	Exp. 05/14*
Khalisha Nathan	Exp. 05/21/14
Toya Ellis	Exp. 05/14*
Princella Ellis	Exp. 05/21/14
Theresa Lindsey	Exp. 05/21/14
Norma Taylor	Exp. 05/21/14
Alto Baker	Exp. 05/14*
Kent Hudson	Exp. 05/14*
Donna Towns	Exp. 06/04/14
Elcfernick M. Lotman	Exp. 06/14*
Epson Johnson	Exp. 06/14*
Patricia Morgan	Exp. 06/14*
LeVania Henderson	Exp. 06/18/14
DeShandra Motley	Exp. 6/17/15
Denise Motley	Exp. 06/17/15

BUILDING AUTHORITY COMMISSION - Inactive**[MEETINGS: Second Monday in January]**

3 Year Term	5 Members	State Law and Resolution 74-1-39
Nathaniel Elcock		Exp. 12/31/05
Hersey Bryant, (C)		Exp. 12/31/00
Horace Wells		Exp. 12/31/01

CABLE TELEVISION COMMISSION**[MEETINGS: Second Tuesday of each month at 6:00 p.m., Recreation Center]**

3 Year Term	9 Members	Ordinances 593 and 609
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Timothy Williams Ex-Official		Exp. 11/16/12
Danny Van Schoiaek	Dist. 1	Exp. 12/01/11
Vacant	Dist. 2	
Vacant	Dist. 3	
Alfreda Flowers	Dist. 4	Exp. 06/04/15
Vacant	Dist. 5	
Lewis Gregory (C)	Dist. 6	Exp. 01/04/13
George Celler	Mayoral	Exp. 03/16/12
Garmen Mitchell	At-Large	Exp. 02/18/11

CANVASSERS BOARD**[MEETINGS: As Required]**

4 Year Term	4 Members	State Law
Deborah Owens (Dem)		Exp. 12/31/15
Gloria Brown (Dem)		Exp. 06/04/16
Courtney Owens (Dem)		Exp. 06/04/16
Eugene Brazeal (Rep)		Exp. 08/06/16

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS**[MEETINGS: Monthly]**

3 Year Term	3 Members	Ordinances 237 & 559
Clarence Oden		Exp. 6/18/15
Vacant - (Employee Representative)		
James White		Exp. 12/04/11
- (Commission Appointment)		

CONSTRUCTION BOARD OF APPEALS/DANGEROUS BUILDING BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Theola Jones		Exp. 04/14
Henry Wade		Exp. 05/11
- (Licensed Plumber)		
Tiara Jones		Exp. 10/17
Kenyatta Mason		Exp. 10/17
- (Licensed Electrician)		
Marcus Hendricks – Temporary Alternative		
- (Licensed Electrician)		
– Building Inspector		
- (Licensed Engineer/Inspector)		
Yuri Mayorchak		Exp. 11/13
George A. Chatman		
David Stevens		

DOWNTOWN DEVELOPMENT AUTHORITY

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

4 Year Term	12 Members	State Law and Ordinances 687 and 741
Hilliard L. Hampton, II		Tenure
Martha Theis		Exp. 01/14/18
Lewis Gregory (Treasurer)		Exp. 10/06/18
Cynthia Adams		Exp. 01/14/18
Tom Costello (VC)		Exp. 10/06/18
Peter Cemot		Exp. 01/21/18
Vacant		Exp. 07/19/14
Andrea Parson		Exp. 08/01/15
Winston Wade(Secretary)		Exp. 12/17/16
Vacant		

ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

6 Year Term	11 Members	State Law and Ordinances 517 and 570
Hilliard L. Hampton, II		
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Vacant		Exp. 06/07/16
Vacant		Exp. 06/07/16
Deborah Walker		Exp. 06/07/16
Mary Weislo		Exp. 03/07/17
Cassandra Leonard		Exp. 06/07/16
Herbert Johnson		Exp. 06/07/16
Dennis Weislo		EXP. 06/07/19
Vacant		

ELECTRICAL EXAMINING BOARD

Indefinite Terms 4 Members State Law and Ordinance 616

Walter Bays (Elec. Cont.)
 Andrew Hughes (Adm. Official)
 Carlton Trouteaud (Rep. of Detroit Edison)

HOUSING AND REDEVELOPMENT

[MEETINGS: Third Tuesday of each month at 6:30 p.m., 4500 Inkster Road]

5 Year Term 6 Members State Law and Ordinance 99

Tony Love, Director & Secretary	Tenure
William Acklin	Exp. 03/17
Ernest Hendricks	Exp. 03/19
James Orr	Exp. 11/13
Ernestine Williams	Exp. 03/19
Deborah Walker	Exp. 10/19

INKSTER HISTORICAL COMMISSION

[MEETINGS: Third Saturday of each month at 10:30a.m. Library Study Room]

2 Year Term 7 Members State Law and Ordinance 196

Vacant	Dist. 1	
Vacant	Dist. 2	
Vacant	Dist. 3	
Vacant	Dist. 4	
Vacant	Dist. 5	
Michael Wells	Dist. 6	Exp. 12/20/12
Vacant		

LIBRARY BOARD**4 year term**

Michael Wells	Exp. 2015
Sandra Markwart	Exp. 2015
Dorothy Gardner	Exp. 2015
Dosys Thompson	Exp. 2015
LaDon Gibbs	Exp. 2015
Paulette Dye	Exp. 2015

LOCAL BUSINESS ENTERPRISE ADVISORY COMMITTEE

[MEETINGS: Third Tuesday of every month at 6:30 P.M., Inkster City Hall]

2 Year Term 7 Members Ordinance: 603

Vacant	Dist. 1	
Curtistine Barge	Dist. 2	Exp. 12/05/13
Vacant	Dist. 3	
Vacant	Dist. 4	
Vacant	Dist. 5	
Vacant	Dist. 6	
Vacant	Mayoral	

LOCAL OFFICERS COMPENSATION COMMISSION

[MEETINGS: Minimum of One Meeting Each Odd-Numbered Year.]

7 Year Term 7 Members State Law and Ordinance 409

Theodore Mimms	Exp. 11/19/14
Eugene Thompson (VC)	Exp. 11/19/14
Dorothy Gardner	Exp. 11/19/14
Darwin Howard	Exp. 12/15/14
William Howard	Exp. 11/03/15
Cheryl Stinson	Exp. 02/02/16
Vacant	

PARKS AND RECREATION COMMISSION

[MEETINGS: First Tuesday of each month at 7:30 P.M., Recreation Complex]

2 Year Term

9 Members

Ordinances: 493 & 551

Sandra French	Dist. 1	Exp 10/06/16
Shirley Miller	Dist. 2	Exp. 03/25/14
Shelby Johnson	Dist. 3	Exp. 09/15/16
Vernell Massey	Dist. 4	Exp. 11/04/14
Larnardo Gambrio	Dist. 5	Exp. 10/15/16
James Richardson IV	Dist. 6	Exp. 09/15/16
Tonia Williams	Mayoral	Exp. 04/04/13
Sheila Garland	Mayoral	Exp. 05/21/14
Norma McDaniel	Council	Exp. 12/20/14

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term

6 Members

Vacant	Dist. 1	
Vacant	Dist. 2	
Cory Wells	Dist. 3	Exp. 12/05/13
Vacant	Dist. 4	
Vacant	Dist. 5	
Vacant	Dist. 6	
Vacant	Mayoral	

PLANNING COMMISSION

[MEETINGS: Fourth Monday of each month at 6:00 p.m., City Council Chambers]

3 Year Term

9 Members

State Law and Ordinance 33

Marcus Hendricks	Tenure
Hilliard L. Hampton, II	Tenure
Darryl Davis (City appointee)	Exp. 10/15
Robert Thomas (Secretary)	Exp. 10/15
Emmereal Wells	Exp. 01/15
James Garrett	Exp. 08/17
April Walton	Exp. 09/16
Sam Brown (Chairman)	Exp. 10/17
Richard Wooten (Vice Chairman)	Exp. 08/16

POLICE AND FIREMAN RETIREMENT SYSTEM BOARD OF TRUSTEES

[MEETINGS: First Thursday of each month at 6:00 p.m., Fire Station]

2 Year Term

5 Members

Charter

Jean Overman	Mayoral	Exp. 02/16
Barry O'Bryan		Exp. 12/13
Christopher Crawley		Exp. 12/13
Hilliard L. Hampton II	Council	Exp. 12/14
Charles Hines (Pension Board Appt)		Exp. 12/12

WATER REVIEW COMMITTEE

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

Sam Brown	App. 01/07/13
Carl Woods	App. 01/07/13
Ann Coleman	App. 01/07/13
Courtney Owens	App. 01/07/13
Councilmember Williams	App. 02/04/13
Mayor Pro-Tem Hendricks	App. 02/18/13
Dennis Welslo	App. 02/18/13

December 1, 2014

ZONING BOARD OF APPEALS (ZBA)

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term

7 Members

State Law and Ordinance 277

Dorothy Gray	Dist. 1	Exp. 01/14/17
Clarence Oden, Jr.	Dist. 2	Exp. 01/14/17
James Cross (VC)	Dist. 3	Exp. 07/01/16
Roosevelt Stubbs	Dist. 4	Exp. 09/2/17
Vanola Williams	Dist. 5	Exp. 09/03/16
Norma McDaniel (S)	Dist. 6	Exp. 10/19/15
Richard Wooten (Planning Comm. Appointee)		Exp. 01/14/17

Nankin Transit

[Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit 37137 Marquette, Westland, MI. 48185]

Michael Canty, Council Appointee

Exp. Tenure

Denise Champagne, Council Appointee

Exp. (Appointed in 2009)

REQUEST FOR COUNCIL ACTION

To: Richard Marsh – City Manager

Date: November 26, 2014

From: M. Jeannie Fields *apl*
Community Development Manager

Date for Council Consideration: Dec 1, 2014

ACTION REQUESTED: Council to hold a public hearing and offer a first reading on an amendment to: 1) Chapter 96 Parks and Recreation to add language for Special Events; 2) Chapter 123 Business Regulations Section 123.04 to add language to require separate business registration for each business in the City; 3) Chapter 157 Section 157.07 to add fee requirements for re-occupancy of vacant property, add Sections 157.12 - 157.15 to add language to permit the City to assess and levy fees for remediation of blight violations and add Section 157.99(C) to add a penalty for multiple violations; and 4) Chapter 150 Building Regulations to adopt the State of Michigan Building Code.

Current Action X Emergency Future

Funds Budgeted: If Yes Account # No N/A X

Treasurer's Approval MDS

BACKGROUND INFORMATION

Staff, along with the City Attorney, has been working on updating outdated ordinances or adding language to existing ordinances to address on-going issues within the City. Additionally, Jim Wright, Building Official – McKenna Associates, recommended the adoption of the Michigan Building Code which is required by State law. Though the Building Dept had been using the state code, it had not been officially adopted by City Council and reflected in the Code of Ordinances.

SCOPE OF SERVICES

- To amend the code to create a Special Events license.
- Amend the Business Registration requirement to mandate a separate business registration requirement for each business (to include rental property owners with more than one rental property).
- Amend the Land Usage fees to require a registration fee for the re-occupancy of a vacant property.
- Amend the code to permit the City Assessor to assess and levy for fees owed to the City for remediation of blight violations.
- Adopt the State of Michigan Building Code.

JUSTIFICATION

- To create language in the ordinance to address special events held within the City.
- To require each business within the City to obtain a business license to include rental property owners with more than one rental property.
- Fees are not being collected for re-occupancy of vacant structures. The fee is intended to encourage property owners to keep their property occupied.

- Allow the City to collect fees and place delinquent fees on the taxes of property owners for blight remediation.
- Adopt the State of Michigan Building Code to eliminate any conflict of laws pertaining to the City of Inkster Building Code and the State of Michigan Building Code.

PROJECT OR IMPROVEMENT TASKS

Improve and promote the image of Inkster.

COSTS

N/A

PROJECT TIME TABLE

A second reading of the text amendment is scheduled during the Council meeting on December 15, 2014. If approved by Council, the amendments will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

ORDINANCE NO. 850

AN ORDINANCE TO AMEND TITLE IX GENERAL REGULATIONS, CHAPTER 96 PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER

THE CITY OF INKSTER ORDAINS

That §96.25 Special Events, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

SECTION §96.25 SPECIAL EVENTS.

(A) An occurrence or noteworthy happening of seasonal, civic or religious importance, which is organized and sponsored by a nonprofit community group, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural community enrichment. **SPECIAL EVENTS** typically run for a short period of time (less than two weeks), and are unlike the customary or usual activities generally associated with the property where the **SPECIAL EVENT** is to be located.

(B) **Special events and other temporary uses.** Upon recommendation of the City Manager or his/her designee, Council, by resolution, may grant temporary use of land and structures for **special events** and other temporary uses as defined in this chapter, subject to the following general conditions:

- (1) Adequate off-street parking shall be provided;
- (2) The applicant shall specify the exact duration of the temporary use;
- (3) Electrical and utility connections shall be approved by the Building Official; and

(C) Fees. A Special Event Fee shall be assessed for each event in an amount as may be set by resolution of the City Council. The applicant shall also furnish the City with a performance guarantee in an amount to be set annually by Council resolution to assure removal of the temporary structure (s) and clean up.

ORDINANCE NO. 851

**AN ORDINANCE TO AMEND TITLE XI BUSINESS REGULATIONS,
CHAPTER 123 BUSINESS REGISTRATION
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER**

THE CITY OF INKSTER ORDAINS

That §123.04 Certification of Registration, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

§ 123.04 CERTIFICATION OF REGISTRATION.

(A) Requirement established. It shall be unlawful for any person to operate a business within the city without having first obtained a certificate of registration.

(B) Registration form. In order to register, the owner or operator of a business shall submit registration information on a form prepared by the City Clerk. The information on the registration form shall be true and accurate. The business and the person signing the form shall be responsible for the accuracy of the information.

(C) Fees. The owner or operator of a business shall pay an annual fee for business registration. The registration fee shall be paid annually on or before December 31 of each year in an amount as may be set from time to time by resolution of the City Council.

(D) Prohibition. No certificate of registration shall be issued by the city clerk, whereupon written recommendation of any city department or official, the existing or proposed business would be illegal under any law or ordinance.

(E) Issuance of a certificate. Upon receipt of the form, and upon determining compliance with the requirements of this chapter, the City Clerk shall issue a certificate of registration for the current year.

(F) Duration. The certificate of registration shall be effective until the following December 31.

(G) Renewals. By November 1 of each year, every owner or operator of a business shall renew the registration information with the City Clerk by indicating with a signed statement that the information has not changed and is correct as of that date, or with the addition of whatever information is needed to correct the registration form.

(H) Issuance of a new certificate. If there is a necessity for the issuance of a new certificate due to a name change, or other reason, the City Clerk shall issue a new certificate of registration.

(I) Transfer. No certificate of registration may be transferred by the holder to any other person.

(J) Inspection. No certificate of registration shall be issued by the city until the place of business has been inspected. The city shall have the right of inspection of the premises to assure compliance with this chapter, either before or after the issuance of a certificate of registration.

(K) Display. The certificate of registration shall be prominently displayed in the place of business.

(L) Separate Registration for Each Business. An annual fee for business registration shall be obtained in the manner prescribed herein for each business, residential rental property (more than one), branch establishment or location of the business engaged in, as if each business, establishment, or location were a separate business; however, warehouses and distributing plants used in connection with and incidental to a business registered under the provisions of this chapter shall not be deemed to be separate places of business or branch establishments.

This separate business registration, as it relates to rental properties, shall be *in addition to any* other City registration necessary to obtain a certificate of compliance and occupancy.

ORDINANCE NO. 852

AN ORDINANCE TO AMEND TITLE XV LAND USAGE, CHAPTER 157 VACANT AND NEGLECTED PROPERTY REGISTRATION OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER

THE CITY OF INKSTER ORDAINS

That §157.07 Fees and the addition of §157.12 – 157.15 and §157.99 Penalty, of the Zoning Code of the City of Inkster, is hereby amended by deleting language ~~stricken~~ and adding language underlined as follows:

§157.07 FEES.

(A) There shall be a registration fee established by resolution and may be changed from time to time which includes the cost of routine property maintenance and safety inspections. In addition, in the case where the owner has failed to register, there shall be assessed the added costs of the city's expenses in having to determine ownership which may include, but are not limited to, title searches. There shall be a fee for the filing of any additional or new owner's affidavit which is the same as the original registration fee.

(B) A registration fee for the re-occupancy of a vacant property shall be established by resolution and may be changed from time to time which includes the cost of routine property maintenance and safety inspections. The re-occupancy registration fee for a vacant property shall be exclusive of any assessed fee for the original registration of the property.

§157.12 DUTY OF OWNER TO KEEP PROPERTY SECURE AND FREE OF BLIGHT.

Property owners shall maintain their properties free of conditions of blight as defined in this Code and shall provide security measures thereon sufficient to prevent its deterioration from vandalism, infestation, exposure to the outside elements (rain, snow, ice), overgrowth of vegetation, grass and noxious weeds), and all other forms of Blight as defined elsewhere in this Code.

§157.13 ANNUAL PUBLICATION REQUIRED.

This subchapter shall be published for two consecutive weeks prior to May 1 and September 1 of each year with the last of said publication dates being not less than 15 days nor more than 30 days prior to May 1 and prior to September 1 of each year in some newspaper published and circulated within the city.

§157.14 REMOVAL BY CITY; ACCOUNT OF EXPENSES.

In case the owner, possessor, occupier of land or the person in charge thereof shall refuse or neglect to comply with the provisions of this subchapter within the time limited therefor in said published notice, it shall be the duty of the City Manager to cause all vacant, abandoned, neglected, foreclosed residential, commercial and industrial structures and all vacant, abandoned or foreclosed land to be registered, inspected, secured and boarded-up to prevent public access and deterioration from outside elements, and said Manager shall keep an accurate account of the expenses incurred in carrying out the provisions of this subchapter with respect to each parcel of land entered upon therefore, and shall make a statement of said account and order same paid from the fund for general city purposes in the city out of any moneys in the city treasury not otherwise appropriated.

§157.15 LIEN, PROCEDURE FOR RECOVERY.

It shall be the duty of the City Manager to forthwith certify to the City Assessor any and all accounts so allowed, and the City Assessor shall add to all said accounts so allowed 10% of the total of each several account and shall cause all such expenditures so allowed, together with the additional 10%, to be severally levied on the lands on which said expenditures were made, and the same shall become a lien upon said land and shall be collected in the same manner as city taxes are collected, and when collected shall be paid into the general city fund to reimburse the outlay therefrom as hereinbefore authorized.

§157.99 PENALTY.

(A) Violations of this chapter shall be enforced in accordance with the provisions of this chapter and in accordance with the terms and conditions of the Code of Ordinances of the City of Inkster.

(B) All blight violations under this Code are subject to enforcement by the procedures and penalties established by the Administrative Hearings Bureau pursuant to the provisions of Chapter 156. The city council has established a schedule for the potential fines by resolution for all blight violations which resolution may be amended from time to time.

(C) The City may, in its discretion and on a showing of probable cause, refer matters for misdemeanor criminal prosecution in the District Court where an Owner is found responsible of two prior violations of this Chapter. The maximum penalty for a violation of this subsection shall be a \$500 fine and 90 days in jail.

This separate business registration, as it relates to rental properties, shall be *in addition to any* other City registration necessary to obtain a certificate of compliance and occupancy.

ORDINANCE NO. 853

**AN ORDINANCE TO AMEND TITLE XV LAND USAGE,
CHAPTER 150 BUILDING REGULATIONS
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER**

THE CITY OF INKSTER ORDAINS

That Title XV, Chapter 150 of the Code of Ordinances for the City of Inkster be and hereby is Amended to delete Section 150.004, amend Sections 150.001, 150.003 and 150.005 by adding the underlined language below, and maintain the *status quo* on any other existing Sections of this Chapter:

CHAPTER 150: BUILDING REGULATIONS

Section

Building Code

- 150.001 Title
- 150.002 Purpose
- 150.003 Adoption of code by reference
- 150.004 Adoption of Michigan Building Code Rules Part One, Two, Three and Four
- 150.005 Additions, insertions and changes Building Official Defined; Department fees; appeal board; inspection schedule; penalty

CABO One and Two Family Dwelling

- Code** 150.015 Adoption of code by reference

Mechanical Code

- 150.025 Title
- 150.026 Purpose
- 150.027 Adoption of code by reference
- 150.028 Adoption of Michigan Mechanical Code Rule Part 9a
- 150.029 Additions, insertions and changes

Electrical Code

- 150.040 Title
- 150.041 Adoption of National Electrical Code by reference
- 150.042 Electrical inspection
- 150.043 Permit required; exception
- 150.044 Inspection required
- 150.045 Inspection fees
- 150.046 Access to buildings for inspections
- 150.047 Reinspections; duty of inspector
- 150.048 Construction requirements
- 150.049 Approved materials
- 150.050 Records and review
- 150.051 Contractors and electricians; license required
- 150.052 Board of examiners
- 150.053 Fees for electrical work and permits
- 150.054 Foreign corporation; licensing
- 150.055 Responsibility or liability
- 150.056 Exemptions
- 150.057 Enforcing agency

Inkster - Land Usage***Plumbing Code***

- 150.080 Title
- 150.081 Purpose
- 150.082 Adoption of code by reference
- 150.083 Additions, insertions and changes

Reciprocal Heating Code

- 150.095 Adoption of code by reference
- 150.096 Fees
- 150.097 Deletions, additions and amendments

Refrigerating Systems Code

- 150.110 Adoption of code by reference
- 150.111 Fees
- 150.112 Deletions, changes and amendments

Property Maintenance Code

- 150.125 Adoption of code by reference
- 150.126 Additions, insertions and changes

Unsafe or Dangerous Buildings

- 150.140 Definitions
- 150.141 Notice of dangerous building; contents; board of appeals; service
- 150.142 Hearing; testimony; determination to close proceedings or order building or structure demolished, made safe, or properly maintained; failure to appear or noncompliance with order; hearing; enforcement; reimbursement and notice of cost; lien; remedies
- 150.143 Enforcement of judgment; lien for judgment amount; priority
- 150.144 Failure or refusal to comply with order; misdemeanor
- 150.145 Appeals

Fences

- 150.160 Definition
- 150.161 Compliance with requirements and restrictions
- 150.162 Permit required; application; fee
- 150.163 Specifications and restrictions
- 150.164 Maintenance of nuisance; notification
- 150.165 Appeals and hearings; authority

Swimming Pools

- 150.175 Definitions
- 150.176 Permit required for construction; fee
- 150.177 Construction standards
- 150.178 Water pressure; floor and wall requirements
- 150.179 Walkways required; specifications
- 150.180 Fences required; exception
- 150.181 Filtration system required
- 150.182 Authority to inspect

Neighborhood Enterprise Zone Inspection

- 150.200 Title
- 150.201 Definitions
- 150.202 Conditions required
- 150.203 Issuance of certificate of approval and inspection reports; inspection fees
- 150.204 Validity of certificate of approval; responsibility of city for defects

House Moving

- 150.210 Definitions
- 150.211 Notice of move; cancellation
- 150.212 Cleanup; repairs
- 150.213 Violation
- 150.214 Permit required
- 150.215 Application
- 150.216 Inspection
- 150.217 Conditions for granting permit
- 150.218 Timely completion of move
- 150.219 Duration
- 150.220 Refund of deposits

Rental Dwellings and Rental Units

- 150.230 Purpose
- 150.231 Definitions
- 150.232 Registration required
- 150.233 Registration forms
- 150.234 Registration term and renewal
- 150.235 Responsible local agent
- 150.236 Transfer of ownership
- 150.237 Certificate of compliance required
- 150.238 Certificate of compliance application form and fee
- 150.239 Posting of certificate of compliance
- 150.240 Disclaimer of liability

Cross-reference:

Blight violations, see Chapter 156

BUILDING CODE

§ 150.001 TITLE.

~~This subchapter shall be known and may be cited as the BOCA National Building Code Twelfth Edition, 1993.~~

~~(‘68 Code, § 6-1201) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93; Am. Ord. 733, passed 1-4-94) The three state statutes adopted in Section 150.003 shall be known as the Building and Property Maintenance Code of the City of Inkster, hereinafter referred to in this Chapter collectively as “this Code”.~~

§ 150.002 PURPOSE.

This ~~sub~~Chapter shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of the code.

('68 Code, § 6-1202) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93)

§ 150.003 ADOPTION OF CODE BY REFERENCE. ADOPTION OF STATE OF MICHIGAN BUILDING AND PROPERTY MAINTENANCE CODES BY REFERENCE.(A) Building Codes.

(1) STATE BUILDING CODE: The State Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all buildings and structures throughout the city. Notice is hereby given that complete copies of the State Building Code, and any amendments and/or supplements thereto are available for public use and inspection at the Clerk's office for the city. Amendments to the State Building Code shall also be incorporated into this Code.

(2) STATE RESIDENTIAL BUILDING CODE: The State Residential Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all one-and two-family dwellings throughout the city. Notice is hereby given that complete copies of the State Residential Building Code, and any amendments and/or supplements thereto are available for public use and inspection in the Clerk' office for the city. Amendments to the State Residential Building Code shall also be incorporated into this Code.

(B) Maintenance Code **INTERNATIONAL PROPERTY MAINTENANCE CODE.** A certain document, a copy of which is on file in the office of the City Clerk, the most recent edition of the International Property Maintenance Code, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, prescribed herein as follows: Amendments to the International Property Maintenance Code shall also be incorporated into this Code.;

~~A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The BOCA National Building Code Twelfth Edition, 1993, as published by the Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the Basic Building Code of the city for the control of all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the BOCA National Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter, with the additions, insertions, deletions and changes, if any, prescribed in this subchapter. ('68 Code, § 6-1203) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93; Am. Ord. 733, passed 1-4-94)~~

~~§ 150.004 (DELETED) ADOPTION OF MICHIGAN BUILDING CODE RULES PART ONE, TWO, THREE AND FOUR.~~

~~A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the 1990 Edition of the Michigan Building Code Rules Parts 1, 2, 3, and 4, by authority conferred on the Construction Code Commission by Section 4 of Act 230 of the Public Acts of 1972. As amended, being MCL 125.1504 are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter.~~

~~(Ord. 719, passed 3-15-93)~~

§ 150.005 (General)

(A) Building Official. The Building Official shall be designated as the code official and shall be the official in charge of the enforcement of this Code.

(B) Appeals. The Board of Zoning Appeals shall serve as the Building Code Appeals Board.

(C) Fees. The fees for activities and services performed by the Building Official and/or his designee in carrying out their responsibilities under this Code shall be approved by resolution of the City Council from time to time and shall be filed in the Office of the City Clerk.

(D) Failure to Comply: Any person who shall

violate a provision of this Code or continue any work after having been

served with a stop work order, except such work as that person is directed to

perform to remove a violation of unsafe conditions, shall be guilty of a

misdemeanor and shall be liable for a fine of not less than \$100 nor more

than \$500 and up to 90 days in jail.

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager

Date: November 25, 2014

From: M. Jeannie Fields, Manager *MF*
Community Development

Date for Council Consideration: December 1, 2014

ACTION REQUESTED: Consider approval of Amendment No. 3 to the Michigan Natural Resources Trust Fund (MNRTF) Project Agreement for the Inkster Greenway Trail Project.

Current Action X Emergency Future

Funds Budgeted: If Yes Account # No N/A X

Treasurer's Approval *MDS*

BACKGROUND INFORMATION

The Inkster Greenway Project consists of a 4-1/2 mile paved pathway running along the Lower Rouge River basin from Beech Daly to Henry Ruff. The first phase of the four (4) phase project is complete. Upon MDNR's review of the closing documents, it was brought to the attention of staff that the contract called for three (3) ADA parking spaces, but only two (2) spaces were constructed. MNDR staff agreed with the project's engineer, Scott Chabot – Giffels and Webster, that two (2) spaces were acceptable for the project. As a result, an amendment to the Agreement is necessary.

The Agreement was previously amended to extend the end date of the project period from May 2013 to November 2013, to change the project facilities by deleting the trail from Beech Daly Road to John Daly Road and to add three (3) parking spaces at the CSO Basin Drive. The project period was also extended from November 2013 to May 2014.

SCOPE OF SERVICES

Approval and execution of Amendment No. 3 to change the project facilities by reducing the number of ADA spaces from three (3) spaces to two (2) spaces at the CSO Basin.

JUSTIFICATION

Two (2) ADA spaces meet the requirements for the project. An amendment to the Agreement is required to make an official change in the project scope to close out Phase I of the project.

PROJECT OR IMPROVEMENT TASK

Which of the Five (5) Council Goals does this request meet?

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA
2. Improve and promote the image of Inkster.

COST

None.

RESOLUTION

Approve Amendment No. 3 to the Michigan Natural Resources Trust Fund (MNRTF) Project Agreement for the Inkster Greenway Trail Project.

Resolved by _____

Seconded by _____

Yes:

No:

Absent:



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

November 3, 2014

Mr. Mark D. Lloyd, Director
Planning, Building and Economic Development
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Dear Mr. Lloyd:

SUBJECT: TF10-027, Inkster Park Greenway Trail

Enclosed please find two copies of Amendment No. 3 to your Michigan Natural Resources Trust Fund (MNRTF) Project Agreement.

Please complete both copies of the Amendment, including original signatures and return both copies to this office **November 24, 2014**. We will sign the copies and return one fully-executed document to you for your files. Please note on Page 2 of the amendment that a resolution may not be required to execute this amendment unless required by local regulation.

If you have any questions, please feel free to contact me. Our address is: **Grants Management Section, Department of Natural Resources, P.O. Box 30425, Lansing, MI 48909-7925.**

Sincerely,

Amy Matisoff, Grant Coordinator
Grants Management
517-284-5916
matissffa@michigan.gov

AM:lh
Enclosures (PR1954)



**MICHIGAN NATURAL RESOURCES TRUST FUND
DEVELOPMENT PROJECT AGREEMENT AMENDMENT**

Project Title: Inkster Park Greenway Trail

Project Number: TF 10-027

Amendment Number: 3

This is an amendment to the Agreement entered into between the Michigan Department of Natural Resources ("DEPARTMENT") and the **CITY OF INKSTER** IN THE COUNTY OF **WAYNE** ("GRANTEE") for the Michigan Natural Resources Trust Fund development grant number **TF 10-027**. The purpose of this amendment is to:

change the project facilities by DELETING **ADA PARKING SPACES FROM THREE (3) TO TWO (2)**, as further explained in correspondence from the GRANTEE to the DEPARTMENT dated October 30, 2014.

A. The DEPARTMENT and the GRANTEE mutually agree to amend the Agreement as follows:

Paragraph 5 will be amended to read as follows:

5. The words "project facilities" shall mean the following individual components, as further described in APPENDIX C and correspondence from the GRANTEE to the DEPARTMENT dated October 30, 2014.

Site Work, Landscaping, Erosion Control
Trail
Bridge
Signage
Site Amenities
2 PARKING SPACES AT CSO BASIN

- B. All other provisions of the Agreement shall be continued in full force and effect.
- C. The amendment may be executed separately by the parties and is not effective until both the GRANTEE and the DEPARTMENT have signed it.
- D. This amendment modifies an Agreement which was approved by resolution of the GRANTEE'S governing body as evidenced by the resolution attached to the Agreement. It is the sole responsibility of the GRANTEE to determine if its laws, policies or procedures require approval by its governing body before execution of this amendment by the GRANTEE. By signature of this amendment the GRANTEE certifies that:
1. Approval of the amendment by its governing body is not required, or

2. The amendment has been approved by resolution (true copy attached) of the

_____ <i>(date)</i>	,	_____ <i>(special or regular)</i>	meeting of the	_____ <i>(name of approving body)</i>
------------------------	---	--------------------------------------	----------------	--

GRANTEE

SIGNED:

WITNESSED:

By: _____

By: _____

Title: _____

By: _____

Date: _____

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED:

WITNESSED:

By: _____

By: _____

Steven J. DeBrabander, Manager
Grants Management

EFFECTIVE DATE: _____

By: _____

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager

Date: November 25, 2014

From: M. Jeannie Fields, Manager
Community Development

Date for Council Consideration: Dec 1, 2014

ACTION REQUESTED: Consider approval of a Special Conditions Use (SCU 14-03) and accompanying Site Plan (SP 14-04) for the operation of a used car lot located at 27005 Michigan Avenue in the Town Center District (TCD) with the conditions noted as recommended by the Planning Commission.

Current Action ☒ X _____ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account # _____ No _____ N/A ☒ X _____

Treasurer's Approval _____ *MDS*

BACKGROUND INFORMATION

On Monday, November 10, 2014, the Inkster Planning Commission conducted a public hearing, as required, for the consideration of Special Conditions Use, Case #14-03, and for the review of Site Plan, Case #14-04. The applicant is Sami Alfashi. The proposed use is a used car lot at 27005 Michigan Avenue on the south side of Michigan between Sylvia and Wiethoff. See attached review letters and maps.

The Planning Commission reviewed and approved the Special Conditions Use (14-03) and Site Plan (SP 14-04), subject to the following conditions (draft minutes are attached):

Special Conditions Use:

1. A masonry screen wall is added to screen the residential uses to the east.

Site Plan:

1. The applicant replaces the cyclone fence around area C1a on the north, east, and south with a 4.5 to 6 ft. masonry obscuring wall to screen the parking and outdoor sales area from the residential uses that front on Kean Ave.
2. The applicant must add a note that no vehicle display is permitted in the pedestrian plaza or sidewalk entrance,
3. All comments by the City engineer, fire and all other departments are incorporated into the site plan.
4. Strike "None is determined at this time" # 9 from the site plan.

The applicant has made changes to the site plan based on the conditions identified above. Please see enclosed site plan.

SCOPE OF SERVICES

N/A

JUSTIFICATION

Used car sales is a Special Conditions Use in the B-3 district and could be approved as a Special Conditions Use in the TCD when the application was submitted. This type of use is no longer allowed in the TCD effective November 17, 2014.

PROJECT OR IMPROVEMENT TASKS

Which of the Five (5) Council Goals does this request meet?

1. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.
2. Revitalize the Michigan Avenue corridor.

COSTS

All costs are incurred by the petitioner and must be paid in full prior to construction.

PROJECT TIME TABLE

N/A

RESOLUTION

Resolved by _____ Seconded by _____
that the City of Inkster Council hereby approves a Special Conditions Use (SCU 14-03) and accompanying Site Plan (SP 14-04) for the operation of a used car lot located at 27005 Michigan Avenue in the Town Center District (TCD) with the conditions noted as recommended by the Planning Commission.

Yes:

No:

Absent:



PLANNING COMMISSION PETITION
FOR
SPECIAL CONDITIONS / REGULATED LAND USE

Filing Fee SCU / RLU = \$500.00

Case # 14-05 (SLURLU)

TO THE INKSTER CITY PLANNING COMMISSION:

Date Filed 5-28-14

The undersigned respectfully petition(s) Planning Commission to permit a Special Conditions / Regulated Land Use as hereinafter requested, and in support of this petition, the following facts are shown:

PROPERTY IDENTIFICATION

Street Address: 27005 Michigan Ave

The property is located on the S side of Michigan Ave Street, Between WILSON Street and Street

It has frontage of 260 feet, a depth of feet, and comprises of 1.6 acres

Legal Description: ATTACHED (SEE PLAN)

Property Owner SAMI ALFASIH

Address: 31657 Michigan Ave WAYNE MI 48184

Phone: 313 999-6469

Fax 734-895-1552

☒ Yes, I do authorize representatives of the City of Inkster to access the property for the (initial) purpose of site investigation associated with this application.

PROOF OF OWNERSHIP MUST BE ATTACHED TO THIS APPLICATION

PROPOSED USE used car sales & minor auto repairs

Attach a statement indicating why the change of use requested is necessary for the preservation of substantial property rights, and why such change will not be detrimental to the public welfare, nor the property of other persons in the vicinity.

The undersigned Petitioner, being duly sworn, deposes and says that the statements and information herewith submitted are true and correct to the best of his/ her knowledge, information and belief; further, that s/he is authorized to submit this Petition.

[Signature]
Signature of Petitioner

4-27-14
Date

SAMI ALFASIH
Printed Name of Petitioner

Owner
Title of Petitioner

313 999-6469
Petitioner Telephone Number

734-895-1552
Petitioner Fax Number

ALFASIH@SBC-GLOBAL.NET
Petitioner E-Mail Address

Company's Name

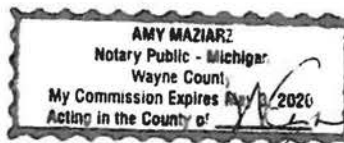
Company's Address

PROOF OF REPRESENTATION MUST BE ATTACHED TO THIS APPLICATION IF THE PETITIONER IS NOT THE OWNER OF PROPERTY REQUESTING REVIEW.

Subscribed and sworn to before me this 27th day of May

[Signature]
Notary Public, Wayne County, Michigan

My Commission Expires 5/3/2020





PLANNING COMMISSION
PETITION FOR
SITE PLAN REVIEW/SUBDIVISION PLAT

Case # 14-04 (SP)
Date Filed 5/28/14

TO THE INKSTER CITY PLANNING COMMISSION:

The undersigned respectfully petition(s) Planning Commission for site plan review as provided for by the Inkster, Michigan Code of Ordinance and in support of this Petition, the following facts are shown:

PROPERTY IDENTIFICATION

Street Address: 27005 MICHIGAN AVE The property is located on the S side of MICHIGAN AVE Street, between SYLVIA Street and WIE TROFF CT Street.
It has frontage of 254.7 feet, a depth of VARIABLE feet, and comprises 1.63 acres.

Legal Description: ATTACHED (SEE PLAN)

ZONING - This property is currently zoned TCD 1

Property Owner: SAMI ALFASHI 313 734
Address: 31657 MICH. AVE Phone: 9996964 Fax: 7227878
WAYNE

- ☒ Yes, I do authorize representatives of the City of Inkster to access the property for the purpose of site (Initial) investigation associated with this application.
☒ Yes, I do understand that all building, electrical, plumbing, and fire codes must be met prior to occupancy.

Initial _____

PROOF OF OWNERSHIP MUST BE ATTACHED TO THIS APPLICATION

PROPOSED USE USED CAR SALES & MINOR AUTO REPAIR ~~REMOVED 5/27~~ 5.14.14

Clearly describe the proposed project - do not write "refer to plans":

UTILIZED PROPERTY AS MINOR AUTO REPAIR & USED CAR SALES 5.28.14

ALL BUILDING MATERIALS MUST BE LABELED WITH PROJECT NAME OR CASE NUMBER & SUBMITTED TO THE PLANNING DEPARTMENT ALONG WITH SITE PLANS.

Eight (8) SETS OF SITE PLANS FOR COMMERCIAL DEVELOPMENT AND FOR RESIDENTIAL DEVELOPMENT, DRAWN AT A SUITABLE ENGINEERING SCALE SHOWING:

- Subject parcel
- Intended layout and landscaping plan
- All adjacent and abutting property lines, public rights of ways, zoning, and buildings within a radius of one hundred (100) feet
- Building floor plan and all building elevations.
- Storm, water, and sanitary sewers.

ALL PRINTS MUST BE FOLDED.

SITE PLAN REVIEW FEES:

Commercial - less than an acre..... \$300
Commercial - an acre or more..... \$450 + \$23 per acre
Residential - less than an acre..... \$300 + \$5 per unit
Residential - an acre or more..... \$450 + \$5 per unit

Applicant is responsible for contract engineering and planning fees. Deposit required at time of application.
PLEASE NOTE - Partial acres are rounded off. On plans resubmitted for review, 1/2 of the original fee. *ALL REVISIONS MUST BE SUBMITTED ON RESUBMITTED PLANS. AN 8.5"X11" SITE PLAN OF FINAL ADMINISTRATIVELY APPROVED PLAN MUST BE PROVIDED FOR PLANNING COMMISSION MEETING. ALSO, A DIGITAL COPY OF FINAL PLAN ON CD-ROM SHALL BE PROVIDED.

AFFIDAVIT OF PETITIONER

The undersigned Petitioner, being duly sworn, deposes and says that the statements and information herewith submitted are true and correct to the best of his/ her knowledge, information and belief; further, that s/he is authorized to submit this Petition.

Printed Name of Petitioner SAMI ALFASHI
Signature of Petitioner [Signature]
Interest in Property OWNER
Firm _____ Address _____ Phone _____
Fax _____ E-Mail Address _____

Subscribed and sworn to before me this 25 day of APRIL, 2014

My Commission Expires: 5/3/2020

[Signature]
Notary Public, Wayne County, Michigan



October 3, 2014

Jeannie Fields, Community Development Manager
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: (SCU #2) Special Conditions Use Review - 27005 Michigan Ave

Location: 27005 Michigan Avenue (1.68 Acres)

Zoning: TCD, Town Center District

Applicant(s): Sam Alfashi (Owner)

Dear Mr. Marsh:

At your request, we have reviewed the above referenced application for a Special Conditions Use in the TCD District and offer the following comments and findings for your consideration.

DESCRIPTION OF THE SITE

The applicant proposes to occupy the 1.68 acre site located at 27005 Michigan Avenue with a used car dealership and minor auto repair. The legal description of associated parcels included in the site was printed on the site plan. The subject site is currently vacant and the proposed use will remodel an existing 9216 s. f. building on the northeast corner of the site.

Per your request we have reviewed the Special Conditions Use application dated May 27, 2014 for compliance with the Inkster Zoning Ordinance regulations and sound planning and zoning principles and offer the following comments for your consideration.

PERMITTED/RESTRICTED SPECIAL CONDITIONS USES IN TCD DISTRICT

Used car sales is a Special Conditions Use in the B-3 district and thus can be approved as a Special Conditions Use in the TCD District.

REVIEW OF SPECIAL CONDITIONS USE (§155.289).

The following standards are applicable to all special conditions uses applications.

1. Will be harmonious and in accordance with the goals, policies and actions of the Master Plan.

The site is planned for Town Center land uses. This designation is intended to provide a "city identity" and includes a mixture of retail, office, residential and public uses. The Master Plan specifically recommends that "high traffic and heavy commercial uses such as fast-food drive thru, vehicle repair, parts and sales, and similar uses are located outside of the Town Center District."

The site is also on the eastern edge of the part of the Town Center area referred to as the Community Core and is included in the area core. The Master Plan calls for buildings in this area to be a minimum of two stories in height; however an adaptive reuse of an existing 1-story structure is appropriate.

The proposed use is not consistent with the Master Plan. We recommend this finding be made subject to the following condition which complies with Master Plan design recommendations for the Community Core of Town Center (pg 57):

- a. All parking (and vehicle sales areas) visible from public viewshed will be screened by a combination of brick piers, ornamental fencing, and landscaping.

The applicant's proposal substantively meets the landscaping and ornamental fencing recommendation along the front of the property. The Zoning ordinance further requires screening from residential uses via a 4.5 to 6 ft. masonry screening wall. We recommend that a masonry screening wall be required to screen residential areas to the east.

2. **Will be designed constructed, operated, and maintained so as to be visually and physically harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential scale and character of the area.** The proposal meets the landscape and lighting requirements, with the exception of the screening wall mentioned above.
3. **Will be a visual, physical, and economic improvement in relation to the property in the immediate vicinity and to the City as a whole.** Occupying and improving a vacant site along the City's primary corridor should be an improvement to the site, immediate vicinity, and City as a whole provided the issues identified in the site plan review have been adequately addressed.
4. **Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will adequately provide any such service or facility.** The capacity of the City's infrastructure and services appears to be sufficient to accommodate the proposed facility.
5. **Will not detract from the desirability and orderly function of residential or business uses.** Discretion shall be given to the impact of the proposed use upon existing uses, which may relate to traffic generation, sound, artificial lighting, odors, emission of exhaust gases, pedestrian traffic, hours and days of operation, creation of a public or private nuisance, opportunity for crime or criminal activity, congregation of individuals for purposes other than intended by the proposed use, and similar factors generated by the proposed use. The factors stated herein are not intended as a limitation upon the possible considerations and are by way of example only. We are not aware of any adverse impacts associated with the proposed use at this time.
6. **Will not erode or reduce the economic viability of other existing land uses. Consideration shall be given to the compatibility of other existing uses with the proposed use and maintaining land values within the City.** We are not aware of any adverse impacts that the associated use will have on the economic viability of adjacent existing uses at this time.
7. **Will not impose additional service demands upon the City or its anticipated future resources.** We are not aware of any additional service demands upon the City that would result from this use.

8. **Will further and enhance the health, safety, welfare, morals, character, comfort, convenience, and policies of the City, will not create excessive additional public costs or be detrimental to the economic welfare of the City.** We are not aware of any impacts the proposed development could have on the health, safety, welfare, morals, character, comfort, convenience, and policies, or excessive costs that the development will impose.
9. **Will be consistent with the intent and purposes of this Zoning Code, and comply with all specific standards as established for said use by this Ordinance.** This finding can be made with the exception of the masonry screening wall mentioned above.
10. **Special Conditions Land Use Standards for Outdoor Sales of Vehicles (section 155.134).** The applicant has provided a 10 ft. greenbelt and met all other requirements of this section. No strings of flags, pennants, or bare light bulbs are permitted.

RECOMMENDATION

We recommend the Planning Commission hold a public hearing on the Special Conditional Use for used vehicle sales. We recommend that Planning Commission recommend that City Council approve the use subject to the following conditions:

1. Results of Public Hearing.
2. A masonry screen wall is added to screen the residential uses to the east.
3. Review and comments of other City Departments.

If you have any questions please don't hesitate to contact us.

Respectfully submitted,

McKENNA ASSOCIATES



Paul Lippehs, AICP
Principal Planner

October 3, 2014

Richard Marsh, City Manager
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: (SPR #4) Site Plan Review - 27005 Michigan Ave
Location: 27005 Michigan Avenue
Zoning: TCD, Town Center District
Applicant(s): Sam Alfashi (Owner)

Dear Mr. Marsh:

At your request, we have reviewed the above referenced site plan application and offer the following comments for your consideration.

DESCRIPTION OF THE SITE

The applicant proposes to occupy the 1.68 acres of land located at 27005 Michigan Avenue with a used car dealership and minor auto repair. The legal description of associated parcels included in the site is printed on the site plan. The subject site is currently vacant and the proposed use will remodel an existing 9216 s. f. building on the northeast corner of the site.

Per your request we have reviewed the revised site plan dated August 20, 2014 and received by the City on September 19, 2014 for compliance with Inkster Zoning Ordinance regulations and sound planning and zoning principles and offer the following comments for your consideration.

REVIEW COMMENTS

1. **Zoning and Use (§155.049).** The site is in the TCD district and is bordered on the south by M-1. The site is bordered on the east and west by residential uses. All development in the TCD District must comply with the following:

- a. **Submission Requirements**

- i. A recent "as built" survey, copies of all property restrictions hindering, a site plan, buildings and development elevations, floor plans, a landscape plan, soil studies, signage plans, sight lines and public access connections to the river corridor, where applicable, and pedestrian connections. Additionally, Planning Commission has the authority to waive the following additional requirements if they are not necessary for project evaluation: a development timetable, developer financials, a traffic study, parking studies.

The applicant has provided all of the information required except for a development timetable, developer financials, and a traffic study. We recommend the Planning Commission waive the TCD District submission requirements for a development timetable, developer financials, and a traffic study. Due to the scope of the project and location on a major corridor it is our opinion this information is not necessary for project evaluation.

- b. Standards and Requirements for Review and Approval in the TCD District. The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

- i. **All proposed uses shall promote and be consistent with the spirit and specific intent and purposes of the City of Inkster Town Center District and master plan.**

Used car sales is a Special Conditions Use in the B-3 district and thus can be approved as a Special Conditions Use in the TCD district. A note on the plan indicates that no repair activities will occur onsite.

The site is planned for Town Center land uses. This designation is intended to provide a "city identity" and includes a mixture of retail, office, residential and public uses. The Master Plan specifically recommends that "High traffic and heavy commercial uses such as fast-food drive thru, vehicle repair, parts and sales, and similar uses are located outside of the Town Center District." The proposed use is not consistent with the intent of the Master Plan. Site design improvements and a productive business may mitigate the inconsistency of proposed use with the Master Plan goals; however, this determination must be made by Planning Commission through review of the Special Conditions Use application.

- ii. **The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the District, to the overall plans and goals of the District and to future users and inhabitants of the development. Standards of Section 155.061, Schedule of Regulations are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of Section 155.071 through Section 155.081 General Development Standards must be adhered to.**

The applicant's submission shows a power line and easement across the site. The proposed landscape plan meets the greenbelt requirements. The proposal does not meet the requirement to add a masonry screen wall to effectively screen the parking and outdoor sales from adjacent residential uses, the applicant instead has proposed to add opaque vinyl slates to the existing cyclone fence.

Additional comments follow but otherwise the requirements of Section 155.071 through Section 155.081 have been met.

- iii. **Signs must meet the requirements of this ordinance and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.**

The applicant has noted the location of the existing sign on the plan. The maximum height of a pole mounted sign is 25 ft. the maximum area for this site is 195 sq. ft.

(260 ft. * .75 (<200)). Based on the information provided and a visual site inspection the sign appears to meet these requirements.

- iv. **Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as drive-in or drive-through facilities, auto service stations or centers or similar uses shall not generally be approved. The Planning Commission may approve such transient automobile dependent use, if in its judgment, such use is needed for the viability of the district.**

The proposed use is a vehicle-oriented use; however, this could be mitigated by enhancing the pedestrian interaction with the streetscape on Michigan Ave. The applicant has proposed a 10 ft. pedestrian access walk between the door and the Michigan Ave sidewalk. The pedestrian plaza and access walk may not be used for the display of vehicles.

The applicant proposes to enhance the greenbelt and streetscape by providing an ornamental fence with brick piers at along the front of the property a pedestrian plaza for employee breaks and aesthetic appeal in front of the building. These design amenities are consistent with the Master Plan goals for the Town Center District. The plaza has a brick base and includes permanent outdoor seating.

- v. **The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.**

The project as proposed should not exceed the capacity of public services, utility and roads. We defer to the comments of the City engineer on detailed utility issues.

- vi. **The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.**

The issues identified in this review and by other plan reviewers must be addressed to meet this requirement.

2. **Architectural Features (§155.072).** The subject site is located in the TCD District. It is the intent of this district is to provide a vibrant mixed-use civic center with buildings that are pedestrian-friendly and that have architectural scale and character that are consistent with the vision for this area of the City. Building facades have been updated with red brick and earth tone metal siding. The east wall is visible from the public way and is painted to complement the brick façade and siding. The proposal is otherwise consistent with the requirements of Section 155.072(F).
3. **Landscaping (§155.073) and Screening Walls (§155.074).** A separate landscape plan has been provided with a schedule depicting species size and location.

- a. The plan includes a 10 ft. greenbelt with 3 Star Magnolia, 3 Sky Rocket Juniper and a mix of shrubs. This requirement is met.
 - b. The proposed use will be visible from residences to the east that front onto Kean Ave. To address this the applicant proposes to add opaque vinyl slats to the existing cyclone fence. A slope on the west side of the property functionally screens the properties to the west that fronts onto Wethoff Court. A masonry screening wall of 4.5 ft. to 6 ft. is required to replace the existing cyclone fence on the north-east, east, and south-east portion of the property around the area labelled C1a. The fence must screen the sales and parking area from the surrounding residential uses that front onto Kean Ave.
4. **Waste Receptacle (§155.075).** A 10 ft. by 10 ft. dumpster enclosure is located on the south side of the site. The structure is proposed to be gated with a masonry walls and a 6 inch concrete base.
5. **Exterior Lighting (§155.076).** The building includes 10 exterior halide wall lights that range from 150 watts to 500 watts. Note 11 on the site plan reads "All lighting will be directed within the property and will not affect any residential property." Note 11a on the plan reads "Illumination levels will not exceed 0.1 footcandles adjacent to residential property lines and 0.3 footcandles adjacent to non-residential property lines."
6. **Off-Street Parking and Loading (§155.077 - 155.079).** The applicant is required to provide 1 parking space per 250 sq. ft. of sales area (9216 s. f./250 s. f. = 37 spaces), plus 1 space per 500 s. f. of outdoor sales area. The applicant has indicated they are installing 39 outdoor display spaces (439*20*9 = 7020 s. f., 7020 s.f. /500 s. f. = 14 spaces). The total requirement is 53 spaces.

The applicant proposes to provide 93 parking spaces, which includes sales spaces, as follows: 14 customer spaces, 6 employee spaces, 3 barrier free (1 van accessible), 39 outdoor display spaces, and 15 indoor display spaces, and 16 undefined spaces behind the building. Based on parking requirements, and that sales spaces cannot be counted toward parking requirements, the applicant would be limited to only 40 spaces dedicated to sales; however we find that the parking provided is sufficient provided that no complaints are received about customers parking in adjacent neighborhoods. A note on the plan indicates that if complaints are received sales spaces can be limited to 40.
 - a. A 10 ft. by 70 ft. off-street loading space is provided south of the building and must screened from public view by a wall per section 155.074. The applicant proposes to provide this screening with opaque slats in the existing cyclone fence. We recommend planning commission require an obscuring wall.
7. **Site cleaning:** Area C2 on the site plan is labelled "no activity." A note indicates that portion of the site will be cleaned, mowed if there are sodded areas, and maintained to be free of trash and debris and consistent with the rest of the site.
8. **Comments from Other Departments.** Compliance with comments from the City Engineer, fire, and all other departments is required.

RECOMMENDATION

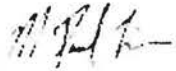
We recommend that the Planning Commission approve the site plan with the following conditions:

1. The applicant replaces the cyclone fence around area C1a on the north, east, and south with a 4.5 to 6 ft. masonry obscuring wall to screen the parking and outdoor sales area from the residential uses that front on Kean Ave.
2. The applicant must add a note that no vehicle display is permitted in the pedestrian plaza or sidewalk entrance.
3. All comments by the City engineer, fire, and all other departments are incorporated into the site plan

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

Respectfully submitted,

McKENNA ASSOCIATES



Paul Lippens, AICP
Principal Planner

EXHIBITS:



View from adjacent residential

CONSULTING ENGINEERS
615 GRISWOLD ST. • SUITE 600
DETROIT, MICHIGAN 48226
(313) 963-0612 FAX (313) 963-2156

September 26, 2014

City of Inkster
Department of Public Services
26900 Princeton
Inkster, MI 48141

Attn: Jerome Bivins, Deputy Director

Regarding: 14-03 (SCU)/14-04 (SP)
27005 Michigan Avenue – Road Runner Auto Sales Used Car Dealership
Second Engineering Review

Dear Mr. Bivins:

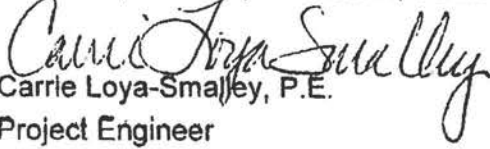
Tucker, Young, Jackson, Tull Inc. (TYJT) has completed a review of the plans dated August 20, 2014 for the above referenced project. The City of Inkster provided the revised plans on September 18, 2014. Comments are summarized below:

1. Site utilities require further clarification. The location of existing combined sanitary and storm sewer utilities adjacent to the site are shown in the site plan, however; the sanitary lead to the building is not shown/labeled. The water service and location of the meter are shown, however; the service does not show or reference the water main serving the site. It appears that a fire suppression line is located along the east side of the building. Please label and/or clarify.
2. Asphalt Parking Lot: Change the note "Top existing conc. w/ asphalt pitched to catch basin" to "Top existing conc. w/ asphalt to drain to catch basin with a minimum grade of 1% maximum grade of 3%". The plan does not show a typical cross section for asphalt pavement in the parking lot as required by the City of Inkster Site Approval Guidelines, page 15. Reflective cracking of the new asphalt pavement could result if an inadequate section of pavement is placed over areas of the site where the demolition of a structure has taken place and building footings have not been removed. Areas with the top of concrete footings located above existing grade may require grinding to reduce the profile of the footings to below, or to match, existing grade prior to paving with new asphalt.

Please call me at 313-234-0349 if you have any questions.

Sincerely,

TUCKER, YOUNG, JACKSON, TULL INC.


Carrie Loya-Smalley, P.E.
Project Engineer

CC: Richard Marsh, Inkster City Manager
Eric Tucker, P.E., Vice President
File: 8-140008 Task 7

Jeannie Fields

From: John D. Adams [JAdams@ww-fa.com]
Sent: Tuesday, August 05, 2014 3:20 PM
To: Jeannie Fields
Subject: comments for case 14-03 and 14-04

Ms. Fields,

The fire department will require a fire department lock box placed on the site for our access in the event of a incident.

The fire department has no other requirements for this site.

Thank you!

Yours in Life Safety
John Adams
Chief Operating Officer

Sent from my iPad <<http://www.cityofwestland.com/>>[X]<<http://www.cityofwestland.com/>>

John D. Adams | Assistant Chief Fire Marshall | WW-FA |
<<http://www.cityofwestland.com/healthycity>>
37201 Marquette | Westland, MI 48185
| | JAdams@ww-fa.com



INKSTER POLICE DEPARTMENT
Inter-Office Memorandum

November 10, 2014

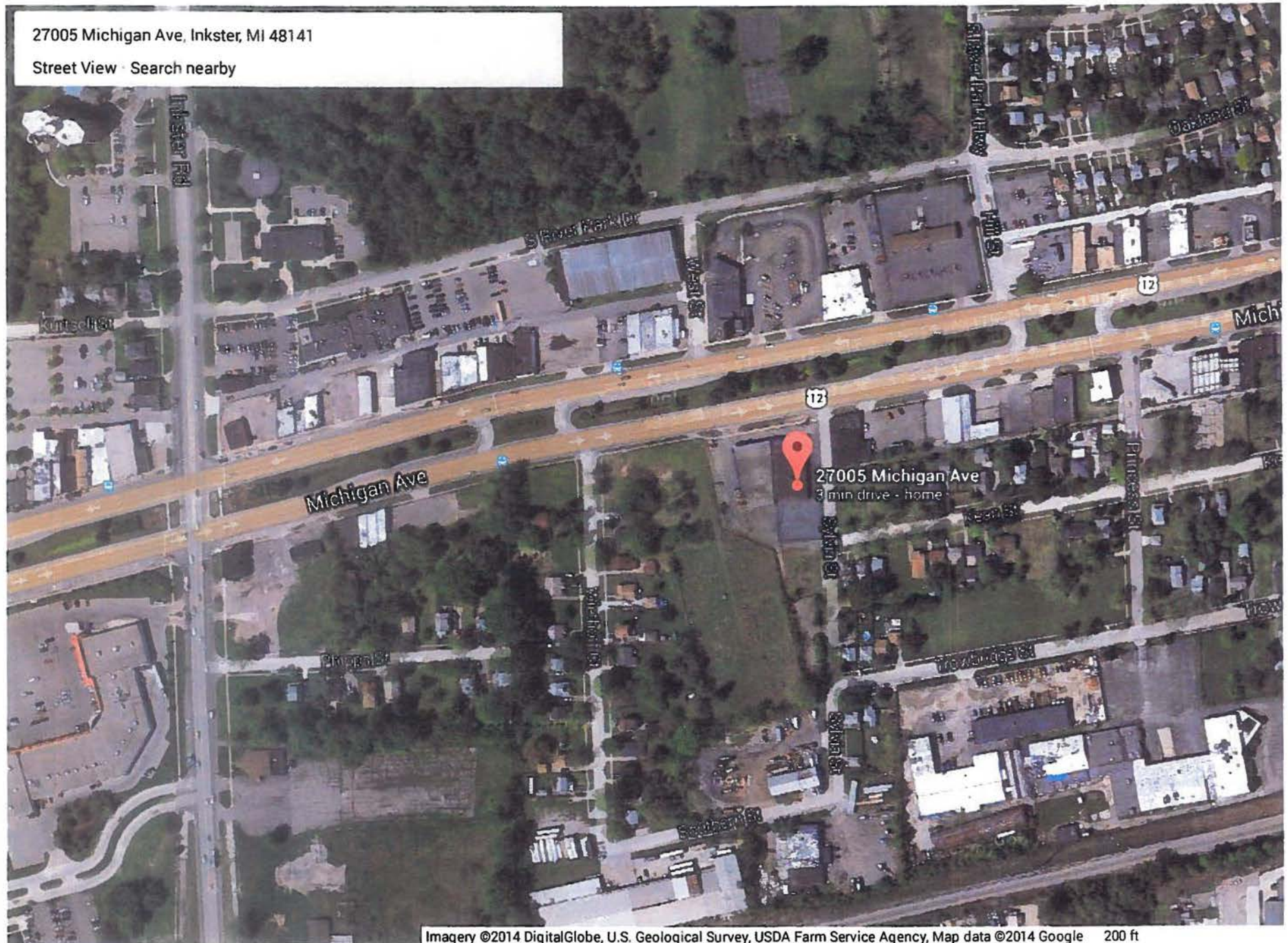
To: M. Jeannie Fields, Community Development Manager

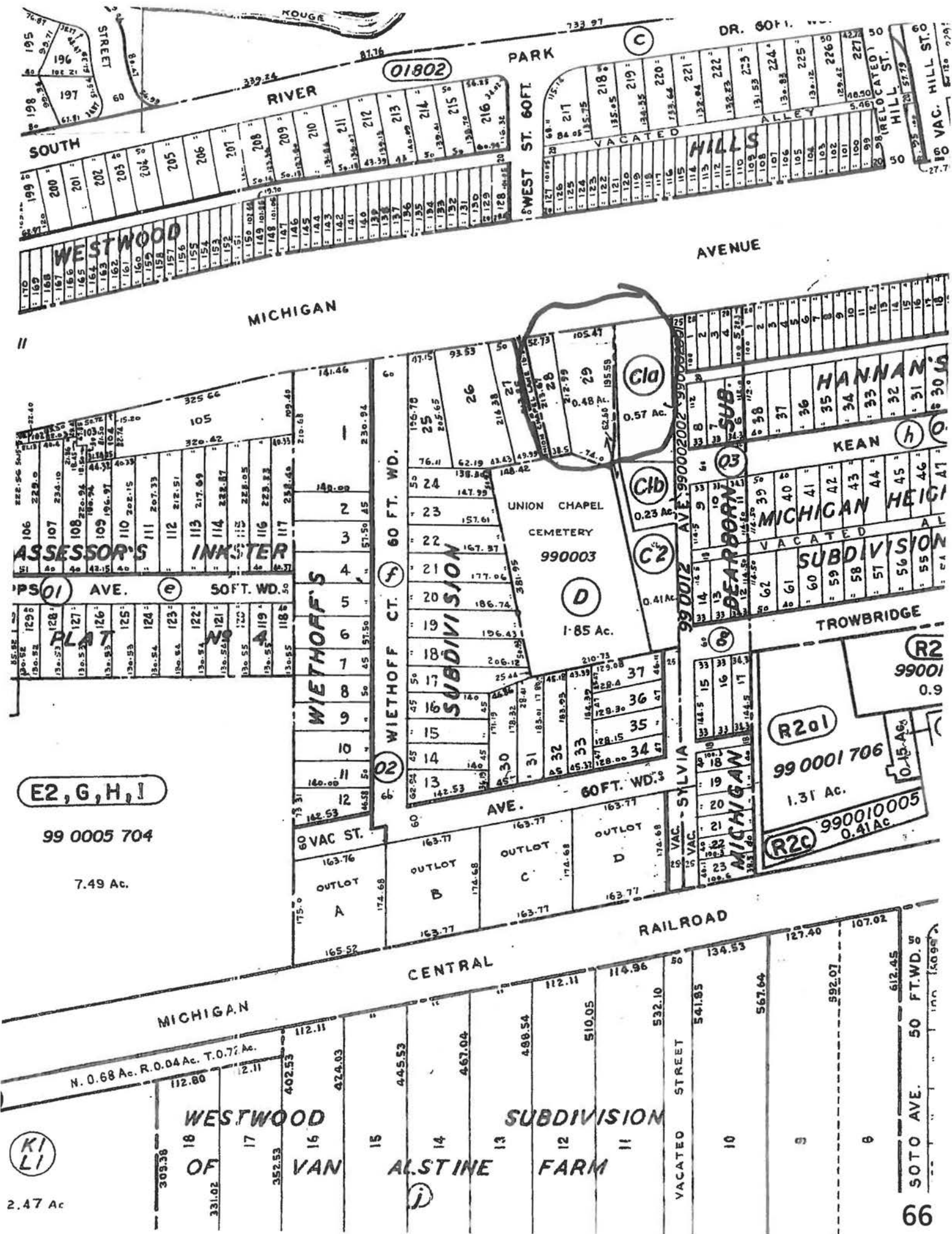
Subject: Preliminary Site Review:
Used Car Dealership
Minor Auto Repair
Proposed Development at 27005 Michigan Ave.

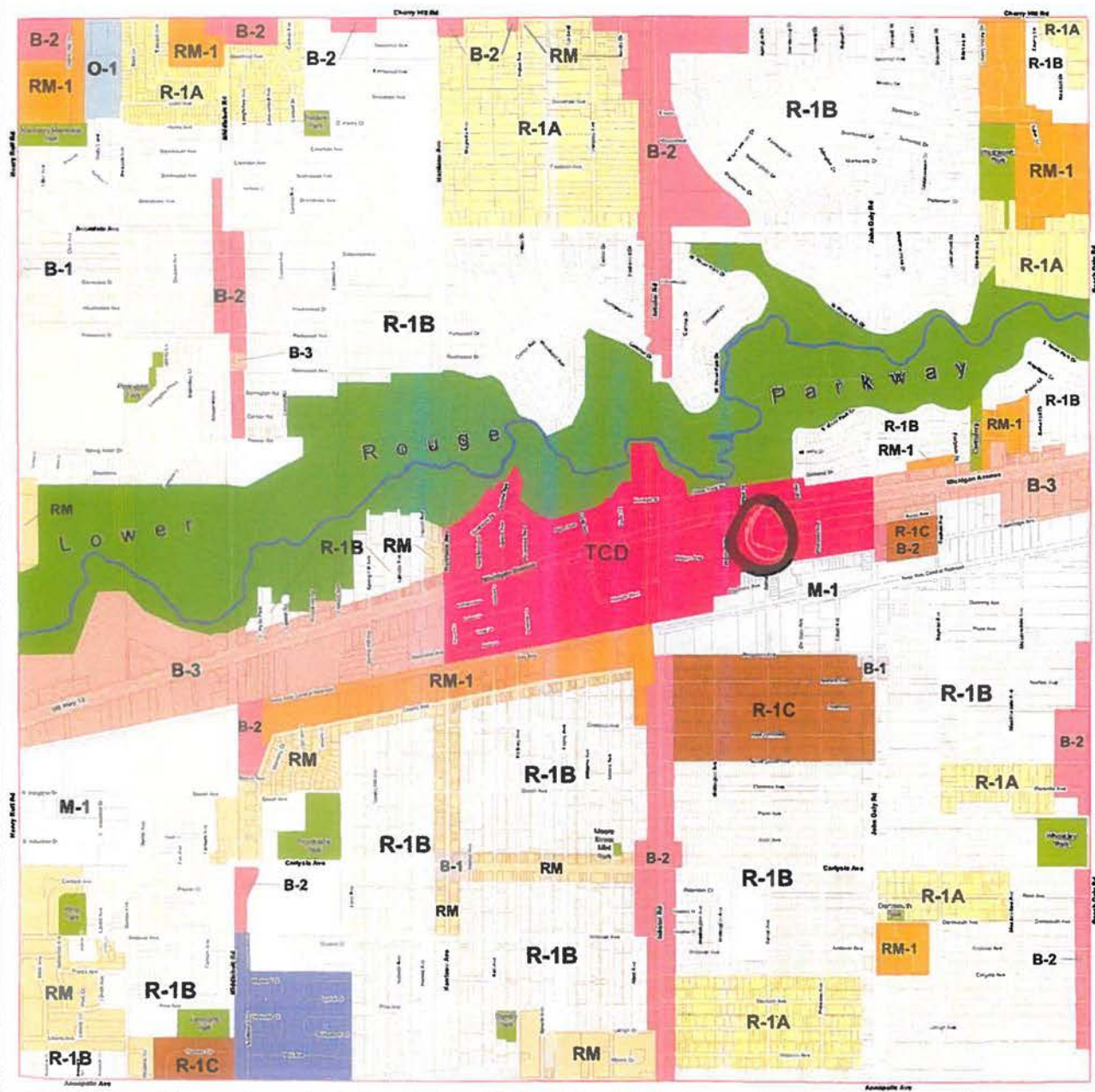
I have reviewed the above listed preliminary site plans. The Police Department has no concerns with the site plan as it is presented.

If you have any questions or concerns, please contact my office at 313.563.9873.


VICKI L. YOST
Chief of Police







ZONING MAP

City of Inkster, Michigan

Districts

- R-1A One Family Residential District
- R-1B One Family Residential District
- R-1C One Family Residential District
- RM Restricted Multiple Dwelling District (Low Rise)
- RM-1 Multiple Family Residential District (Low Rise)
- O-1 Office District
- B-1 Local Business District
- B-2 Thoroughfare Mixed-Use District
- B-3 General Business District
- M-1 Light Industrial District
- TCD Town Center District
- Planned Unit Development (PUD)
- Parks and Open Space
- Rouge River Parkway

Hell Hgt
K. Jones



0 200 400 600 Feet



**- DRAFT -
CITY OF INKSTER
PLANNING COMMISSION (PC)
MINUTES**

A regular meeting was held on **Monday, November 10, 2014**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Brown called the meeting to order at 6:03 p.m.

I. ROLL CALL

Present: Chairman Brown, Secretary Thomas and Commissioners Davis, Garrett, Hampton (6:09 p.m.), Hendricks, Walton and Wells (6:04 p.m.)

Absent: Vice Chairman Wooten

Others in attendance: M. Jeannie Fields, Community Development Manager
Paul Lippens, McKenna & Associates, Planning Consultant
Sami Alfasi, Applicant

Public in attendance: None

II. ADOPTION OF AGENDA

MOVED by Garrett, Seconded by Thomas to adopt the agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF OCTOBER 27, 2014

MOVED by Hendricks, Seconded by Thomas to adopt the Minutes of October 27, 2014. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARING

A. Case # 14-03 (SCU)/14-04 (SP) – 27005 Michigan Ave
Public Hearing to receive public input and review special conditions use (SCU) requirements and associated review of site plan (SP) requirements for a Used Car Dealership located at 27005 Michigan Ave. Sami Alfashi is the applicant.

MOVED by Thomas, Seconded by Hendricks to open the public hearing. **MOTION CARRIED unanimously.**

Paul Lippens gave an overview and recommended approval of the special conditions use and site plan with conditions per his planning letters dated October 3, 2014.

Questions were addressed related to signage, landscaping, site maintenance, off street parking, minor repair on the site and door locations. It was noted that no vehicle repair will be performed on the site. The applicant owns another shop where the repairs will be performed.

MOVED by Hendricks, Seconded by Garrett to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Hendricks, Seconded by Hampton to approve the Special Conditions Use subject to the following condition: A masonry screen wall is added to screen the residential uses to the east.
MOTION CARRIED unanimously.

MOVED by Hampton, Seconded by Thomas to approve the Site Plan subject to the following conditions:

1. The applicant replaces the cyclone fence around area C1a on the north, east, and south with a 4.5 to 6 ft. masonry obscuring wall to screen the parking and outdoor sales area from the residential uses that front on Kean Ave.
2. The applicant must add a note that no vehicle display is permitted in the pedestrian plaza or sidewalk entrance,
3. All comments by the City engineer, fire and all other departments are incorporated into the site plan.
4. Strike "None is determined at this time" # 9 from the site plan.

MOTION CARRIED
Nay: Wells

V. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

VII. MISCELLANEOUS

Discussion was held regarding the following:

- A. Status of Inkster Greenway Project
- B. City out reach to new businesses
- C. Master Plan (adopted 2009) and overall City plan for economic development/planning
- D. Process to talk to new business owners prior to purchasing property
- E. Oil change business on Michigan Ave (across from the Justice Center)

VIII. ADJOURNMENT – 7:26 p.m.

MOVED by Hendricks, Seconded by Thomas to adjourn the Planning Commission meeting held on November 10, 2014. **MOTION CARRIED unanimously.**

Respectfully submitted,

Sam Brown, Chairman

Robert Thomas, Secretary

M. Jeannie Fields
Community Development Manager

REQUEST FOR COUNCIL ACTION

To: Richard J. Marsh, Jr., City Manager

Date: 11-08-2014

From: Chief John D. Adams

Date for Council Consideration: 11-17-2014

ACTION REQUESTED: I am requesting to approve the lease of one bay in the fire station to Henry Ford Hospital for the storage of their mobile health screening bus. This would be a year to year lease.

Current Action *approval required* Emergency

Future

Funds Budgeted: If Yes _____ Account # _____ No _____ N/A XXX

Treasurer's Approval



BACKGROUND:

The City of Inkster fire department has six bays at their fire station. We currently nor have we had six front line vehicles in operation. This does leave a bay empty for another possible use.

SCOPE OF SERVICES:

The mobile screening bus would be housed in that available bay at a cost of \$800.00 a month for renting that space.

JUSTIFICATION:

This provides an additional \$9,600.00 of unbudgeted revenue for the City for the use of an unoccupied space in the fire station.

PROJECT IMPROVEMENTS:

1. Improve the cash flow for the city.
2. Improve and promote the image of Inkster.

COSTS:

The decision to enter into this lease will not cost the City of Inkster any money. It provides a revenue stream.

PROJECT TIME TABLE:

This is a year to year lease.

RESOLUTION:

Authorization is hereby given to:

Resolved by:

Seconded by:

Yes:

No:

Absent:

LEASE AGREEMENT

This Lease Agreement ("Lease") is entered into by and between the City of Inkster, a Michigan City, whose address for purposes hereof is 26215 Trowbridge St., Inkster, Michigan 48141 ("Landlord"), and Henry Ford Health System, a Michigan nonprofit corporation, whose address for purposes hereof is 1 Ford Place, Detroit, Michigan 48202 ("Tenant").

1. Premises. Landlord agrees to lease to Tenant certain space located in the building at 27717 Michigan Ave, Inkster, Michigan 48141 ("Premises"). The Premises consists of approximately One Thousand Two Hundred (1,200) square feet of space and is reflected in cross hatch on the survey attached hereto as Exhibit "A". Landlord and Tenant share the overhead door entrance for ingress and egress at the Premises.
2. Term. The term of this Lease shall extend for three (3) years, commencing on October 1, 2014 and terminating on September 30, 2017.
3. Rent.
 - (a) Tenant shall pay Landlord Nine Thousand Six Hundred and no/100 Dollars (\$9,600.00) per year as rent for the Premises, in equal monthly installments of Eight Hundred and no/100 Dollars (\$800.00), starting on the first day of the Lease term. Monthly installments of rent shall be due and payable in advance on the first day of each calendar month. Rent for any partial month of occupancy shall be prorated. Rent shall be paid to Landlord at the address shown above or any other place designated in writing by Landlord.
 - (b) This Lease is intended to be a "gross lease." Rent to be paid by Tenant under this Section includes payment for Tenant's pro rata share of all operating expenses for the Premises and the building of which they are a part, including but not limited to real property taxes, Tenant's pro rata share of insurance (other than insurance required of Tenant hereunder) and utilities for the Premises, common area maintenance, janitorial services and maintenance of building and mechanical systems servicing the Premises (e.g., HVAC, plumbing, electrical, etc.). Tenant shall be solely responsible for obtaining and paying for any professional liability insurance it desires.
4. Security Deposit. No security deposit is required under this Lease.
5. Signs. Tenant's signage in and about the Premises and the building within which the Premises are located, shall only advertise the business carried on by Tenant, and shall be subject to the approval of Landlord, which Landlord shall not unreasonably withhold, condition or delay.
6. Acceptance of Occupancy. Tenant shall commence occupancy of the Premises

on the Commencement Date and begin paying rent as required by this Lease. Tenant accepts the Premises in their present condition at the date of the execution of this Lease.

7. Use and Occupancy.

(a) The Premises are to be used and occupied by Tenant for its Mobile One Recreational Vehicle storage and for no other purpose or purposes without the prior written consent of Landlord. In addition, Tenant shall not knowingly use the Premises for any purpose in violation of any law, municipal ordinance or regulation. If the use contemplated by this Lease becomes illegal or is otherwise required to be discontinued by a lawful governmental authority, either party may terminate this Lease upon thirty (30) days prior written notice to the other.

(b) Notwithstanding any provisions hereof to the contrary, Tenant shall not be obligated to use and occupy the Premises during the entire Lease term. If Tenant abandons or vacates the Premises during the Lease term, Tenant's liability shall be limited to its rent obligations hereunder.

8. Repairs and Maintenance.

(a) Landlord, after receiving written notice from Tenant and having a reasonable opportunity thereafter to obtain necessary workmen, agrees to keep the roof and the four outer walls of the Premises, and all building and mechanical systems servicing the Premises and the building within which the Premises are located (e.g., HVAC, plumbing and electrical), in good order and repair.

(b) Except as otherwise provided herein, Tenant covenants and agrees that it shall, at its own expense, during the continuation of this Lease, keep the Premises in good repair, and at the expiration of the term, deliver the same in like condition as on the Commencement Date, reasonable use and wear thereof and damage by the elements excepted.

(c) Tenant agrees that Landlord may enter the Premises at reasonable times to make any repairs that are the responsibility of Landlord; provided however, that if any of the repairs (which are not of an emergency nature) would disrupt Tenant's business, Landlord and Tenant shall mutually agree upon scheduling such repairs so as to minimize disruptions to Tenant's business operations. Landlord may enter the Premises at any time, without notice to Tenant, in the case of an emergency.

(d) Landlord agrees that if it does not make repairs and/or perform maintenance obligations for which it is responsible within ten (10) days of written notice from Tenant, then Tenant shall be permitted to make such repairs and/or perform such maintenance, and the costs thereof shall, at the option of Tenant, be deducted from rent to be paid in the future by Tenant, or be billed to and promptly reimbursed by Landlord. For repairs

requiring more than ten (10) days to complete, Landlord must commence making the repairs within ten (10) days of written notice from Tenant, and must thereafter diligently pursue such repairs to completion, otherwise Tenant shall be permitted to exercise the self help remedy as described above.

9. Alterations. Tenant shall not make any alterations, additions or improvements to the Premises without Landlord's written consent, which shall not be unreasonably withheld, conditioned or delayed. Any such alterations shall be made without injuring any structural portion of the building within which the Premises are located.

10. Trade Fixtures. All trade fixtures and movable equipment installed by Tenant in connection with the business it conducts on the Premises shall remain the property of Tenant and shall be removed when this Lease expires. Tenant shall repair any damage caused by the removal of such fixtures, and the Premises shall be restored to their original condition, reasonable wear and tear and damage by the elements excepted.

11. Surrender of the Premises. Tenant shall surrender the Premises to Landlord when this Lease expires, broom clean and in the same condition as on the Commencement Date, reasonable wear and tear and damage by the elements excepted.

12. Entry and Inspection. Tenant shall permit Landlord or Landlord's agents to enter the Premises at reasonable times and with reasonable notice, to inspect the Premises. During the ninety (90) days before the Lease term expires, Tenant shall permit Landlord to place standard "For Lease" signs on the Premises and permit persons desiring to lease the Premises to inspect the Premises, provided that such inspections shall be scheduled so as to minimize any disruption of Tenant's business.

13. Personal Property Taxes. All taxes levied on personal property owned or leased by Tenant are the sole responsibility of Tenant.

14. Assignment and Subletting. Tenant may not assign, sublet, or otherwise transfer or convey its interest or any portion of its interest in this Lease or in the Premises without the prior written consent of Landlord, which consent shall not be unreasonably withheld, conditioned or delayed. Anything contained herein to the contrary notwithstanding, Tenant may assign this Lease or sublet the Premises or any portion thereof, without Landlord's consent, to any entity which controls, is controlled by or is under common control with Tenant, or to any entity resulting from a merger or consolidation with Tenant, or to any person or entity which acquires substantially all the assets of Tenant's business at the Premises, provided that (i) the assignee or sublessee assumes, in full, the obligations of Tenant under this Lease, (ii) Tenant remains fully liable under this Lease, and (iii) the general use of the Premises remains unchanged.

15. Insurance.

(a) Landlord shall insure the Premises, the building within which the Premises are located, and any Landlord improvements thereto, for the replacement cost thereof, against loss or damage under a policy or policies of fire and extended coverage insurance, including additional perils.

(b) Tenant will procure, at its sole cost and expense, and keep in effect during the term hereof:

(i) commercial general liability insurance (including contractual liability) for the Premises with a combined single liability limit of not less than One Million Dollars (\$1,000,000.00), insuring against all liability of Tenant and its authorized representatives arising out of and in connection with Tenant's use and occupancy of the Premises and any improvement thereon; and

(ii) standard fire and extended coverage insurance, with vandalism and malicious mischief endorsements, insuring Tenant's personal property and improvements and alterations in, on or about the Premises to the extent of at least one hundred (100%) percent of their full replacement value.

(c) Landlord and Tenant shall provide to each other certificates evidencing the insurance required hereunder prior to the Lease Commencement Date, and thereafter upon the reasonable request of the other party.

16. Indemnity. Tenant agrees to defend (with counsel acceptable to Landlord), indemnify and hold Landlord harmless from and against any liability, loss, or damage Landlord may suffer as a result of claims, demands, costs or judgements against it arising out of Tenant's use of the Premises, to the extent such liability, loss or damage is caused by, or arises out of, the negligence, willful misconduct or malfeasance of Tenant or Tenant's officers, agents or employees. Landlord agrees to defend (with counsel acceptable to Tenant), indemnify and hold Tenant harmless from and against any liability, loss, or damage Tenant may suffer as a result of claims, demands, costs or judgements against it, to the extent such liability, loss or damage is caused by, or arises out of, the negligence, willful misconduct or malfeasance of Landlord or Landlord's officers, agents or employees.

17. Tenant's Liability. All Tenant's personal property on the Premises, including trade fixtures, shall be kept at Tenant's sole risk, and Landlord shall not be responsible for any loss of business or other loss or damage that is occasioned by the acts or omissions of persons occupying adjoining premises or any part of the premises adjacent to or connected with the Premises, unless such loss or damage results from Landlord's negligence or intentional acts.

18. Destruction of the Premises. If the Premises are damaged or destroyed in whole

or in part by fire or other casualty during the term hereof, Landlord will repair and restore the Premises (but not Tenant's leasehold improvements) to a good tenantable condition with reasonable dispatch. In such event, rent shall abate entirely in case the entire premises are untenable and pro rata for the portion rendered untenable, until the Premises are restored to a tenantable condition. However, if Tenant shall fail to adjust its own insurance or to remove its damaged goods, wares, equipment or property within a reasonable time, and as a result the repairing and restoration is delayed, rent shall not abate during the period of delay. Furthermore, if rent does abate but Tenant uses a portion of the damaged Premises for storage during the period of repair, Tenant shall be required to pay a reasonable storage fee. Notwithstanding any provisions of this Lease to the contrary, if the Premises, or the building of which they are a part, are destroyed to the extent of more than one half of the value thereof, Landlord or Tenant shall each have the option to terminate this Lease prospectively by providing written notice to the other party.

19. Mutual Releases. Landlord and Tenant, and all parties claiming under them, release each other from all claims and liabilities arising from or caused by any hazards to the extent covered by insurance, regardless of the cause of the damage or loss. Consistent with the preceding sentence, Landlord and Tenant shall each make a good faith effort to have appropriate clauses waiving subrogation against the other party included in their insurance policies relating to the Premises. If a waiver of subrogation cannot be reasonably obtained from an insurer, the policy holder shall promptly so notify the other party.

20. Condemnation. If any part of the Premises is taken for any public or quasi-public purpose pursuant to any power of eminent domain, or by private sale in lieu of eminent domain, either Landlord or Tenant may terminate this Lease, effective the date the public authority takes possession. All damages for the condemnation of the Premises, or damages awarded because of the taking, shall be payable to and the sole property of Landlord; provided, however, that Tenant shall be entitled to any portion of the award made for Tenant's loss of business, for Tenant's trade fixture removal and reinstallation costs, or for moving expenses.

21. Default and Reentry.

(a) If Tenant fails to pay rent within ten (10) days of the date due, Tenant shall be obligated to pay interest on the delinquent amount, retroactive to the original due date, at a rate equal to the lesser of 10% per annum or the highest rate permitted by law. If Tenant fails to perform any other obligations under this Lease within ten (10) days after receiving written notice of the default from Landlord; if Tenant makes any assignment for the benefit of creditors or a receiver is appointed for Tenant or its property; or if any proceedings are instituted by or against Tenant for bankruptcy (including reorganization) or under any insolvency laws, Landlord may terminate this Lease, reenter the Premises, and seek to relet the Premises on whatever terms Landlord deems advisable. Notwithstanding any reentry by Landlord, Tenant shall continue to be

liable to Landlord for rent owed under this Lease and for any rent deficiency that results from reletting the Premises during the term of this Lease. Notwithstanding any reletting without termination, Landlord may at any time elect to terminate this Lease for any default by Tenant by giving Tenant written notice of the termination.

(b) In addition to each party's other rights and remedies as stated in this Lease, and without waiving any of those rights, if a party (the "Party Not In Default") deems necessary any repairs that the other party (the "Defaulting Party") is required to make or if a Defaulting Party defaults in the performance of any of its obligations under this Lease, the Party Not In Default may make repairs or cure defaults, and the Defaulting Party shall promptly pay to the Party Not In Default, on demand, the Party Not In Default's costs for curing such defaults. If such costs are incurred by Landlord, such costs incurred shall be considered additional rent hereunder. If such costs are incurred by Tenant, then Tenant shall be permitted to offset such costs incurred against future rent obligations owing hereunder.

22. Subordination. This Lease and Tenant's rights under it shall at all times be subordinate to the lien of any mortgage Landlord places on the Premises or to any collateral assignment Landlord makes of this Lease or of rent under this Lease. However, the terms of any such mortgage must provide that as long as Tenant is not in default under this Lease, the foreclosure of such mortgage given by Landlord shall not adversely affect Tenant's rights under this Lease. At the request of any lienholder, Tenant shall provide Landlord with a customary tenant's estoppel letter regarding the status of this Lease. If Landlord defaults on the payment of any mortgage on the Premises, Tenant may make the monthly payment owed under the mortgage note and offset that amount from the rent owed under this Lease.

23. Notices. Any notices required under this Lease shall be in writing and served in person, sent by facsimile (provided the sender can produce evidence that the notice was successfully transmitted) or sent by registered or certified mail, return receipt requested, to the addresses of the parties stated in this Lease or to such other addresses as the parties substitute by written notice (or, if applicable, to the facsimile number provided by one party to the other). Notices shall be effective on the date of the first attempted delivery.

24. Tenant's Possession and Quiet Enjoyment. As long as Tenant pays the rent as specified in this Lease and performs all its obligations under this Lease, Landlord covenants that Tenant may peacefully and quietly hold and enjoy the Premises for the term of this Lease.

25. Holding Over. If Tenant does not vacate the Premises at the end of the term of this Lease, the holding over shall constitute a month-to-month tenancy at a monthly rental rate equal to 110% of the rate charged at the end of the immediately preceding term.

26. Access to Books and Records. Landlord agrees that it will allow, until the

expiration of four (4) years after the termination of this Lease, the Secretary of Health and Human Services, the Comptroller General, or their designated representatives, to inspect this Lease and all other documents necessary to certify the costs covered in this Lease. Further, Landlord agrees that it shall insert the substance of this paragraph in any subcontract it may enter into to fulfill its obligations under this Lease.

27. Broker Fees. Landlord and Tenant each represent that neither has retained a broker or any other individual or entity who may be entitled to a commission as a result of this Lease. Each party agrees that it shall be solely responsible for payment of any fee or commission owing to any third party claiming a fee or commission through such party. Each party agrees to defend, indemnify and hold the other party harmless from and against any fees, claims for fee, costs, and/or damages threatened or incurred by such other party as a result of a breach of this provision.

28. Entire Agreement. This Lease contains the entire agreement of the parties with respect to its subject matter. This Lease may not be modified except by a written document signed by the parties.

29. Waiver. The failure of a party to enforce any provision or condition of this Lease shall not be a waiver of its right to enforce every other provision or condition of this Lease. No provision of this Lease shall be deemed to have been waived unless the waiver is in writing.

30. Binding Effect. This Lease shall bind and benefit the parties and their successors and permitted assigns.

31. Time is of the Essence. Time is of the essence in the performance of this Lease.

This Lease has been signed by or on behalf of Landlord and Tenant as of the date first set forth above.

City of Inkster
("Landlord")

Henry Ford Health System
Department of Occupational Health
("Tenant")

By: _____

John Adams

Its :Chief of Fire Department

By: _____

Its: _____

Date: _____, 2014

Date: _____, 2014