

1. Agenda

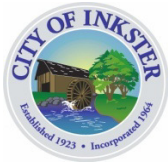
Documents:

[AGENDA 4-3-17.PDF](#)

2. Packet

Documents:

[MERGED PACKET.PDF](#)



INKSTER CITY COUNCIL

April 3, 2017
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Byron Nolen
Mayor Pro Tem – Timothy Williams, District I

Council Members:

Clarence Oden, Jr., District II
Sandra K. Watley., District III
Steven Chisholm, District IV
Kim Howard, District V
Connie R. Mitchell, District VI

FELICIA RUTLEDGE
CITY CLERK

BYRON NOLEN
MAYOR

TREASURER
DARIN CARRINGTON

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. City Attorney Evaluation
 - C. Quiet Title Service Agreement with Wayne County – Nate Ford, Jeannie Fields **(see pg. 80)**
 - D. Mayor's proposed FY 2018 budget discussion regarding study sessions.
3. Public Participation (limit to 3 minutes)
4. 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).
5. Adjournment

April 3, 2017

Regular City Council Agenda – 7:00 PM

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

4. Public Hearing

5. Consent Agenda

A. March 20, 2017 Regular City Council Meeting Minutes.

Pg. 1

B. Receive and File the Vacating the Alley from Zaremba Group.

Pg. 7

C. Allen Brother's and Attorney's PLLC Invoice \$22,015.99.

Pg. 9

6. Boards and Commissions

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

Pg. 10

7. Previous Business

8. Ordinance(s)

A. First Reading(s)

1. A first reading on a proposed amendment to the Zoning Map to rezone the North of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial per the Planning Commission recommendation.

Pg. 16

B. Second Reading(s)

9. New Business

A. Discussion/Action: (Jeannie Fields) Consideration and approval of a Special Conditions Use (SCU 16-35) for a food processing facility located at 26762 Michigan Ave. in the Town Center District (TCD) with the conditions noted per the

recommendation of the Planning Commission. Andrew Donato is the applicant on behalf of Eastern Market Corporation. **Pg. 28**

B. Discussion/Action: (Jeannie Fields) Consideration and approval of an offer to purchase (Case # LD 17-01) 26742 Dartmouth which is located on North side of Dartmouth between John Daly and Princess and is legally described as W 14 FT of LOT 148 AND THE E 28 FT OF LOT 149 ALSO of ADJ VAC ALLEY GREATER DEARBORN SUB T2S R10E L55 P62 WCR (Property ID #44-025-01-0148-002) in the amount of \$2,000.00 to Platinum Real Estate Holdings LLC (Anthony Rea)

Pg. 52

C. Discussion/Action: (Jeannie Fields) Consideration and approval of transferring five (5) city-owned properties to the Michigan Land Bank Fast Track Authority for demolition under the Help for the Hardest Hit Blight Elimination Program. **Pg. 66**

D. Discussion/Action: (Felicia Rutledge) Consideration and approval of a street closure on June 24, 2017 for a Community Extravaganza on Carlisle between Isabelle and Springhill. **Pg. 68**

E. Discussion/Action: (Nate Ford) Consider approval to enter into an intergovernmental Agreement (IGA) with Wayne County Land Bank (WCLB) that would give the City of Inkster additional tools to assist in expediting development and eliminating blight. **Pg. 80**

10. Public Participation (limit to 3 minutes)

11. City Clerk

12. City Treasurer

13. Mayor and Council Communication

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

March 20, 2017
Regular City Council Meeting – 7:00 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, March 20, 2017.

Prior to the Regular Council Meeting: City Council members discussed:

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden Council convenes into a Closed Executive Session at 6:50 p.m. to discuss pending litigation in accordance with MCL 15.286 (e).

Roll Call Vote:

YEAS: 7
NAYS: 0
ABSENT:

Moved by Councilmember Oden, Seconded by Mayor Pro-Tem Williams to adjourn the closed Executive Session at 7:06 p.m. – Motion carried unanimously.

Call Meeting to Order

Mayor Nolen called the meeting to order at 7:10 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 led by Bishop Stevens

Roll Call

Mayor Nolen	Present	Councilwoman Howard	Present
Councilwoman Watley	Present	Mayor Pro-Tem Williams	Present
Councilman Oden	Present	Councilman Chisholm	Present
Councilwoman Mitchell	Present		

Approval of Agenda

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to approve the agenda with added items "F" and "G" under New Business. 3-17-68R - Motion carried.

Presentations/Discussion

- A. Paser Road Study for the City of Inkster – Jerome Bivins, DPS Director

Public Hearings

- A. CDBG public hearing to add demo as an activity to Fiscal year 2015 funding and transfer funds into that activity.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to OPEN the public hearing on CDBG as a demo activity to Fiscal year 2015 funding and transfer funds into that activity.
Resolution 3-17-69R – Motion carried.

Jeannie Fields – Stated that the city would be seeking an extension on the 2015 CDBG funds. She further stated that the city would like to use those funds for demolition of homes.

Moved by Councilmember Oden, Seconded by Mayor Pro-Tem Williams to CLOSE the public hearing on CDBG as a demo activity to Fiscal year 2015 funding and transfer funds into that activity.
Resolution 3-17-70R – Motion carried.

- B. Public hearing on MDNR Recreation Grants.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to OPEN the public hearing MDNR Recreation Grants.
Resolution 3-17-71R – Motion carried.

Councilwoman Mitchell – Asked if funds would be used to improve the Booker Dozier Recreation Complex. She further asked if the grant monies would be applied towards covering the pool at the Recreation complex.

Moved by Councilmember Mitchell, Seconded by Councilmember Oden to CLOSE the public hearing MDNR Recreation Grants.
Resolution 3-17-72R – Motion carried.

Consent Agenda

- A. March 6, 2017 Regular City Council Meeting Minutes.
B. Receive and File the Determination Letter from the Compensation Commission.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Watley to approved the Consent Agenda.
Resolution 3-17-73R – Motion carried.

Boards and Commission

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

Moved by Councilmember Chisholm, Seconded by Councilmember Oden to remove from the table the appointment of John White to the Parks and Recreation.
Resolution 3-17-74R – Motion carried.

Moved by Councilmember Chisholm, Seconded by Councilmember Oden to appoint John White to the Parks and Recreation Commission.
Resolution 3-17-75R – Motion carried.

Moved by Councilmember Mitchell, Seconded by Mayor Pro-Tem Williams to appoint Avis Love to the TIFA Board.
Resolution 3-17-76R – Motion carried.

Nominations:

1. Police and Fire Pension
2. Carlos Jackson – Cable Commission

Previous Business

- A. Consider approval of a Special Conditions Use (SCU 16-33) for a Used Car Dealership located at 29118 Michigan Ave. in the B-3 District (General Business District) with the conditions noted per the recommendation of the Planning Commission. The applicant is Hussein Khatib

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to remove from the table an approval of a Special Conditions Use (SCU 16-33) for a Used Car Dealership located at 29118 Michigan Ave. in the B-3 District (General Business District) with the conditions noted per the recommendation of the Planning Commission. The applicant is Hussein Khatib.
Resolution 3-17-77R – Motion carried.

Moved by Councilmember Oden, Seconded by Councilmember Chisholm to approve of a Special Conditions Use (SCU 16-33) for a Used Car Dealership located at 29118 Michigan Ave. in the B-3 District (General Business District) with the conditions noted per the recommendation of the Planning Commission. The applicant is Hussein Khatib.
Resolution 3-17-78R – Motion carried.

***Tie Vote 1st vote**

ROLL CALL VOTE:

Councilmember Howard	Nay	Councilmember Oden	Yea
Mayor Pro-Tem Williams	Nay	Councilmember Mitchell	Yea
Councilwoman Watley	Nay	Councilmember Chisholm	Yea
*Tie Vote (Charter States the Mayor votes in the case of a tie vote)			

Councilmember Howard	Nay	Councilmember Oden	Yea
Mayor Pro-Tem Williams	Nay	Councilmember Mitchell	Yea
Councilwoman Watley	Nay	Councilmember Chisholm	Yea
		Mayor Nolen	Yea

Ordinance(s)

- A. First Reading(s)
- B. Second Reading(s)

New Business

- A. Discussion/Action: (Craig Lewis) Consideration and approval to apply for the MDNR Grant applications.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Howard to approve to apply for the MDNR Grant applications.
Resolution 3-17-79R – Motion carried.**

- B. Discussion/Action (Craig Lewis) Consideration and approval to apply for the Detroit Connect (DTE and Detroit Mental Health Authority grants for the City of Inkster Summer Youth Program.

**Moved by Councilmember Oden, Seconded by Mayor Pro-Tem Williams to approve applying for the Detroit Connect (DTE and Detroit Mental Health Authority grants for the City of Inkster Summer Youth Program.
Resolution 3-17-80R – Motion carried.**

- C. Discussion/Action: (Darin Carrington) Consideration and approval of FY 2017 Budget Amendment #2 for General Fund, Major Street, Local Street, PEG, Drug Forfeiture and Water & Sewer Funds.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Mitchell to approve of the FY 2017 Budget Amendment #2 for General Fund, Major Street, Local Street, PEG, Drug Forfeiture and Water & Sewer Funds.
Resolution 3-17-81R – Motion carried.**

- D. Discussion/Action: (Darin Carrington) Consideration and approval of a resolution to accept the FDCTV Grant from the State of Michigan Department of Treasury for a Crime Scene Technician /Evidence Custodian in the amount of \$180,000.00

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve a resolution to accept the FDCTV Grant from the State of Michigan Department of Treasury for a Crime Scene Technician and an Evidence Custodian in the amount of \$180,000.00
Resolution 3-17-82R – Motion carried.**

- E. Discussion/Action: (Darin Carrington) Consideration and approval of a resolution to accept the FDCTV Grant from the State of Michigan Department of Treasury for the City's Mercury Vapor Streetlight Conversion in the amount of \$325,130.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve a resolution to accept the FDCTV Grant from the State of Michigan Department of Treasury for the City's Mercury Vapor Streetlight Conversion in the amount of \$325,130.00

Resolution 3-17-83R – Motion carried.

- F. Discussion/Action: (Jeannie Fields) Consideration of CDBG to add demo as an activity to Fiscal year 2015 funding and transfer funds into that activity.

Moved by Councilmember Chisholm, Seconded by Councilmember Mitchell to approve of CDBG to add demo as an activity to Fiscal year 2015 funding and transfer funds into that activity.

Resolution 3-17-84R – Motion carried.

- G. Discussion/Action: (City Council) A Resolution authorizing the Mayor per the City Charter, section 6.3 Duties of the Mayor; item C to authenticate by his signature the signing of city documents including property sales.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Mitchell to approve a Resolution per the City Charter 6.3 Duties of the Mayor; item C to authenticate by his signature the signing of city documents including property sales.

Resolution 3-17-85R – Motion carried.

Public Participation

Lydia Hadden – Announced the luncheon for the Inkster Community Foundation. She stated that Gabe Henderson and Rochelle Wells would be honored. She asked for everyone to mark their calendars to attend.

Debra Owens – Thanked Councilwoman Watley for getting a property boarded up. She stated that she saw on Channel 2 news that someone's car stopped in Inkster and they were killed. She stated that is negative press and encouraged the city to hire a public relations person.

Larry Motley – Stated he is glad to see the streets in Inkster being cleaned up. He stated the Mayor should step down due to foreclosing on a property. He further stated the Mayor is receiving an increase in salary and a Land Rover vehicle.

Owen Roper – Stated he submitted a quote to the Dozier complex on how to save money by getting eco lights. He stated he is a member of the Democratic Black Caucus and extended an invitation for residents to join.

Willie Johnson – He stated properties are being torn down but not built back up. He said that he would like to see homes built back up.

Octavia Smith – Invited everyone to attend the 28th Chamber of Commerce Mixer. She stated the donation is \$40.00. She further stated that Western Wayne Family Health Center has several programs that residents where residents can participate.

Shirley Hankerson – Stated she is tired of people coming to the podium making negative statements. She asked for persons to remain positive and not destroy the good being done. She further stated that she is glad that Councilwoman Howard is on board.

George Williams – Stated that the City Manager was being paid one hundred and five thousand even in the Consent Agreement. He stated that the Mayor is going to keep working for Inkster and making a difference.

Yvette Brock – Stated that the car lot is junky and filthy. She further stated that Code Enforcement needs to go out and inspect the car lot. She further stated she would like to see Inkster have a Memorial Day Parade but not at the expense of the tax payers money.

Michael Wells – Announced library events.

City Clerk

City Treasurer

Mayor and Council

- **Councilwoman Watley** – Announced the Veteran’s event at Burt’s Place in Eastern Market. She further announced the Beautification 2017 clean up dates, District III Advisory meeting and the Memorial Day Parade.
- **Councilman Oden** – Stated he has tickets for the Chamber Mixer.
- **Councilwoman Mitchell** – Announced the Moulin Rouge Ball. She stated the ball will be concentrating on the heritage of the City of Inkster. She further announced the District VI April 19th Blight Meeting and invited everyone to attend.
- **Councilman Chisholm** – Thanked residents who attended the District IV advisory meeting. He asked residents to stay tuned for more upcoming information.
- **Mayor Pro-Tem Williams** – Stated District I Advisory meeting had to be cancelled due to the power outage. He stated the meeting was rescheduled to March 30th at 6:00 p.m. at St Clemmons church. He announced the Inkster Citizens that Care Luncheon on April 8, 2017 at the Booker Dozier Complex at 12:30 p.m. He thanked Pastor Stevens, Reverend George Williams and Pastor Jean Overman for their support when called upon for the prayer at City Council meetings. He further invited everyone to shop Inkster.
- **Mayor Nolen** –Announced the 22nd District Court Amnesty Program. He further announced the Inkster Foreclosure Prevention Seminar that will be held on March 29, 2017 at the Booker Dozier complex and will be hosted by Commissioner Glenn Anderson and Wayne County Treasurer Eric Sabre.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Mayor Pro-Tem Williams, Seconded by Councilmember Watley and carried, the Regular Council meeting of March 20, 2017 was adjourned at 9:24 p.m.



Felicia Rutledge, City Clerk
City of Inkster



ZAREMBA GROUP

March 24, 2017

Honorable Inkster City Council
Attn: Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge Rd
Inkster, Michigan 48141

RE: Vacation of Public Alley

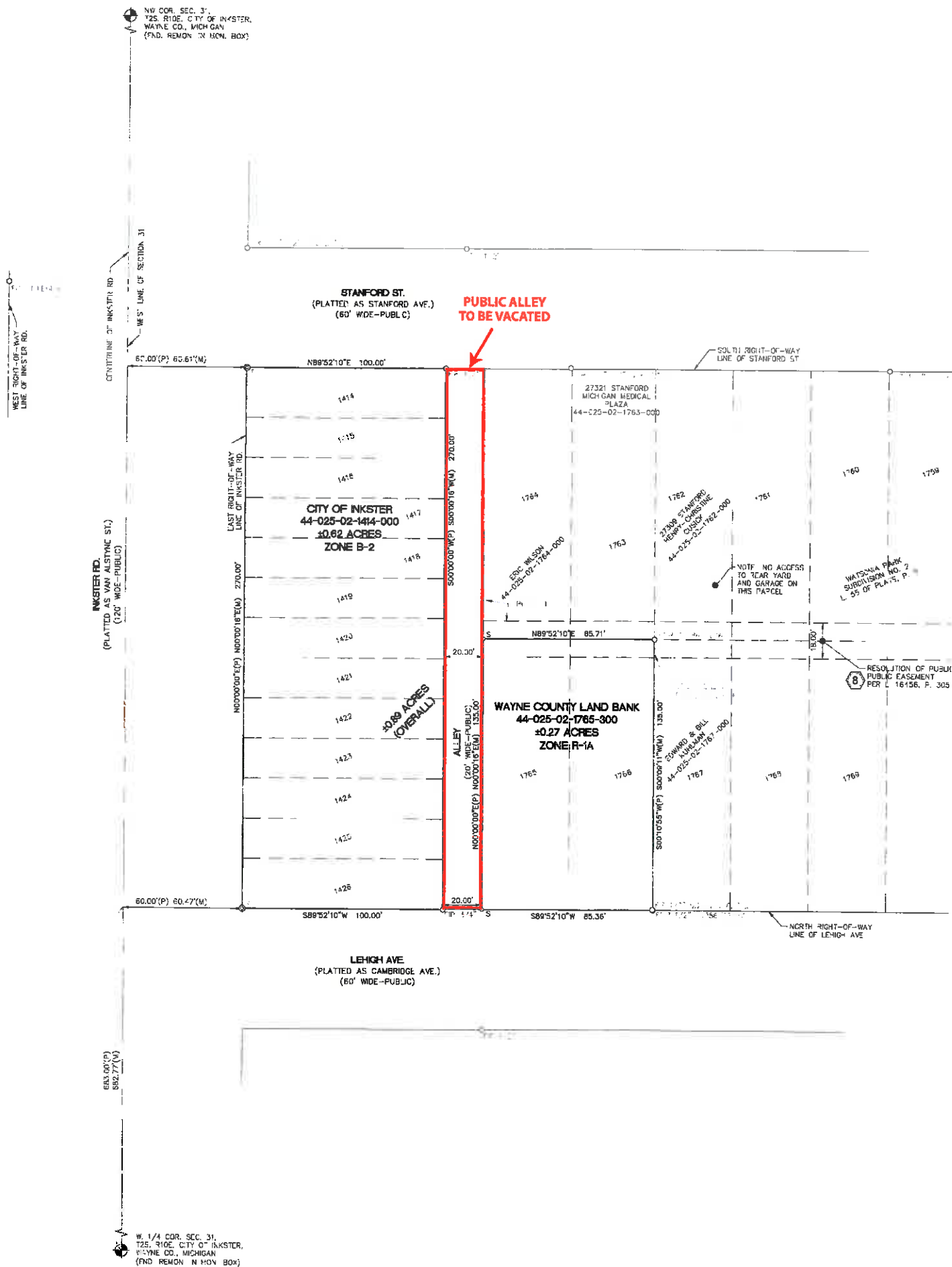
Dear Honorable Inkster City Council,

Zarembo Group would like to respectfully request the vacation of the public alley that currently exists between Stanford and Lehigh Streets just east of Inkster Road. (See enclosed survey)

It is our hope to incorporate the vacated alley into our proposed retail development along Inkster Road. We look forward to working with the City of Inkster to vacate this alley.

Sincerely,

Jason M. Russell
Site Selection and Development Specialist
Zarembo Group
216-226-2112
jrussell@zarembagroup.com



**Allen Brothers
Attorneys & Counselors, PLLC
400 Monroe Street, Suite 620
Detroit, MI 48226-2983**

**Inkster, City of
26215 Trowbridge Street
Inkster, MI 48141**

Attn: City Manager

**Page: 1
03/23/2017
Account No: 1897M**

BREAKDOWN OF FEES/EXPENSES BY CATEGORY

Category	Fees/Costs
Flat fee/City Attorney work	\$6,000.00
Municipal Legal Services	\$2,964.51
Labor	0.00
Litigation	\$13,051.48
Total Invoice for February, 2017	\$22,015.99

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

Denise Champagne, Project Dir.
- (Ex-Officio Member)

Tenure

Rochelle Wells

Exp. 02/16/17

Audrey Jean Searcy

Exp. 01/17/19

Doris Horne

Exp. 02/16/17

Henry Wade

Exp. 02/01/18

Toni Bailey

Exp. 07/06/17

Dorothy Gardner

Exp. 01/17/20

Chuck Coleman

Exp. 02/01/18

Gabe Henderson

Exp. 02/01/18

June Patterson

Exp. 12/1/16

Patricia Donald

Exp. 07/06/17

Iris Love

Exp. 01/17/20

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

Clerk of the Board – Non Voting

William Miller

Exp. 02/06/2018

Gina Triplett (Alternate)

Exp. 03/06/18

Lenoria Warmack

Exp. 01/17/18

Celeste McDuffie

Exp. 02/06/18

BEAUTIFICATION COMMITTEE

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

2 Year Term

Toni Bailey

Exp. 05/16/18

Kathleen Gibbs

Exp. 02/06/19

Gabe Henderson

Exp. 05/16/18

Avis Love

Exp. 03/16/17

Vacant

Vacant

Vacant

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Vacant

BUILDING AUTHORITY COMMISSION - Inactive

[MEETINGS: Second Monday in January]

3 Year Term

5 Members

State Law and Resolution 74-1-39

Nathaniel Elcock
Hersey Bryant, (C)
Horace Wells

Exp. 12/31/05
Exp. 12/31/00
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

Timothy Williams Ex-Official
Troy Seaton Dist. 1
Vacant Dist. 2
Charmaine Kennedy Dist. 3
Vacant Dist. 4
Thelma Jean Overman Dist. 5
Franklin Minor Dist. 6
Sandra Watley **Mayoral**
Steven Chisholm At-Large

Exp. 01/17/20
Exp. 01/17/20
Exp. 02/06/20
Exp. 01/04/19
Exp. 01/03/20
Exp. 01/17/20

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS

[MEETINGS: Monthly]

3 Year Term

3 Members

Ordinances 237 & 559

Clarence Oden
Vacant - (Employee Representative)
James White
- (Commission Appointment)

Exp. 6/18/15
Exp. 12/04/11

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Henry Wade		Exp. 12/17
- (Licensed Plumber)		
Stephen Lawrence		Exp. 12/17
Tiara Jones		Exp. 10/17
Kenyatta Mason		Exp. 10/17
- (Licensed Electrician)		
Marcus Hendricks –		Exp. 12/17
- (Licensed Electrician)		
- Tom Michelini		Exp. 04/19
- Building Inspector		
- (Licensed Engineer/Inspector)		

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
Connie R. Mitchell		Tenure
Martha Theis		Exp. 01/14/18
Lewis Gregory		Exp. 10/06/18
Cynthia Adams (Secretary)		Exp. 01/14/18
Brittini Abiolu (Vice Chair)		Exp. 05/18/19
Peter Cimeot		Exp. 01/21/18
Akindele Akinyemi (Chair)		Exp. 02/16/19
Val Ogbonaya		Exp. 07/20/19
Winston Wade		Exp. 12/17/16
Rerhi Onomake (Treasurer)		Exp. 3/16/19
Uche Ndubuisi		Exp. 7/20/19

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
Byron Nolen		Tenure
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Winnie Nwankwo		Exp. 05/18/21
Akindele Akinyemi		Exp. 05/18/21
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
Charmaine Kennedy		Exp. 01/17/23
Connie R. Mitchell		Exp. 02/06/23

ELECTRICAL EXAMINING BOARD

Indefinite Terms	4 Members	State Law and Ordinance 616
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Walter Bays (Elec. Cont.)
 Andrew Hughes (Adm. Official)
 Carlton Trouteaud (Rep. of Detroit Edison)

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

John White	Dist. 1	Exp. 03/20/19
Deborah Owens	Dist. 2	Exp. 03/25/16
Shelby Johnson	Dist. 3	Exp. 09/15/16
Vernell Massey	Dist. 4	Exp. 12/01/16
Lenardo Gambrio	Dist. 5	Exp. 10/15/16
James Richardson IV	Dist. 6	Exp. 09/15/16
Tonia Williams	Mayoral	Exp. 02/20/19
	Mayoral	Exp.
Yolanda Lockett	Council	Exp. 01/20/17

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term

6 Members

Alisa Todd	Dist. 1	Exp. 3/7/18
Katrina Coats	Dist. 2	Exp. 3/7/18
Zeavean Johnson	Dist. 3	Exp. 3/7/18
William Grubbs	Dist. 4	Exp. 3/7/18
Taylor Todd	Dist. 5	Exp. 3/7/18
Demon Zimmerman	Dist. 6	Exp. 3/7/18
Tiwan Smith	Mayoral	Exp. 3/7/18

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 (Council appointee)	Exp. 12/18
Byron Nolen (Mayor)	Tenure
Darryl Davis (City appointee)	Exp. 10/18
Timothy Williams (Mayor Pro-Tem)	Exp. 7/19
Mack Willis	Exp. 2/20
James Garrett	Exp. 08/17
William Ratliff (Vice-Chair)	Exp. 04/19
Lynette Cain (Secretary)	Exp. 05/19
Steven Chisholm (Chair)	Exp. 04/19

POLICE AND FIREMAN RETIREMENT SYSTEM BOARD OF TRUSTEES

[MEETINGS: First Thursday of each month at 1:00 p.m., TIFA Room]

2 Year Term

5 Members

Charter

Lorenzo A. Moner, Jr.	Mayoral	Exp. 12/17
Barry O'Bryan	Police Rep	
Jason Kaye	Fire Rep	
	City Council Rep	Exp. 12/17
Velma Overman	Board of Trustee Rep	

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
Marcus Hendricks	App. 02/18/13
Dennis Welslo	App. 02/18/13

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: March 28, 2017

From: M. Jeannie Fields *MF*
Director of Special Projects

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Council to offer a first reading on a proposed amendment to the Zoning Map to rezone the area north of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District per the Planning Commission recommendation.

Current Action X Emergency Future

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

Mayor's Approval

BACKGROUND INFORMATION

On March 27, 2017, the Planning Commission held a Public Hearing to receive public input and review a proposed amendment to the City's Zoning Map to rezone the area on the north side of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District (approximately 57 parcels – approximately 47.5 acres).

The Planning Commission reviewed and recommended approval of the proposed amendment to the Zoning Map. The review letter from McKenna Associates and a copy of the meeting minutes are attached with associated maps.

SCOPE OF SERVICES

N/A

JUSTIFICATION

See McKenna Associates letter dated 3.10.17 for review considerations and recommendation.

PROJECT OR IMPROVEMENT TASKS

Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

COSTS

N/A

PROJECT TIME TABLE

A second reading of the text amendment is scheduled during the Council meeting on April 17, 2017. If the proposed Zoning Map amendment is approved by Council, the amendment will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by

Seconded by

Yes:

No:

Absent:

March 10, 2017

City of Inkster Planning Commission
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Attention: Ms. Jeannie Fields, Special Projects Director
Subject: Cherry Street Rezoning
Location: Cherry Street between Inkster and Middle Belt
Zoning: RM-1 Multiple Family Residential to M-1 Light Industrial District

Dear Ms. Fields:

At your request, we have reviewed the City's proposal to rezone the properties north of Cherry Street between roughly Inkster and Middle Belt from RM-1 Multiple Family Residential to M-1 Light Industrial District.

BACKGROUND

The subject area (site) has frontage on Cherry Street and includes 57 parcels for a total area of 47.5 acres. The site abuts the RM, Restricted Multi Family Residential District to the south and the Rail Corridor to the north. On the other side of the rail is the City's Town Center District east of Harrison and B-3 General Business District west of Harrison. The site is zoned multiple family residential and the Master Plan designates the future land use of this site as Industrial.

Most of the site is currently vacant with no buildings; however, there are approximately 20 existing residential, multifamily, accessory and one-story walk-up structures within the area, mostly clustered around the Harrison Street intersection.

SUMMARY OF EXISTING LAND USE, ZONING, AND FUTURE LAND USE

The following chart provides information of current land use, zoning, and future land use.

	Existing Land Uses	Current Zoning	Future Land Use Designation
Site	Vacant / Residential	RM-1 Multiple Family Residential	Industrial
North	Railroad / Commercial	B-3 General Business District, TCD, Town Center District	Regional Commercial, Town Center
South	Vacant / Multifamily	RM Restricted Multiple Family	Low Density Residential / Medium Density Residential
East	Vacant / Industrial / Commercial	I Industrial, B-2 Thoroughfare Mixed Use	Industrial / Corridor Convenience Retail
West	Vacant / Commercial	B-2 Thoroughfare Mixed Use	Corridor Convenience Retail

REVIEW CONSIDERATIONS

The following items are pertinent to the consideration of the proposed rezoning:

1. Current Permitted Uses in RM-1

The intent of the RM-1 Multiple-Family Residential Districts is to address the varied housing needs of the city residents by providing locations for development of multiple-family housing at a higher density than is permitted in the single-family districts.

Representative Principal uses permitted in RM-1 include: single family dwelling; public parks and libraries; child or adult foster care for 6 or fewer persons; cemeteries; accessory buildings incidental to the principal uses, townhomes, multiple family dwellings,

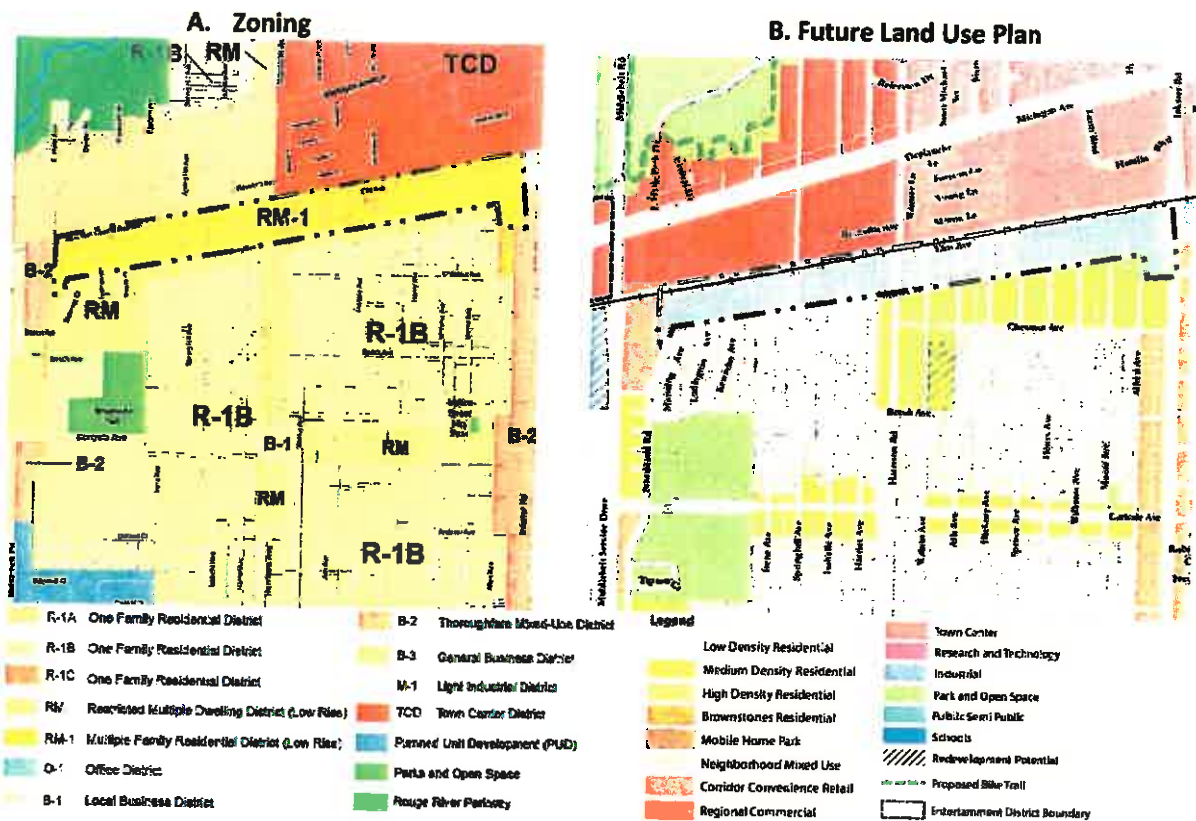
Representative uses permitted subject to special land use approval in RM-1 include: churches; public, private or parochial schools; child or adult foster care for 7-12 persons; utility and public service buildings; and nursing or convalescent homes.

2. Requested Permitted Uses in B-2

The M-1 Light Industrial District intends to provide locations for planned industrial development, including planned industrial park subdivisions. Permitted activities or operations shall produce no external impacts that are detrimental in any way to other uses in the district or to properties in adjoining districts.

Representative principal uses permitted in M-1 include: open air business uses; laboratories, experimental, film or testing; manufacture and repair; warehouse and wholesale establishments and truck terminal facilities; trade or industrial schools; offices; other uses of a similar and no more objectionable character to those principal uses permitted; utility and public service buildings without storage yards

Representative uses permitted subject to land use approval in M-1 include: metal plating, buffing and polishing; metal working; greenhouse wholesaling and/or retailing of plant materials.



4. Consistency with the Master Plan.

As shown in the Future Land Use Map above (see map B), the site is planned for Industrial uses (outlined in black). North of the site is the railroad corridor, which has historically been bordered by the City's industrial uses. The City's recent Master Plan envisions expanding the City's largest industrial district westward to include the subject site. The eastern edge of the district, along Middle Belt is planned and zoned for commercial uses.

South of the site are residential districts and uses. The low density residential use is intended to maintain existing single family neighborhoods and enhance them appropriately through creation of parks, good pathway system, infrastructure and removal of blight. The medium density residential uses are intended to be placed adjacent to mixed use settings, residential units, or convenience shopping. However, all the Industrial Districts in the City abut single family residential or multiple family residential on one side, or multiple sides. The buffer and screening between these uses are an important consideration in the site planning process.

The rezoning of the site to Industrial is consistent with the Inkster Master Plan. The rezoning will encourage the productive use of an area of the City that is currently underutilized.

5. Market Trends and Demand.

As mentioned above, much of the area is currently vacant and the City owns more than 60% of the parcels. The City is actively seeking to sell its holdings in the area to prospective developers and has interest in developers for industrial developments. We do not have information of any specific

proposals for the area; however, the uses and site plans of any proposed developments would be subject to Site Plan approvals and Special Land Use approval, if applicable.

6. Physical, Geological, and Environmental Factors.

The site does not contain any natural features that are incompatible with the host of uses allowed in the existing or proposed zoning districts.

7. Capacity of Infrastructure.

Depending on the development proposed, there may be a need for additional stormwater and utility infrastructure, however, this is commensurate with any greenfield / vacant property development in the City and not unique to Industrial uses.

8. Traffic Impact.

The subject site can be accessed from Inkster and Middle Belt Road on the East and West, and Harrison from the North. Harrison needs maintenance and possible reconstruction. Cherry Street is also a local street not designed for heavy truck traffic. The streets have capacity to handle additional traffic but may need maintenance to accommodate business and trucks typically resulting with industrial uses. Additionally, traffic impacts on adjacent neighborhoods will need to be addressed during Site Plan or Special Land Use approval process for proposed developments.

RECOMMENDATION

The information in this review demonstrates that rezoning the site from RM-1 Multiple Family Residential to M-1 Light Industrial District is inconsistent with the Master Plan. The proposed rezoning of the site is appropriate. Based on the findings presented herein, we respectfully recommend the Planning Commission recommend approval of the rezoning from RM-1 to M-1.

We look forward to reviewing these findings and recommendations with you. In the meantime, if you have any questions, please feel free to contact us.

Respectfully,

McKENNA ASSOCIATES



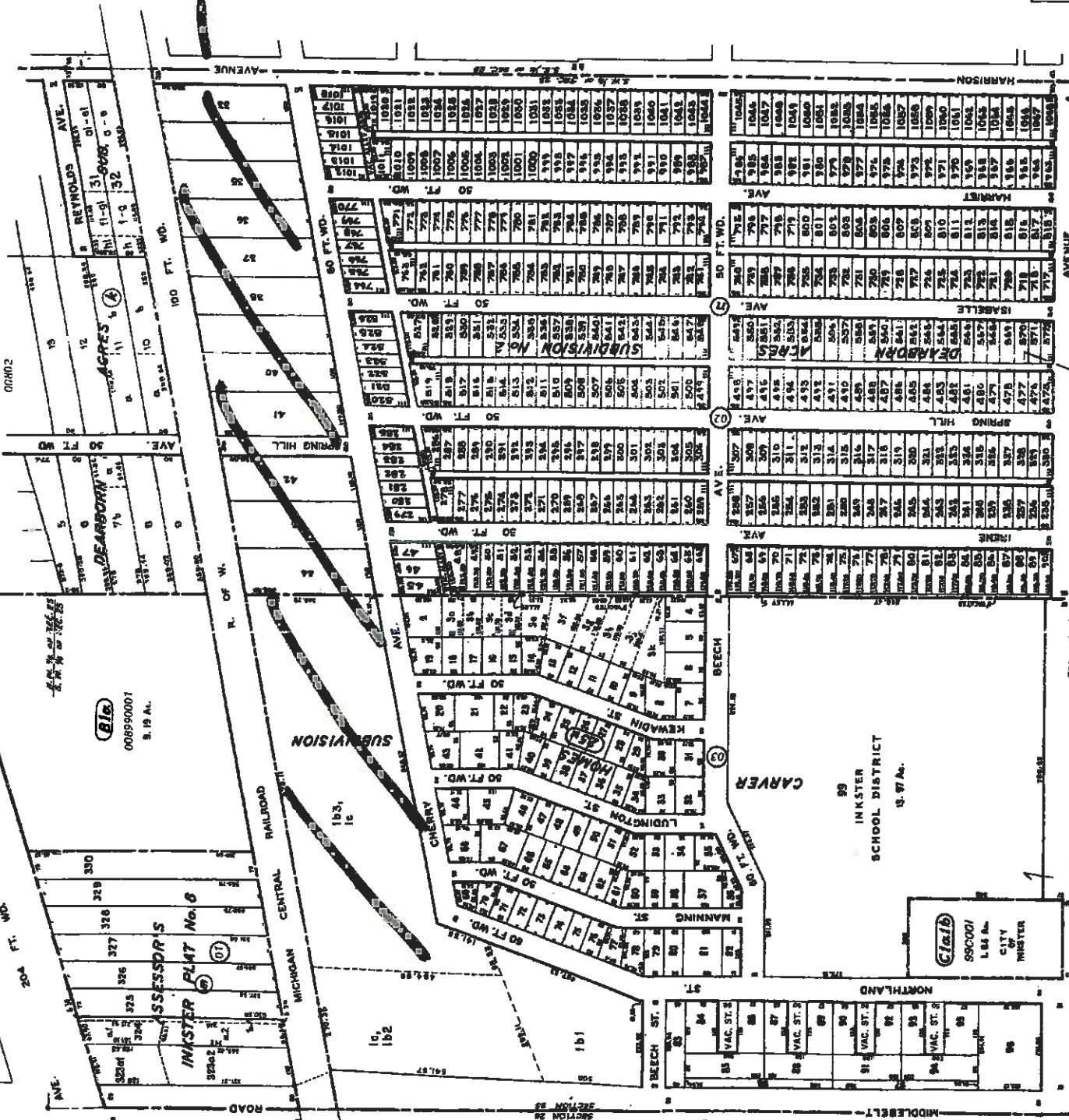
Paul Lippens
Senior Principal Planner

cc. *Byron Nolen, Mayor*
David Jones, City Attorney

REZONANZ

P21

REZONING



S.W. 1/4 SECTION 25
CITY OF INKSTER
T. 2 S. R. 9 E.

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

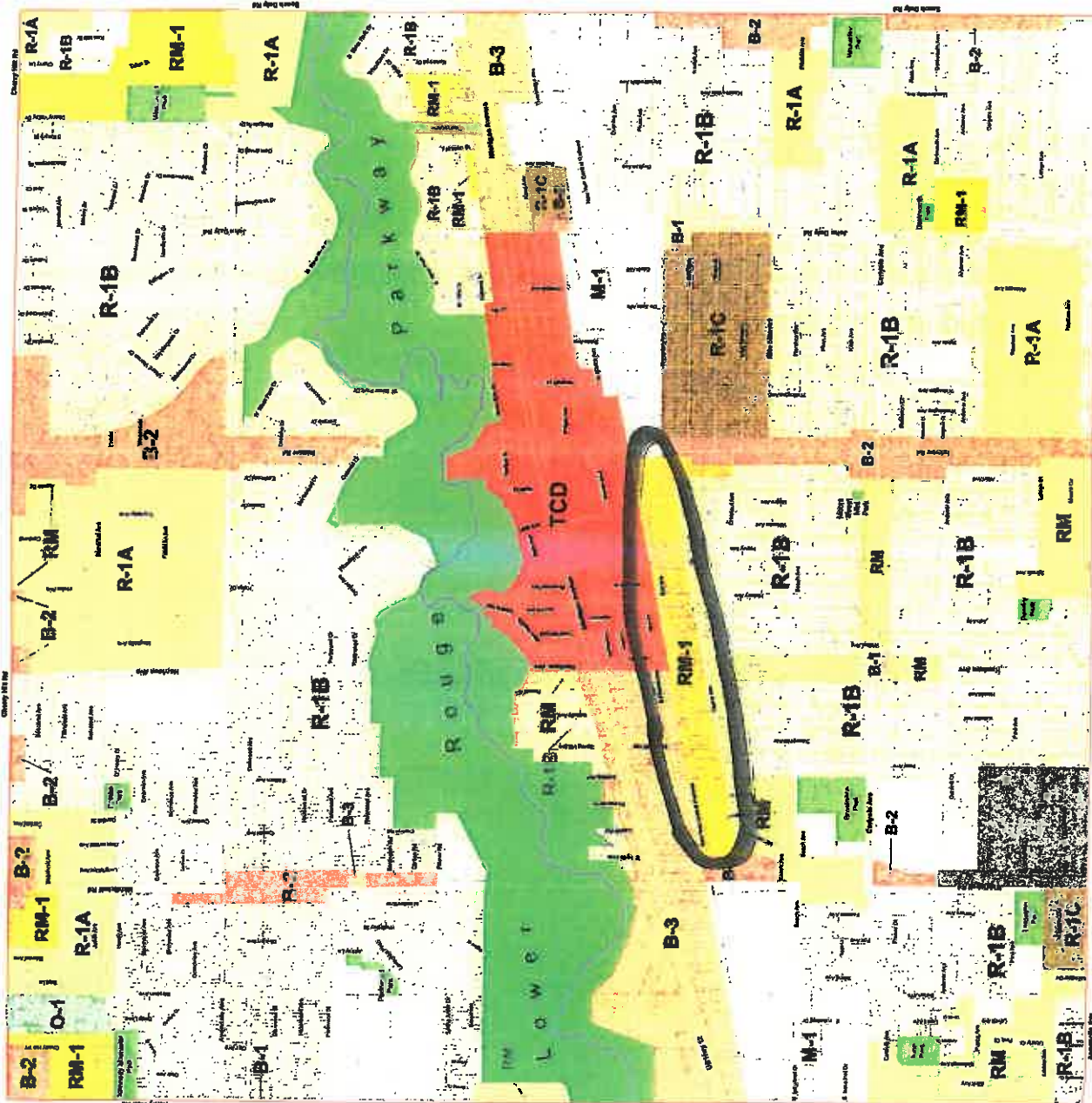
THIS IS TO CERTIFY THAT THE CITY OF INKSTER, MICHIGAN, HAS ADOPTED THE ZONING MAP AND THE CITY ENGINEER HAS REVIEWED AND APPROVED THE SAME.

Handwritten signature
CITY ENGINEER



CITY OF INKSTER
INKSTER, MICHIGAN

Wade Trim
794-475-0000 www.wadetrim.com



**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, March 27, 2017**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisolm called the meeting to order at 6:32 p.m.

I. ROLL CALL

Present: Chairman Chisolm, Vice Chairman Ratliff (6:50 pm), Secretary Cain and Commissioners Davis, Garrett, Hendricks (6:35 pm), Nolen, Williams and Willis

Others in attendance: Nate Ford, Economic Development Director
M. Jeannie Fields, Director of Special Projects
Mike DiBernardo, Eastern Market Corp
Andrew Donato, Donato Group
Matt Page, Donato Group

Public in attendance: Jameka Lilly, Ekanem Obong and O. Rehri Onomake

II. ADOPTION OF AGENDA

MOVED by Garrett, Seconded by Williams to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF February 27, 2017

MOVED by Garrett, Seconded by Williams to Adopt the Minutes of February 27, 2017 with the necessary corrections. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARING

A. Case # 16-35 (SCU)/16-36 (SP) – 26762 Michigan Avenue
Public Hearing to receive public input and review special conditions use requirements and associated review of site plan (SP) requirements to allow a food processing facility in the Town Center District (TCD). Andrew Donato is the applicant on behalf of Eastern Market Corporation.

MOVED by Williams, Seconded by Garrett to open the Public Hearing. **MOTION CARRIED unanimously.**

Mike Deem, McKenna Associates, gave an overview of the case. He reviewed the Special Conditions Use and Site Plan letters dated 3.8.17. A recommendation was made for approval of the Special Conditions Use and Site Plan with the noted conditions.

Commissioner Concerns:

- Water connections in the event of a fire: The fire dept. would connect to the fire hydrant.

- Disposal process: A dumpster will be used in addition to the compactor on site. Nothing additional is necessary. Only raw materials will be used for processing.
- Discussion was had on the wall requirement. The applicant would like to use landscaping instead of a wall. The applicant removed the existing chain link fence. Concern was expressed regarding its removal due to safety concerns. It was suggested that the new ordinance may have permitted the use of such. The applicant felt placement of the fence back on the property would be an issue and the fence wouldn't provide full security.
- Security cameras: They are currently in place.
- Façade: The building will be painted earth tone. The city is interested in a textured façade that may be approved administratively. The applicant received the building as a donation and there is a small budget for the project. As a result, there are no funds for façade improvements but there may be in the 2nd year. A concept plan was requested. Estimated cost for façade improvement is \$22,000. The street view of the building will be painted as well as the cleaners next door.
- Goal of the business: This business will mentor small businesses and assist them to grow. The goal is essentially co-manufacturing for more than one company at a time. There will be no dairy or meat products made at the facility. Foods will include such items as salsa and salad dressing.
- The applicant explained the process for raw and finished goods circulation. Small and large trucks will make deliveries. Truck traffic will come off Michigan.

There were no comments from the public.

MOVED by Nolen, Seconded by Garrett to close the Public Hearing. **MOTION CARRIED unanimously.**

MOVED by Hendricks, Seconded by Cain to recommend approval of the Special Conditions Use to City Council with the following conditions:

1. Landscaping, instead of a wall, is placed on the site to serve as a natural barrier between the business and the residential district.
2. The hedgerow is extended on Michigan Ave to the west of the site.
3. Public hearing and City department comments are addressed to the satisfaction of the Planning Commission.

MOTION CARRIED unanimously.

MOVED by Hendricks, Seconded by Williams to approve the Site Plan with the following conditions:

1. The applicant is required to document all existing easements and show them on the site plan prior to the approval of the final site plan.
2. A revised floor plan is provided showing the proposed retail area dedicated in the front of the building in the glass storefront.
3. Existing utility leads are shown for water and sanitary as well as the location of the water meter.
4. A new exterior façade is proposed to replace the exposed metal, or the metal is painted to comply with the exterior color standards of section 155.072(F).
5. A dense row of arbor vitae, or a similar shrub, that will grow to approximately 4 feet in height, is planted along the front of the property extending to Hill Street to screen the public right-of-way from the loading area.
6. Minimum caliper dimensions for all proposed landscaping is shown on the site plan.

7. Landscaping replaces the 5-foot screening wall which is to be extended across the northern edge of the parking area.
8. Note 6 is revised to include the following additional statement: "and the site shall comply with City requirements subject to imperfection."
9. Note 5 is removed from the site plan and an additional accessible space is added to conform to the City's requirement and parking calculations are updated to reflect this change.
10. Revisions noted by other departments are addressed, if any.

MOTION CARRIED unanimously.

- B. Case # 17-02 (Z) – Cherry Street Rezoning
Public Hearing to receive public input and review a proposed amendment to the City's Zoning Map to rezone the area on the north side of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District (approximately 57 parcels).

MOVED by Nolen, Seconded by Williams to open the Public Hearing. **MOTION CARRIED unanimously.**

Public:

- A question was asked related to an intended use for the area. The city is interested in selling the land to increase the tax base. The land will be marketed with city relators for development. The use could include Medical Marijuana.
- Has any studies been done to see how the rezoning of the property would affect the community? No studies were performed by the city. Staff was asked to see if there were any studies related to the question, especially related to Medical Marijuana.

MOVED by Nolen, Seconded by Garrett to close the Public Hearing. **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Davis to recommend approval of rezoning the area on the north side of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District to City Council. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

None.

VI. NEW BUSINESS

None.

VII. MISCELLANEOUS

Jameka Lilly, Assistant Director for Wayne County Head Start, spoke to the Commission about providing home-based Early Head Start services in the City. The Home-Based Early Head Start program would serve pregnant women and families with children under 3 years of age at no cost. A flyer was provided with contact information.

VIII. ADJOURNMENT – 7:30 p.m.

MOVED by Garrett, Seconded by Willis to adjourn the Planning Commission meeting held on March 27, 2017. **MOTION CARRIED unanimously.**

Respectfully submitted,

Steven Chisholm, Chairman

Lynette O. Cain, Secretary

M. Jeannie Fields
Director of Special Projects

DRAFT

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: March 28, 2017

From: M. Jeannie Fields *MJF*
Director of Special Projects

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Consider approval of a Special Conditions Use (SCU 16-35) for a food processing facility located at 26762 Michigan Ave in the Town Center District (TCD) with the conditions noted per the recommendation of the Planning Commission. Andrew Donato is the applicant on behalf of the Eastern Market Corporation.

Current Action ☒ Emergency ☐ Future ☐

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

Mayor's Approval *[Signature]*

BACKGROUND INFORMATION

On Monday, March 27, 2017, the Planning Commission held a public hearing to receive public input and review Special Conditions Use requirements and associated review of Site Plan requirements to allow a food processing facility located at 26762 Michigan Ave in the Town Center District (TCD). The applicant is Andrew Donato on behalf of the Eastern Market Corporation.

The Planning Commission reviewed and recommended for approval the Special Conditions Use (SCU 16-35) for a food processing facility (incubator) located at 26762 Michigan Ave, subject to the conditions below. The associated Site Plan (SP 16-36) was also approved with conditions (see McKenna Associates letter dated 3.8.17). Draft meeting minutes are attached.

1. Landscaping, instead of a wall, is placed on the site to serve as a natural barrier between the business and the residential district.
2. The hedgerow is extended on Michigan Ave to the west of the site.
3. Public hearing and City department comments are addressed to the satisfaction of the Planning Commission.

An aerial and plot plan are attached for review. A full copy of the Site Plan is available for review in the Planning Department upon request.

SCOPE OF SERVICES

N/A

JUSTIFICATION

Per the McKenna Associates letters (SCU #2 and SPR #2) dated 3.8.17, Paul Lippens, Principal Planner, recommended Planning Commission approval of the Special Conditions Use with the conditions noted above. The use is similar to and consistent with the Commercial Warehousing use and is permitted with Special Conditions

approval in the TCD. Additionally, it is believed that the site's use as an incubator for small businesses is in keeping with the economic development vision of the Master Plan and the Reinvent Inkster Strategic Plan.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.
3. Improve and promote the image of Inkster.

COSTS

All costs are incurred by the petitioner.

PROJECT TIME TABLE

If approved by City Council, final site plan approval will be sought and then the applicant will seek a Certificate of Occupancy from the Building Dept. in order to begin operation.

RESOLUTION

Resolved by _____

Seconded by _____

To approve a Special Conditions Use for a food processing facility located at 26762 Michigan Ave in the Town Center District (TCD) with the conditions noted per the recommendation of the Planning Commission.

Yes:

No:

Absent:



PLANNING COMMISSION PETITION
FOR
SPECIAL CONDITIONS / REGULATED LAND USE

Filing Fee SCU / RLU = \$1,450.00 plus \$6 an acre
Required Public Hearing = \$350.00

Case # 116-34 (SLU/RLU)

TO THE INKSTER CITY PLANNING COMMISSION:

Date Filed 12-14-16

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: 26762 Michigan Avenue, Inkster, MI

The property is located on the North side of Michigan Ave. Street, Between Hill Street and John Daly Street.

It has frontage of see att. feet, a depth of see att. feet, and comprises of 1 acres.

Legal Description: See attached

Property Owner Eastern Market Corporation, a non-profit 501-c-3

Address: 2934 Russell Street, Detroit, MI 48207

Phone: 313-833-9300

Fax 313-833-9309

☒ 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 To follow

PROPOSED USE No change of use, currently food processing.

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.

Andrew Donato
Signature of Petitioner

Andrew Donato
Printed Name of Petitioner

12-6-16

Date

Owner/General Contractor
Title of Petitioner

586-531-4327

248-429-2089

amd@donatogroup.net

Petitioner Telephone Number

Petitioner Fax Number

Petitioner E-Mail Address

Company's Name Donato Group, Inc.

Company's Address 20 W. Washington St, Ste. 6a, Clarkston, MI 48346

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 6th day of December

My Commission Expires: 8-19-20

Leslie A. Polick
Notary Public, Wayne County, Michigan

Oakland

LESLIE A. POLICK
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
MY COMM. EXPIRES AUGUST 19, 2020



PLANNING COMMISSION
PETITION FOR
SITE PLAN REVIEW/SUBDIVISION PLAT

Case # 16-35 (SP)

Date Filed 12-14-16

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: 26762 Michigan Avenue, Inkster, MI The property is located on the North side of
Michigan Avenue Street, between Hill Street and John Daly Street.
It has frontage of see attached feet, a depth of see attach feet, and comprises 1 acres.

Legal Description: See attached

ZONING - This property is currently zoned TCD

Property Owner: Eastern Market Corporation, a non-profit 501-c-3

Address: 2934 Russell Street, Detroit, MI 48207

Phone: 313-833-9300

Fax: 313-833-9309



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 To follow

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

Food processing same as current

* 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..... \$1,750

Commercial - an acre or more \$1,800 + \$50 per acre

Residential - less than an acre \$1,450 plus \$6 per unit

Residential - an acre or more \$1,500 + \$6 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 BUBBLED 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 Andy Donato

Signature of Petitioner [Signature]

Interest in Property General Contractor

Firm Donato Group, Inc

Fax 248-429-2089

Address 20 W. Washington Street, Ste. 6a

E-Mail Address amd@donatogroup.net

Phone 586-531-4327

Subscribed and sworn to before me this 9th day of December

2016

My Commission Expires: 8-19-20

Notary Public, Wayne County, Michigan

LESLIE A POLICK
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND

March 8, 2017

Jeannie Fields, Special Projects Director
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: 16-34 (SCU #2) Food Processing Facility
Location: 26762 Michigan
Zoning: TCD, Town Center District
Applicant(s): Andy Donato (owner: Eastern Market Corporation)

Dear Ms. Fields:

At your request, we have reviewed the above-referenced application for a special conditions use for the re-occupancy with an incubator food processing facility for Eastern Market. This use is similar to and consistent with the Commercial Warehousing use and is permitted with Special Conditions approval in the Towns Center District. The business is to be located at 26762 Michigan Avenue and offer the following comments for your consideration.

COMMENTS:

1. **Special Conditional Use Permit Requirements (\$155.289).** The following standards are applicable to all conditional use permit applications:
 - a. **Will be harmonious and in accordance with the goals, policies and actions of the Master Plan.** The site is on the northeast corner of Hill Street and Michigan, and 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 existing use of the site is a food processing facility and it is our understanding the applicant is utilize the facility for incubator businesses that will use the food processing facility to make goods for retail sale in Eastern Market and potentially other like markets in the region. The applicant has indicated the desire to provide retails sales at the Inkster location in the future. *This standard is met.*
 - b. **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 site appears like an industrial warehouse with minimal landscaping and there is existing screening wall on the east side of the parking lot. The Chain-link fence will be removed, landscaping will be added, and the parking area will be seal coated and restriped. The 5-foot screening wall must be extended across the northern edge of the parking lot.
 - c. **Will be a visual, physical, and economic improvement in relation to the property in the immediate vicinity and to the City as a whole.** The continued use of a large building with prominent façade on Michigan Avenue is to the economic benefit of the City. *This standard is met.*
 - d. **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 continued use of the facility. *This standard can be met subject to approval of the City Engineer.*

- e. **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. The parking for the subject site is located on a residentially zoned parcel, which is an existing non-conforming use, which is not being expanded by the application. In the future, we recommend that additional parking lot landscaping and screening and rezoning the site to TCD. Further the truck docks are located facing Hill Street and Michigan Avenue with no screening of any type. We recommend that the proposed hedge row on Michigan Ave is extended to the corner to partially screen the loading area from the street.
 - f. **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. The adjacent lots to the east, west and south are zoned TCD, while a portion of the site and the properties to the north of the building are zoned R-1B. The proposed uses will make the site more consistent with the vision for the TCD district and improve its aesthetics. *This standard is met.*
 - g. **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 the proposed use of the site. *This standard is met.*
 - h. **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 additional public costs or health and safety issues that would result from the proposed use of the site. *This standard is met.*
 - i. **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.** With the recommended changes in this letter and the Site Plan Review, we believe this standard will be met.
2. **Commercial Warehouse and wholesale operations (§155.113).** The following standards are applicable to commercial warehouse facilities:
- a. **The minimum lot or parcel size shall be one acre.** This requirement is substantively met.
 - b. **The type and quantity of traffic generated by the operation shall be compatible with the permitted retail uses in the district.** Michigan Avenue is a Class A, US Highway and State Trunkline with capacity to handle traffic generated by the proposed use.
 - c. **Ingress and egress shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on adjacent businesses.** Deliveries will access the site off of Hill Street which will keep exiting and entering traffic off of Michigan Avenue. The previous site use was similar to the current proposal and the current circulation plan has not been modified.

- d. **Planning Commission may require a traffic impact study and a traffic management plan.** We do not recommend requiring a traffic impact study as the site plan has adequately addressed traffic impact and site circulation.
- e. **The hours of operation shall be reviewed and approved by Planning Commission in consideration of potential negative impacts, including but not limited to, trucking and shipping, noise, odor, air quality, dust, spillage, glare, etc.** The hours of operation are proposed to be 8 a.m. to 5 p.m., Monday through Saturday. A note on the site plan indicates that traffic, noise, smoke, odors, and other nuisances will not infringe on the public health, safety, and welfare.
- f. **Open air storage is not permitted and truck parking is not permitted outside of designated loading spaces.** The proposal does not include any open-air storage and the loading area is designated on the site plan.
- g. **Planning Commission may determine that landscaping and screening is required. As mentioned above, we recommend that the hedgerow is extended to the west lot line to partially screen the loading area.**
- h. **A minimum of 10% of the floor area, or 1000 sq. ft., whichever is less, shall be used for accessory retail and office uses, which shall be primarily accessed via the front yard.** The floor plan includes approximately 971 s. f. of office and retail, to be accessed from Michigan Avenue. *This standard is substantively met.*
- i. **Adequate parking shall be provided based on the parking requirements for wholesale establishments and any other accessory uses. Planning Commission may modify parking standards based on a parking study. Parking requirements are met.**
- c. **Wherever the off-street parking is adjacent to land zoned for residential purposes, a continuous obscuring wall of four and one-half feet in height shall be along the sides of the parking area adjacent to the residentially zoned land. The wall shall be further subject to the provisions of § 155.074. As mentioned above, the 5-foot screening wall must be extended across the northern edge of the parking lot.**

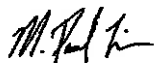
RECOMMENDATION

At this time, we recommend that Planning Commission recommend approval of the special conditions use for a commercial warehouse by City Council, subject to the following conditions:

1. A five-foot screening wall is extended on the northern edge of the parking area.
2. The hedgerow is extended on Michigan Ave to the west edge of the site.
3. Public hearing and City department comments are addressed to the satisfaction of Planning Commission

Respectfully submitted,

McKENNA ASSOCIATES



Paul Lippens, AICP
Senior Principal Planner

March 8, 2017

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

Subject: 16-35 (SPR#2) – Food Processing facility
Location: 26762 Michigan Avenue
Zoning: TCD, Town Center District
Applicant(s): Andy Donato (owner: Eastern Market Corporation)

Dear Ms. Fields:

At your request, we have reviewed the above-referenced application dated 12/14/2016 and site plan dated 2/14/17 for a new food processing incubator serving for Eastern Market, located at 26762 Michigan Avenue and offer the following comments for your consideration.

DESCRIPTION OF THE SITE

The applicant proposes to occupy the approximately 1 acre site located at the northeast corner of Michigan Avenue and Hill Street. The legal description on the site plan includes 7 parcels numbered 1 through 7.

The site is occupied by a 14,500-square foot building, associated parking and loading areas, that are zoned TCD, Town Center District. The parking lot that appears to be part of the site is zoned R-1B One Family Dwelling district. *Parking on the R-1B site is an existing non-conforming use which is not proposed to be expanded; however, we recommend this site to be rezoned to TCD district.* The previous use is a food processing facility, which is not a permitted use in the B-3 district; however, the new use will be an incubator food processing center for Eastern Market, with a planned retail, similar to a commercial warehouse. Commercial warehousing use is permitted as a special condition use in the TCD District, subject to specific standards (per Section 155.147).

The following chart provides information of current land use, zoning, and future land use.

	Existing Land Uses	Current Zoning	Future Land Use Designation
Site	Food Processing Facility	TCD, Town Center District/ R-1B One Family Dwelling District	Mixed Use Commercial/Low Density Residential
North	Alley/Single Family Dwelling	R-1B, One Family Zoning District	Low Density Residential
South	Michigan Avenue	TCD, Town Center District	Mixed Use Commercial
East	Dry Cleaners	TCD, Town Center District	Mixed Use Commercial
West	Hill St./Car wash	TCD, Town Center District	Town Center

REVIEW COMMENTS

1. Zoning and Use (\$155.049). All development in the TCD District must comply with the following:

a. Submission Requirements for TCD district

- 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 a site plan; including parking calculations, lighting, waste management, building details, and landscaping.

A note on the site plan states that “Existing easements, if any, have not been shown.” The applicant is required to document all existing easements and show them on the site plan prior to approval of the final site plan.

Additionally, the applicant has not submitted 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.**

The Master Plan says that the “city identity” desired by the uses in the Town Center District can be achieved through visual cues like prominent public buildings and enhanced architecture. The landscaping improvements will contribute to City identity. Further, the sites use as an incubator for small businesses is in keeping with the economic development vision of Master Plan and the Reinvent Inkster Strategic Plan.

The applicant has not submitted building elevations but a note says that no changes are proposed. We recommend building façade improvements to make the exterior more consistent with a downtown architecture and highlight the retail component of the site. The glass storefront area of the building adds some visual appeal by connecting to the pedestrians on the sidewalk. Façade enhancements would upgrade the building to comply with the minimum standards of the TCD district.

- 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.

Additional comments follow but the requirements of Section 155.071 through Section 155.081 have been met by the site plan submittal, except where noted.

- 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 proposes a wall mounted sign of 32 sq. ft., which is within the maximum area requirements. Sign details are not provided and signs must comply with the illuminations standards of section 155.244.

- 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 site has the appearance of a warehouse, façade improvement is desirable. The pedestrian component can be enhanced if the applicant intends to have the retail component in the glass storefront area of the building. It is not clear from the floor plan we have been provided, dated 9/28/16, if the intent is to revamp the conference room and locker room to a retail space. A revised floor plan is required and the retail area must be dedicated in the front of the building in the glass storefront area.

- 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 building and improvements on the site are existing. We don't anticipate that the continued use of the facility will exceed the capacity of the public services and utilities to the site. However, existing utility leads must be shown for water and sanitary as well as the locations of the water meter.

- 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. The applicant has proposed no changes to existing architecture or proposed facade improvements. The existing building has the appearance of an industrial facility with a portion of it fronting on Michigan Avenue having a series of storefront windows. As mentioned above, we recommend enhancing the façade materials; which could include a new exterior to replace the exposed metal, or painting to comply with the exterior color standards of section 155.072(F).
 - a. **Landscaping (§155.073).** The site plan indicates new landscaping along Michigan Avenue. to comply with the street frontage requirements. Two (2) crabapple trees, two (2) maple trees, twenty three spirea, and 23 day lilies, are proposed. To additionally screen the public right-of-way from the loading area, we recommend that a dense row of arbor vitae, or similar shrub, that will grow to approximately of 4 feet in height, be planted along the front of the property extending to Hill Street. The site plan must show that all shrubs and trees will meet the minimum height and caliper dimensions of §155.073(D)(6). Pursuant to §155.073, landscaping notes are provided to address the following requirements:
 - i. Per Section §155.073(F), the site plan states that an underground irrigation system will be installed or show that water outlets will be provided within 100 feet of all plant material.
 - ii. Information regarding landscape maintenance must is noted.
3. **Walls (§155.074) and screening.** The parking areas must be screened from adjacent residences by a 4.5 to 6 ft. masonry obscuring wall. The rear parking lot appears to have a wall on the east side and chain link fence on the other 3 sides. The chain link fence is proposed to be removed. The screening wall must be extended across the northern edge of the parking area.
4. **Waste Receptacle (§155.075).** The site plan does not indicate any dumpster or enclosure on the site, however the building has an existing trash compactor. *The trash compactor substantively meets the requirements for waste removal subject to approval of the Fire Chief.*
5. **Exterior Lighting (§155.076).** Per Sections §155.076 and Section §155.164(D), the light fixtures must be placed and shielded so that illumination levels do no exceed 0.1 foot-candles along lot lines that abut a residential zone and 0.3 foot-candles along any other lot line, or 20 foot-candles anywhere on the site. The location of wall mounted fixtures and light poles are noted on the site plan. The site plan notes no changes to site lighting in note 6. Note 6 must be revised to include the following additional statement “and the site shall comply with City requirements subject to inspection.”
6. **Off-Street Parking and Loading (§155.077 - 155.079).** The site plan notes the parking requirement as 1 space/700 square feet, for industrial uses (food processing) and the retail store frontage as 2 plus 1 per 175 sq. ft. a total of 27 spaces, including 2 accessible spaces (one van accessible) are required. The site provides a total of 37 spaces, with 1 accessible space provided. Note 5 on the site plan reads “State Requirements for Barrier Free Parking spaces supersede any Township Requirements.” We assume that “Township” is a typo. Note 5 must be removed from the site plan and an additional accessible space must be added to conform to the City’s requirement, parking calculations must be updated to reflect this change.

An off-street loading space is required for buildings between 2,001 Sq. ft. and 20,000 sq. ft. The loading space must be 10 ft. by 70 ft. The site plan indicates a 20x70 space adjacent to a loading dock on the west side of the site.

7. **Drainage, soil control, sedimentation, utilities.** *We defer to the City engineer on utility and drainage requirements.*
8. **Comments from Other Departments.** *All applicable City departments should review the revised site plan to identify any remaining issues.*

RECOMMENDATION

At this time, we recommend that Planning Commission approve the site plan subject to the following revisions being updated on a revised and dated site plan to be approved by City Administration.

1. The applicant is required to document all existing easements and show them on the site plan prior to approval of the final site plan.
2. A revised floor plan is provided showing the proposed retail area dedicated in the front of the building in the glass storefront.
3. Existing utility leads are shown for water and sanitary as well as the locations of the water meter.
4. A new exterior façade is proposed to replace the exposed metal, or the metal is painted to comply with the exterior color standards of section 155.072(F)
5. A dense row of arbor vitae, or similar shrub, that will grow to approximately of 4 feet in height, is planted along the front of the property extending to Hill Street to screen the public right-of-way from the loading area.
6. Minimum caliper dimensions for all proposed landscaping is shown on the site plan.
7. The 5-foot screening wall is extended across the northern edge of the parking area.
8. Note 6 is revised to include the following additional statement "and the site shall comply with City requirements subject to inspection."
9. Note 5 is removed from the site plan and an additional accessible space is added to conform to the City's requirement and parking calculations are updated to reflect this change.
10. Revisions noted by other departments are addressed, if any.

Please let us know if you have any questions about these items.

Respectfully submitted,

McKENNA ASSOCIATES



Paul Lippens, AICP

Senior Principal Planner



Alfred Benesch & Company
615 Griswold, Suite 60C
Detroit, MI 48226
www.benesch.com
P 313-963-0612
F 313-963-2156

March 3, 2017

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

Attn: Jerome Bivins, Department of Public Services Director

Regarding: 16-35 (SP)/ 16-34 (SCU/RLU)
26762 Michigan Avenue – Food Processing
Site Plan 2nd Review

Dear Mr. Bivins:

Alfred Benesch & Company (Benesch) has completed a review of the plans dated November 17, 2016 with the latest revision date of February 14, 2017 for the above referenced project. Comments for the applicant are summarized below:

1. Show the location of the water meter.
2. Provide a building floor plan showing existing and proposed water fixtures.
3. Show water and sanitary sewer leads from the existing building to the existing utilities.

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

Sincerely,

Alfred Benesch & Company

A handwritten signature in black ink that reads "Carrie Loya-Smalley".

Carrie Loya-Smalley, P.E.
Project Engineer

CC: Jeannie Fields, City of Inkster Planning & Community Development, Director of Special Projects
Eric Tucker, P.E., Project Manager
File: 8-140008

**INKSTER POLICE DEPARTMENT
Inter – Office Memorandum
OFFICE OF THE CHIEF**

TO: Ms. Jeannie Fields, Planning & Development Deputy Director

Date: December 27, 2016

RE: 26762 Michigan

Ms. Fields

My concerns remain the same as follows:

- **Make sure of surveillance cameras inside and outside of the buildings,**
- **Is there an alarm system in the buildings**
- **Make sure of proper lighting in the parking lot for customers if applicable**

**Chief William T. Riley III
Inkster Police Department
"Team Inkster"**

Jeannie Fields

From: Robert Roths
Sent: Thursday, January 05, 2017 1:36 PM
To: Jeannie Fields
Cc: Chuck Hubbard
Subject: RE: Development Review Team Meeting - 26762 Michigan

Hello Jeannie, I reviewed the email sent to me for # 16-35 Food Processing Facility 26762 Michigan Ave. floor plan layout for the Eastern Market Group.

I spoke with Mr. Andy Donato from the Danato Group who is involved with this project because I had a few questions regarding the print.

I have found that the walls that are already in place separating the offices and the center of the building and from the west side of the building that has the Coolers, Packaging, and receiving area are Fire Rated for 2 hours. The cooking areas have commercial kitchen hoods with Fire Suppression already in place covering those.

It is my opinion from what I mentioned above that the building will not require Fire Suppression (Sprinkler System) that covers the entire building because of the fire separation.

The Fire Suppression that covers the commercial cooking hoods needs to be annually checked to ensure that it is in good shape and will function as designed. The commercial cooking hoods will also need to be clean and inspected at least annually by a vendor that specializes in that.

I look forward to this project moving forward and if there's any questions feel free to contact me.....Bob

Google Maps US-12



Image capture: Aug 2016 © 2016 Google

Inkster, Michigan

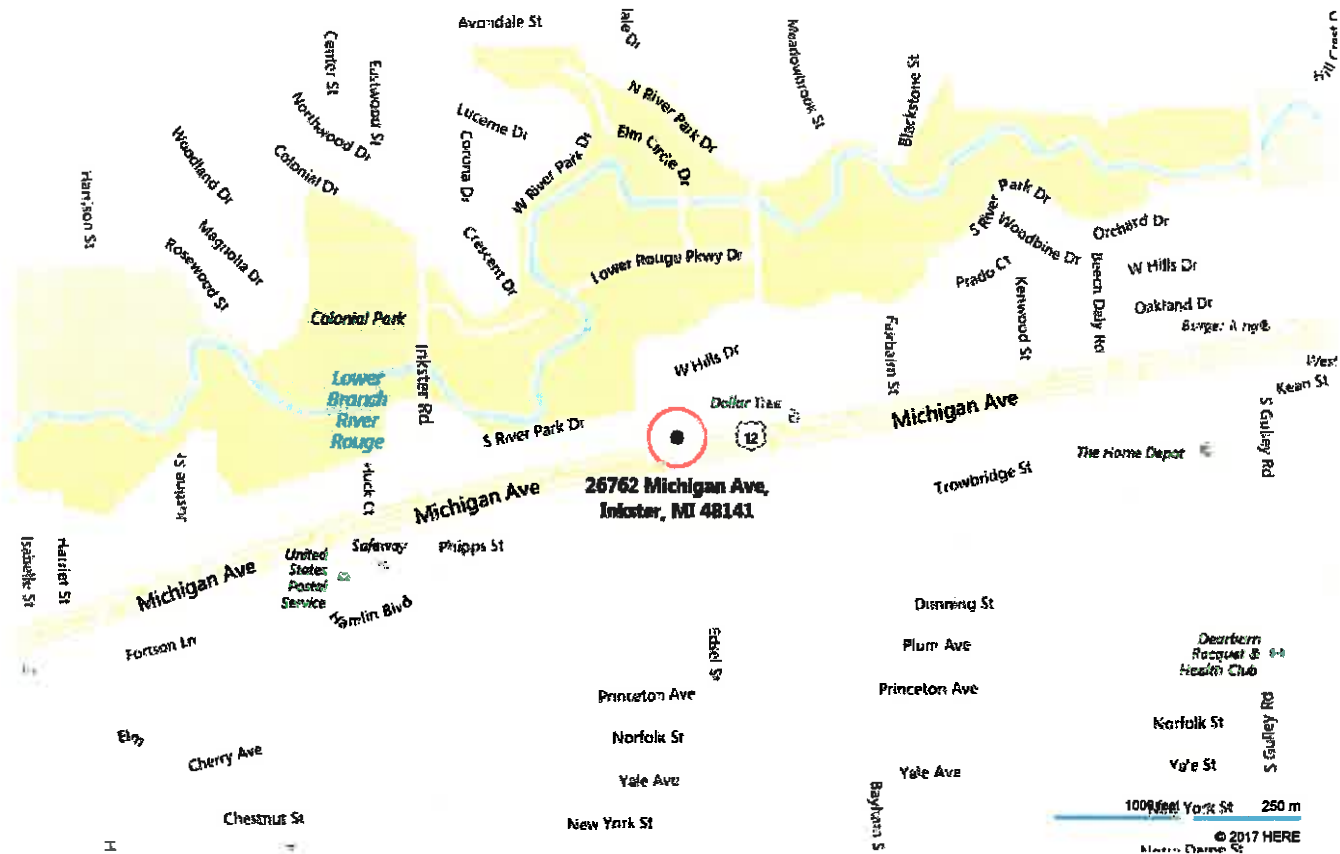
Street View - Aug 2016





26762 Michigan Ave, Inkster, MI 48141

Type your notes here.





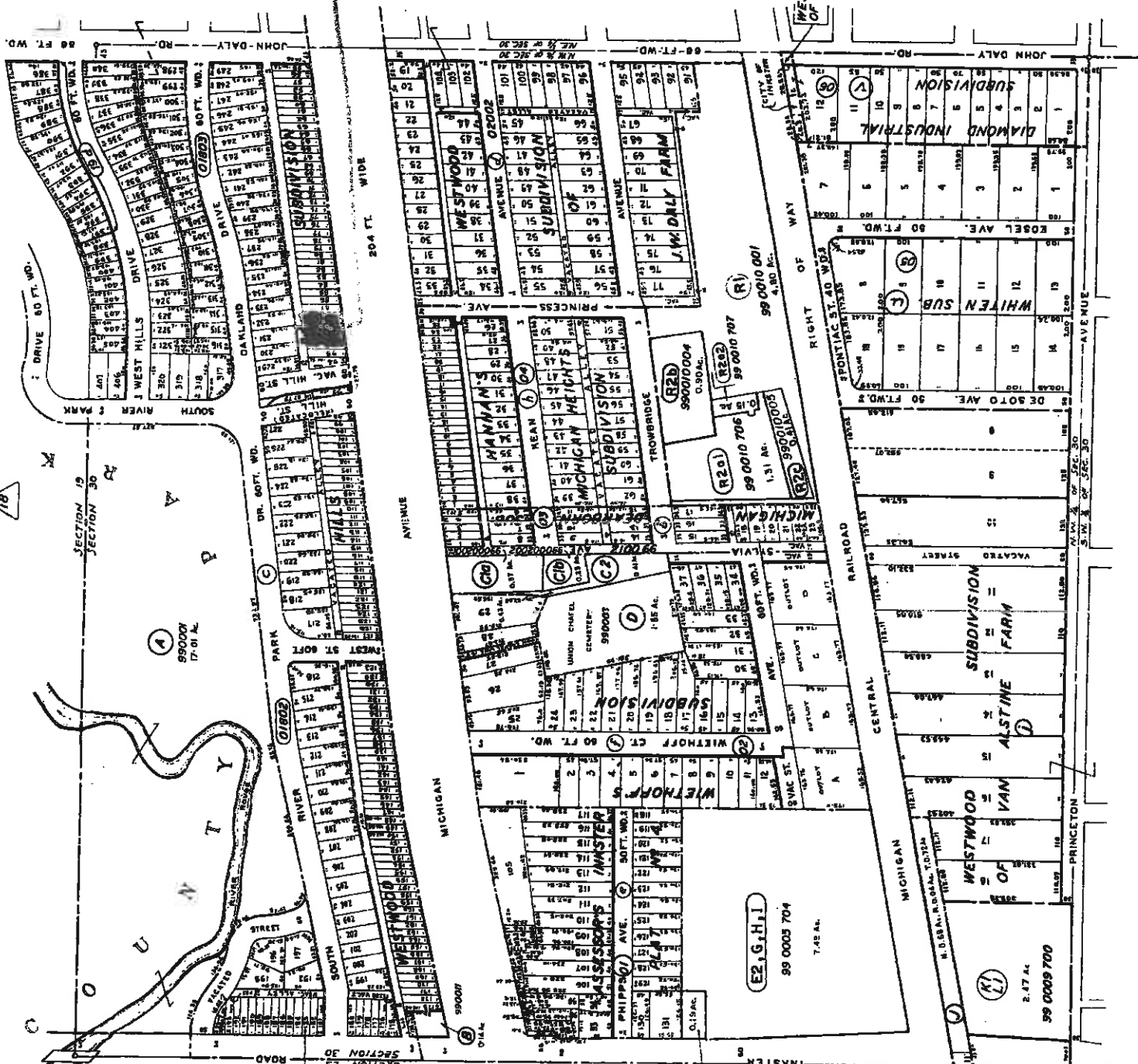
26762 Michigan Ave, Inkster, MI 48141

Type your notes here.



26762 MI AVE

20



MUNICIPAL OFFICE
CITY OF INKSTER
2121 INKSTER ROAD
INKSTER, MI 48141
(313) 563-4267 OFFICE
(313) 563-9844 FAX

N.W. 1/4 SECTION 30
CITY OF INKSTER
T. 2 S. R. 10 E.
WAYNE COUNTY, MICHIGAN

SCALE: 1" = 100' - 100'

ZONING MAP

City of Inkster, Michigan

Districts

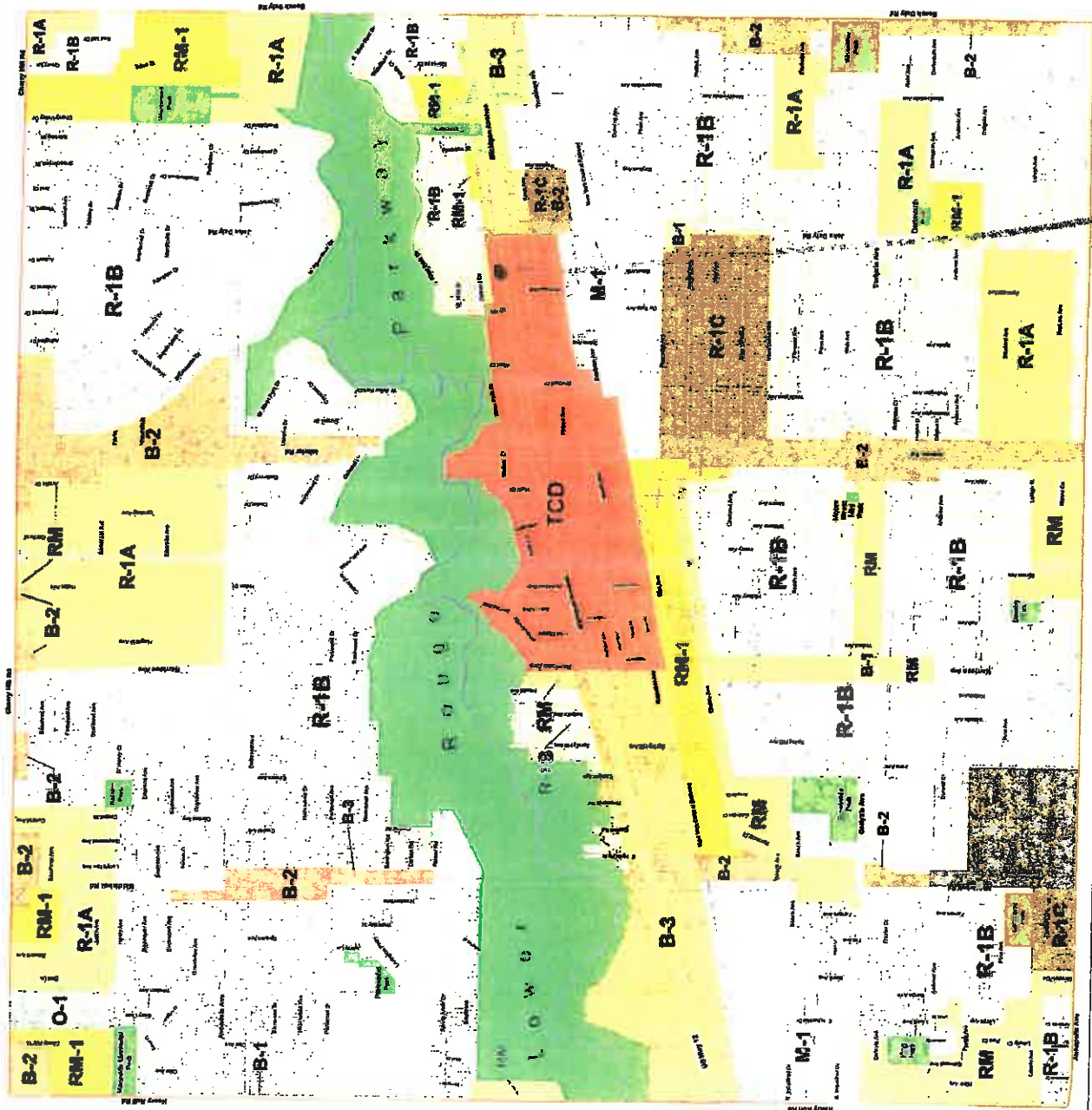
- R-1A One Family Residential District
- R-1B One Family Residential District
- R-1C One Family Residential District
- RM Restricted Multiple Dwelling District (Low Rise)
- RM-1 Multiple Family Residential District (Low Rise)
- O-1 Office District
- B-1 Local Business District
- B-2 Thoroughfare Mixed-Use 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

THIS IS AN OFFICIAL MAP OF THE CITY OF INKSTER, MICHIGAN, AND IS A PART OF THE CITY'S ZONING ORDINANCE.

Hellgate
John J. Duro
 Mayor, City of Inkster



CITY OF INKSTER
 INKSTER, MICHIGAN
 WADE TRIM
 2500 Bantline Road, Troy, MI 4806
 734-973-9900 www.wadetrim.com



Z676Z MICHIGAN

**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, March 27, 2017**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisolm called the meeting to order at 6:32 p.m.

I. ROLL CALL

Present: Chairman Chisolm, Vice Chairman Ratliff (6:50 pm), Secretary Cain and Commissioners Davis, Garrett, Hendricks (6:35 pm), Nolen, Williams and Willis

Others in attendance: Nate Ford, Economic Development Director
M. Jeannie Fields, Director of Special Projects
Mike DiBernardo, Eastern Market Corp
Andrew Donato, Donato Group
Matt Page, Donato Group

Public in attendance: Jameka Lilly, Ekanem Obong and O. Rehri Onomake

II. ADOPTION OF AGENDA

MOVED by Garrett, Seconded by Williams to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF February 27, 2017

MOVED by Garrett, Seconded by Williams to Adopt the Minutes of February 27, 2017 with the necessary corrections. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARING

- A. Case # 16-35 (SCU)/16-36 (SP) – 26762 Michigan Avenue
Public Hearing to receive public input and review special conditions use requirements and associated review of site plan (SP) requirements to allow a food processing facility in the Town Center District (TCD). Andrew Donato is the applicant on behalf of Eastern Market Corporation.

MOVED by Williams, Seconded by Garrett to open the Public Hearing. **MOTION CARRIED unanimously.**

Mike Deem, McKenna Associates, gave an overview of the case. He reviewed the Special Conditions Use and Site Plan letters dated 3.8.17. A recommendation was made for approval of the Special Conditions Use and Site Plan with the noted conditions.

Commissioner Concerns:

- Water connections in the event of a fire: The fire dept. would connect to the fire hydrant.

- Disposal process: A dumpster will be used in addition to the compactor on site. Nothing additional is necessary. Only raw materials will be used for processing.
- Discussion was had on the wall requirement. The applicant would like to use landscaping instead of a wall. The applicant removed the existing chain link fence. Concern was expressed regarding its removal due to safety concerns. It was suggested that the new ordinance may have permitted the use of such. The applicant felt placement of the fence back on the property would be an issue and the fence wouldn't provide full security.
- Security cameras: They are currently in place.
- Façade: The building will be painted earth tone. The city is interested in a textured façade that may be approved administratively. The applicant received the building as a donation and there is a small budget for the project. As a result, there are no funds for façade improvements but there may be in the 2nd year. A concept plan was requested. Estimated cost for façade improvement is \$22,000. The street view of the building will be painted as well as the cleaners next door.
- Goal of the business: This business will mentor small businesses and assist them to grow. The goal is essentially co-manufacturing for more than one company at a time. There will be no dairy or meat products made at the facility. Foods will include such items as salsa and salad dressing.
- The applicant explained the process for raw and finished goods circulation. Small and large trucks will make deliveries. Truck traffic will come off Michigan.

There were no comments from the public.

MOVED by Nolen, Seconded by Garrett to close the Public Hearing. **MOTION CARRIED unanimously.**

MOVED by Hendricks, Seconded by Cain to recommend approval of the Special Conditions Use to City Council with the following conditions:

1. Landscaping, instead of a wall, is placed on the site to serve as a natural barrier between the business and the residential district.
2. The hedgerow is extended on Michigan Ave to the west of the site.
3. Public hearing and City department comments are addressed to the satisfaction of the Planning Commission.

MOTION CARRIED unanimously.

MOVED by Hendricks, Seconded by Williams to approve the Site Plan with the following conditions:

1. The applicant is required to document all existing easements and show them on the site plan prior to the approval of the final site plan.
2. A revised floor plan is provided showing the proposed retail area dedicated in the front of the building in the glass storefront.
3. Existing utility leads are shown for water and sanitary as well as the location of the water meter.
4. A new exterior façade is proposed to replace the exposed metal, or the metal is painted to comply with the exterior color standards of section 155.072(F).
5. A dense row of arbor vitae, or a similar shrub, that will grow to approximately 4 feet in height, is planted along the front of the property extending to Hill Street to screen the public right-of-way from the loading area.
6. Minimum caliper dimensions for all proposed landscaping is shown on the site plan.

7. Landscaping replaces the 5-foot screening wall which is to be extended across the northern edge of the parking area.
8. Note 6 is revised to include the following additional statement: "and the site shall comply with City requirements subject to imperfection."
9. Note 5 is removed from the site plan and an additional accessible space is added to conform to the City's requirement and parking calculations are updated to reflect this change.
10. Revisions noted by other departments are addressed, if any.

MOTION CARRIED unanimously.

- B. Case # 17-02 (Z) – Cherry Street Rezoning
Public Hearing to receive public input and review a proposed amendment to the City's Zoning Map to rezone the area on the north side of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District (approximately 57 parcels).

MOVED by Nolen, Seconded by Williams to open the Public Hearing. **MOTION CARRIED unanimously.**

Public:

- A question was asked related to an intended use for the area. The city is interested in selling the land to increase the tax base. The land will be marketed with city relators for development. The use could include Medical Marijuana.
- Has any studies been done to see how the rezoning of the property would affect the community? No studies were performed by the city. Staff was asked to see if there were any studies related to the question, especially related to Medical Marijuana.

MOVED by Nolen, Seconded by Garrett to close the Public Hearing. **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Davis to recommend approval of rezoning the area on the north side of Cherry Street between Inkster Road and Middlebelt Road from RM-1 Multiple Family Residential District to M-1 Light Industrial District to City Council. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

None.

VI. NEW BUSINESS

None.

VII. MISCELLANEOUS

Jameka Lilly, Assistant Director for Wayne County Head Start, spoke to the Commission about providing home-based Early Head Start services in the City. The Home-Based Early Head Start program would serve pregnant women and families with children under 3 years of age at no cost. A flyer was provided with contact information.

VIII. ADJOURNMENT – 7:30 p.m.

MOVED by Garrett, Seconded by Willis to adjourn the Planning Commission meeting held on March 27, 2017. **MOTION CARRIED unanimously.**

Respectfully submitted,

Steven Chisholm, Chairman

Lynette O. Cain, Secretary

M. Jeannie Fields
Director of Special Projects

DRAFT

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: March 28, 2017

From: M. Jeannie Fields *WJF*
Director of Special Projects

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Consider approval of an offer to purchase (Case # LD 17-01) 26742 Dartmouth which is located on the north side of Dartmouth between John Daly and Princess and is legally described as W 14 FT OF LOT 148 AND THE E 28 FT OF LOT 149 ALSO ½ OF ADJ VAC ALLEY GREATER DEARBORN SUB T2S R10E L55 P62 WCR (Property ID #44-025-01-0148-002) in the amount of \$2,000.00 to Platinum Real Estate Holdings LLC (Anthony Rea).

Current Action X Emergency Future

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

Mayor's Approval *[Signature]*

BACKGROUND INFORMATION

Platinum Real Estate Holdings LLC (Anthony Rea) made application to purchase the residential property located at 26742 Dartmouth which is located on the north side of Dartmouth between John Daly and Princess and is legally described as W 14 FT OF LOT 148 AND THE E 28 FT OF LOT 149 ALSO ½ OF ADJ VAC ALLEY GREATER DEARBORN SUB T2S R10E L55 P62 WCR (Property ID #44-025-01-0148-002) in the amount of \$2,000.00. The property is situated near the end of the block (see attached maps). A picture is also attached. It is being purchased as investment property.

SCOPE OF SERVICES

Preparation and execution of purchase agreement, quit claim deed, property transfer affidavit, and recording of the deed. It is highly recommended by the Planning Division that the applicant complete a title search of the property.

JUSTIFICATION

The property is located in the R-1B zoning district (One Family Residential). The intended use for the property is an authorized use. The applicant is offering to purchase the subject property for a total price of \$2,000.00. Comparable sales were provided (see attached). The property, built in 1950, is 910 sq. ft. Per the applicant, repairs include the following: plumbing throughout the house, updated electrical bathroom and kitchen, roof, flooring, windows and doors, drywall, furnace, hot water tank, clean out and cut or trim trees. Based on the amount of the repairs and condition of the property, the offering price is reasonable.

PROJECT OR IMPROVEMENT TASK

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

1. Develop a plan to address the City's current debt and legacy costs.
2. Improve and promote the image of Inkster.

COST

The applicant has deposited \$600.00 for the property and is offering a purchase price of \$2,000.00.

RESOLUTION

Authorization is hereby given for the sale of 26742 Dartmouth which is located on the north side of Dartmouth between John Daly and Princess and is legally described as W 14 FT OF LOT 148 AND THE E 28 FT OF LOT 149 ALSO ½ OF ADJ VAC ALLEY GREATER DEARBORN SUB T2S R10E L55 P62 WCR (Property ID #44-025-01-0148-002) in the amount of \$2,000.00 to Platinum Real Estate Holdings LLC (Anthony Rea) subject to the following conditions:

- Obtain a Certificate of Occupancy/Compliance prior to moving someone into the property.
- Complete closing on the property within 30 days by paying the balance of the price of sale (\$1,400.00), paying the cost of recording the deed (\$18.00), entering into a purchase agreement, and executing a property transfer affidavit.

Finally, it is highly recommended that the applicant complete a title search of the property.

Resolved by _____ Seconded by _____

Yes:

No:

Absent:



Deposit/Administrative Fee Received \$1600.00
Date Received 8/20/17
Case # LD-17-01

**CITY OF INKSTER
APPLICATION TO PURCHASE CITY-OWNED PROPERTY**

APPLICANT INFORMATION (Please Print Clearly)

Applicant's Name Platinum Real Estate Holdings LLC (Anthony Rea)
Applicant's Address 28724 Plymouth Rd Livonia MI 48150
Applicant's Phone Number: 734 469-4694
Proposed Owner's Name (as indicated on deed): Platinum Real Estate Holdings LLC

PROPERTY INFORMATION -- Purchase Offer \$ 2000.00

Property Location: on North side of Dartmouth Street/Avenue
Between John Daly Street/Avenue and _____ Street/Avenue

Tax ID, Legal Description, and Address if Structure 26742 Dartmouth 44025010148002

31 E148B 149A W 14FT OF Lot 148 and the E 28 ft of Lot 149 also S 1/2 of adj vac alley greater Dearborn sub T&S R10E L55 P62 WCR

Parcel Size: 45x133 (Width) 45 X (Length) 133 Current Zoning R

☐ Additional Parcels/Lots (attach Request for Additional Property Form)

Summary of Proposed Use: Investment
Use additional sheets as needed

I understand and accept as evidenced by the good-faith deposit of \$ 1600.00 for the offer to purchase city-owned property. I also understand that the offer to purchase is subject to acceptance and approval by the City of Inkster City Council. I further understand that the Council can reject the offer in the best interest of the City, but that acceptance of this offer binds me to the specific use of the property as provided by the codes and ordinances of the City.

NOTE: All City-owned property is sold "AS IS". The City is not responsible for clear title.

Applicant's Signature

Date

Broker's Name

Peggy Jordan



44 025 01 0148 002

26742 DARTMOUTH

05-07-15

Regarding: 26742 Dartmouth Inkster Michigan 48141

The property will need the repairs listed below.

Plumbing through out the house

Update electrical

Roof

Flooring

Update Bathroom & Kitchen

Windows and Doors inside and outside

The house needs some drywall replace throughout the whole house.

Debris through out the entire house.

Cut several trees down or trim.

Sliding and or outside repairs

Furnace

Hot Water Tank



26742 Dartmouth St, Inkster, MI 48141

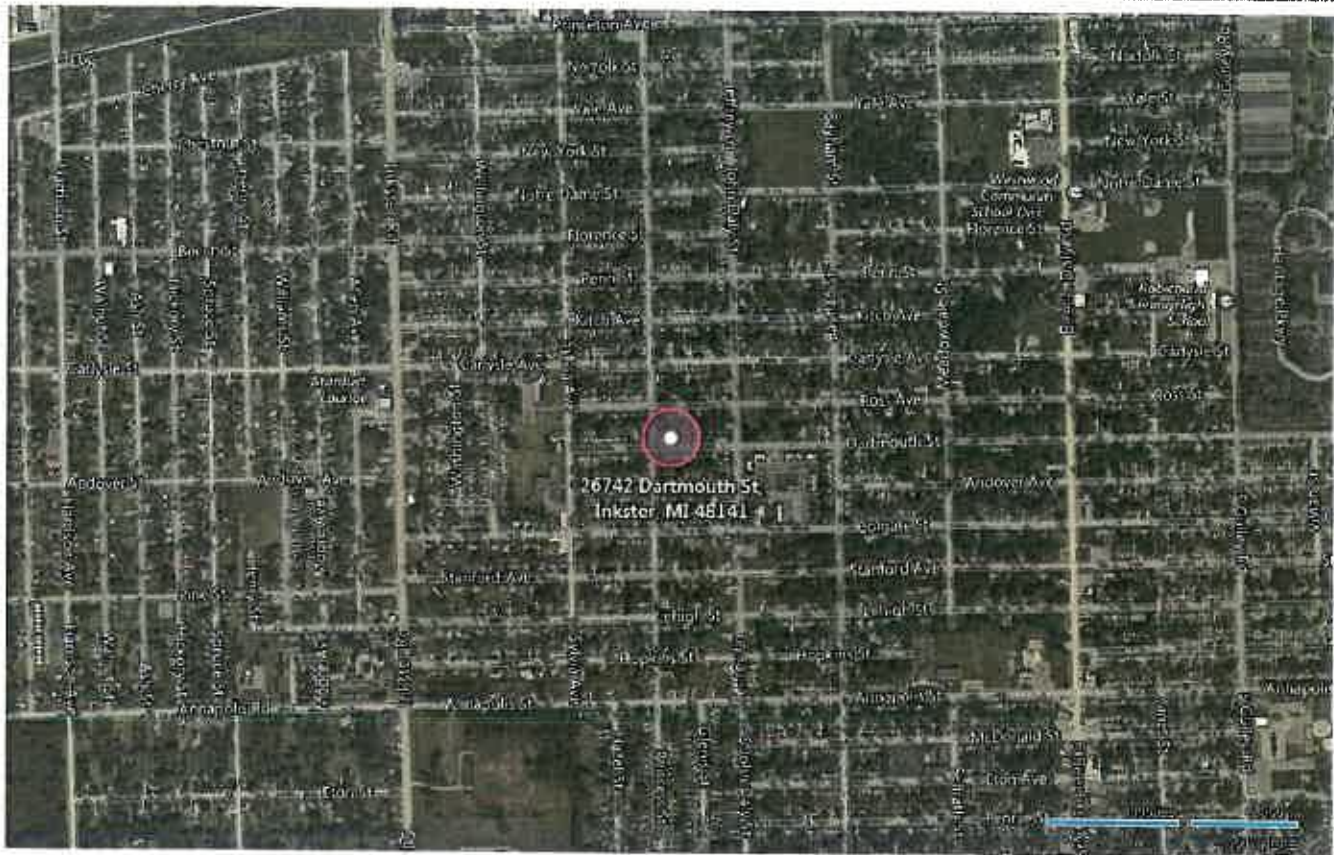
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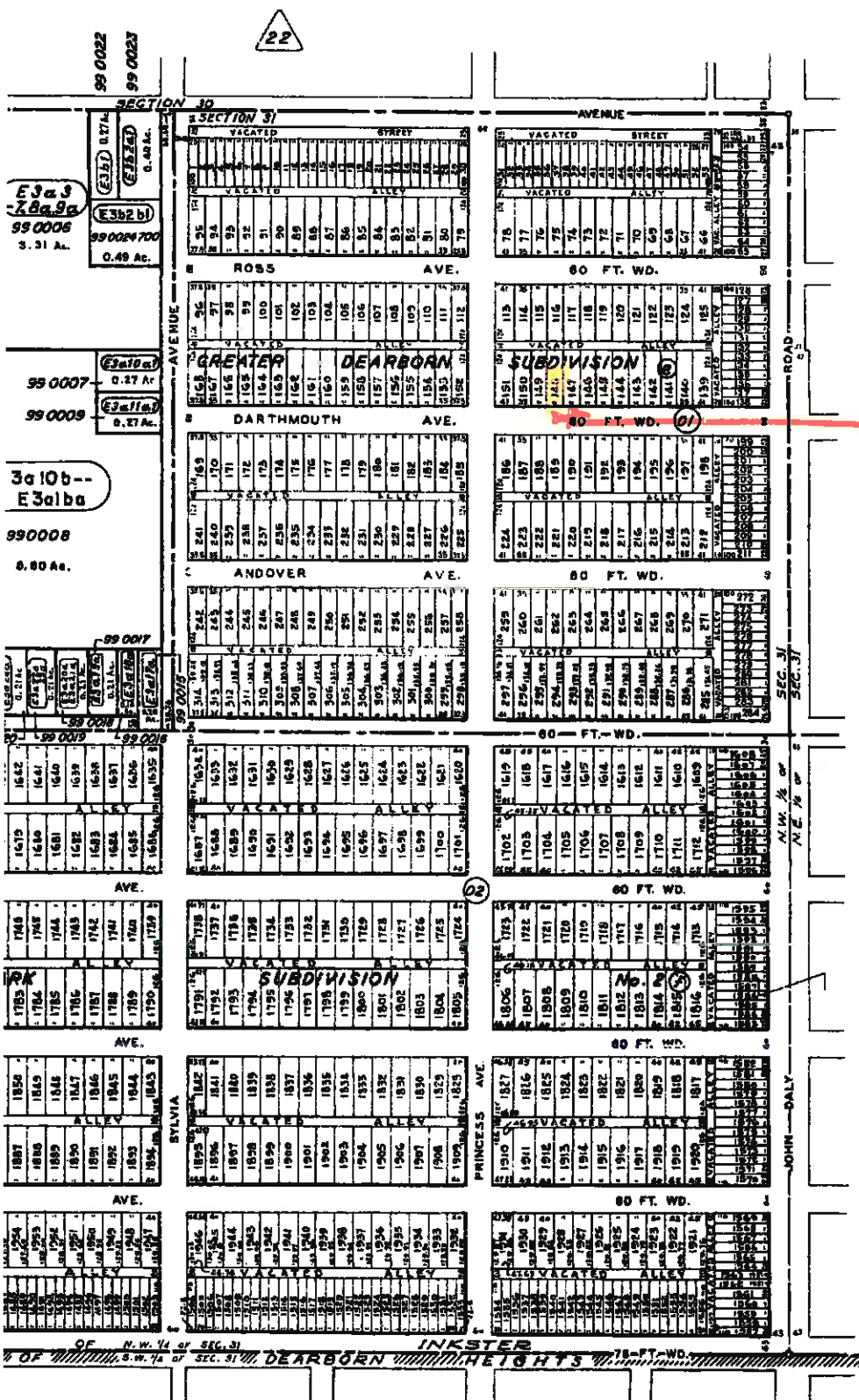




26742 Dartmouth St, Inkster, MI 48141

Type your notes here.





26742 DARTMOUTH

N.W. 1/4 SECTION 31
CITY OF INKSTER
 T. 2 S. R. 10 E.
 WAYNE COUNTY, MICHIGAN

SCALE 1 INCH = 200 FEET.

**DEPARTMENT of MANAGEMENT and BUDGET
 ASSESSMENT and EQUALIZATION DIVISION**

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PEGGY JORDAN
MURRAY'S REAL ESTATE SERVICES

Office: (734) 479-8026
Cell: (734) 304-1008

peggy-jordan@comcast.net

3740 SPRUCE Street, Inkster 48141-2922

MLS#: **216060761**
County: **Wayne**
Status: **Sold**

Area: **05080 - Inkster**
School D: **Taylor**

Trans Type: **Sale**

LP: **\$2,600**
OLP: **\$4,200**
SP: **\$2,600**



1 / 1

Location Information

Prop Type: **Residential**
City: **Inkster**
Mailing City: **Inkster**
Side of Street:
Location: **S of MICHIGAN / E of MIDDLEBELT**
Directions: **OFF CARLYSLE**

Parking

Garage: **No**
Grg Sz: **No Garage**
Grg Dim:
Grg Feat:

Lot Information

Acreage: **0.1**
Lot Dim: **35.00X121.00**
Rd Front Ft: **35**

Square Footage

Sqft Source: **PRD**
Est Fin Abv Gr: **796**
Est Fin Lower:
Est Tot Lower:
Est Tot Finished: **796**

Layout

Rooms: **6**
Beds: **2**
Baths: **1.0**
Arch Style: **Ranch**
Arch Level: **1 Story**

Waterfront Information

Wtrfrnt Name:
Wtrfrnt Desc:
Wtrfrnt Feat:
Water Frt Feet:

General Information

Year Built: **1938**
Year Remod:
Possession: **0**

Foundation: **Crawl**
Heat & Fuel: **Natural Gas, Hot Water**
Wtr Htr Fuel:
Water Source: **Municipal Water**

Features

Fndtn Mtrls: **Block**
Cooling:
Road Frontage: **Paved**
Sewer: **3rd Party Unknown**

Room	Level	Dimensions	Floor Cover
Bath - Full	Entry	6 x 6	
Bedroom - Mstr	Entry	10 x 10	
Kitchen	Entry	10 x 10	

Room Information

Room	Level	Dimensions	Floor Cover
Bedroom	Entry	8 x 8	
Dining Room	Entry	12 x 12	
Living Room	Entry	12 x 12	

Property ID: **44014030564000** Short Sale: **No**
Tax Summer: **\$432** Tax Winter: **\$156**
Legal Desc: **36C564 LOT 564 ALSO E 1/2 ADJ VAC ALLEY INKSTER GARDENS SUB T2S R9E L48 P73 WCR**
Subdivision: **INKSTER GARDENS SUB**
Terms Offered: **Cash**

Legal/Tax/Financial

Home Warranty: **No** Ownership: **Fannie MAE/Freddie**
Homestead: **Yes** Oth/Sp Asmnt:

List Office: **Century 21 Castelli**Office Information

Pub Rmks: **SUPER VALUE 2 BEDROOM RANCH,DINING ROOM,UTILITY ROOM,DOORWALL.INVESTORS CAN BID ANYTIME.ADAMA. ROOM SIZES ARE JUST AN ESTIMATE.**

Remarks

Sold Price: **\$2,600** Sold Date: **09/21/16** Financing: **Cash Sale**
Sell Concession: **No** Concession Type: Concession Amt:

Sold Information

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PEGGY JORDAN
MURRAY'S REAL ESTATE SERVICES

Office: (313) 478-6535
Cell: (734) 766-1666

peggy-jordan@comcast.net

3434 MOORE Street, Inkster 48141-2296

MLS#: **216113655**
County: **Wayne**
Status: **Sold**

Area: **05000 - Inkster**
School D: **Taylor**

Trans Type: **Sale**

LP: **\$6,500**
OLP: **\$6,500**
SP: **\$6,500**



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Location Information

Prop Type: **Residential**
City: **Inkster**
Mailing City: **Inkster**
Side of Street:
Location: **S of Michigan / W of Inkster**
Directions: **MICHIGAN TO INKSTER RIGHT ON CHESTNUT LEFT ON MOORE**

Square Footage

Sqft Source: **PRD**
Est Fin Abv Gr: **875**
Est Fin Lower:
Est Tot Lower: **864**
Est Tot Finished: **875**

Waterfront Information

Wtrfrnt Name:
Wtrfrnt Desc:
Water Frt Feet:

Parking

Garage: **Yes**
Grq Sz: **1 Car**
Grq Dim:
Grq Feat: **Detached**

Layout

Rooms: **7**
Beds: **3**
Baths: **1.0**
Arch Style: **Ranch**
Arch Level: **1 Story**

Lot Information

Acreage: **0.09**
Lot Dim: **35.00X108.82**
Rd Front Ft: **35**

General Information

Year Built: **1945**
Year Remod:
Possession: **IMMED**

Foundation: **Basement**
Basement: **Unfinished**
Heat & Fuel: **Natural Gas, Forced Air**
Wtr Htr Fuel:
Water Source: **Municipal Water**

Features

Fndtn Mtrls: **Other**
Cooling:
Road Frontage:
Sewer: **Paved Sewer-Sanitary**

Room	Level	Dimensions	Floor Cover
Bath - Full	Entry		
Bedroom	Entry	8 x 10	
Dining Room	Entry	9 x 5	
Living Room	Entry	13 x 11	

Room Information

Room	Level	Dimensions	Floor Cover
Bedroom	Entry	10 x 9	
Bedroom - Mstr	Entry	11 x 10	
Kitchen	Entry	8 x 9	

Property ID: **44010060260000** Short Sale: **No** Home Warranty: **No** Ownership: **Bank - Owned**
Tax Summer: **\$799** Tax Winter: **\$398** Homestead: **No** Oth/Sp Asmnt: **78.35**
Legal Desc: **25U260 LOT 260 WOLVERINE TRACTOR SUB T2S R9E L3B P34 WCR**
Subdivision: **WOLVERINE TRACTOR SUB**
Terms Offered: **Cash**

Legal/Tax/FinancialList Office: **Encore Realty**Office Information

Pub Rmks:

Remarks

Charming 3 Bedroom, 1 Bath, Brick Bungalow with a 1 car detached garage. Great opportunity for investors PROPERTY HAS A LOT OF POTENTIAL. LOCATED NEAR MANY SHOPPING AREAS. GREAT OPPORTUNITY FOR AN INVESTMENT. ALL DATA APPROX; BUYER/ BUYER'S AGENT TO VERIFY ALL INFO.

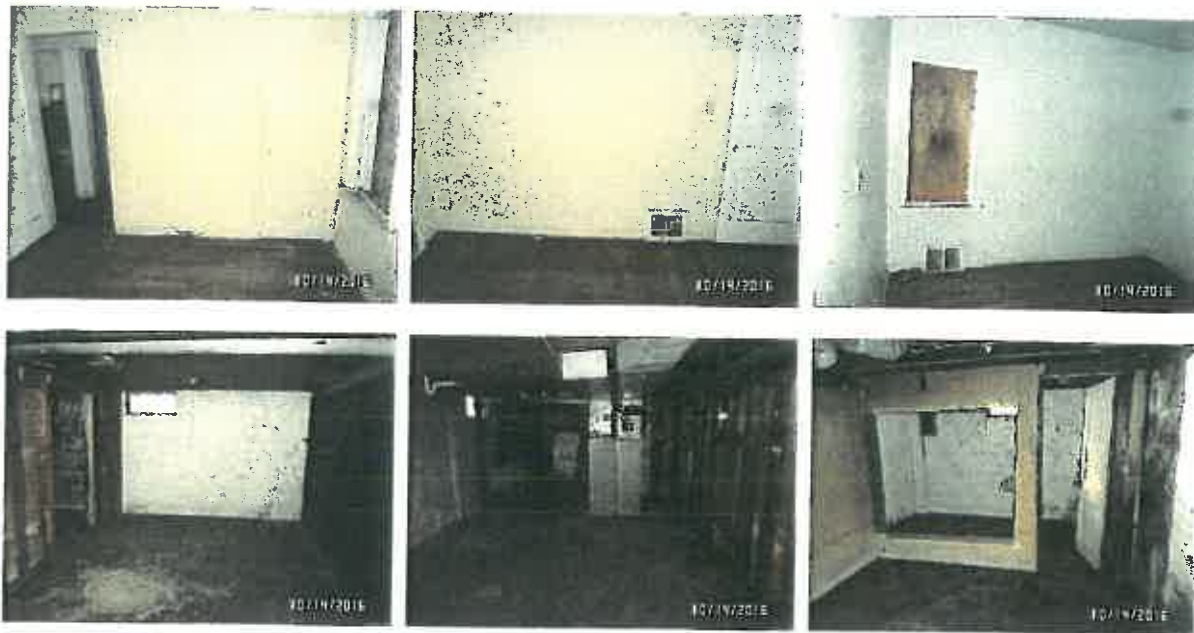
Sold Price: **\$6,500** Sold Date: **12/29/16**
Seli Concession: **No** Concession Type:

Sold Information

Financing: **Cash Sale**
Concession Amt:

Click on the arrow to hide Additional Photos





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PEGGY JORDAN
MURRAY'S REAL ESTATE SERVICES

Office: (734) 476-8536
Cell: (734) 306-1066

peggy.jordan@comcast.net

26714 TROWBRIDGE Street, Inkster 48141-2340

MLS#: **216084812**
County: **Wayne**
Status: **Sold**

Area: **05080 - Inkster**
School D: **Westwood**

Trans Type: **Sale**

LP: **\$6,000**
OLP: **\$12,000**
SP: **\$6,000**



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Location Information

Prop Type: **Residential**
City: **Inkster**
Mailing City: **Inkster**
Side of Street:
Location: **S of Michigan Ave / W of Beech Daly**
Directions: **Beech Daly to Trowbridge**

Square Footage

Sqft Source: **PRD**
Est Fin Abv Gr: **972**
Est Fin Lower:
Est Tot Lower: **747**
Est Tot Finished: **972**

Waterfront Information

Wtrfrnt Name:
Wtrfrnt Desc:
Wtrfrnt Feet:
Water Frt Feet:

Parking

Garage: **Yes**
Grp Sz: **2 Car**
Grp Dim:
Grp Feat: **Detached**

Layout

Rooms: **7**
Beds: **2**
Baths: **1.1**
Arch Style: **Ranch**
Arch Level: **1 Story**

Lot Information

Acres: **0.13**
Lot Dim: **43x128**
Rd Front Ft: **43**

General Information

Year Built: **1948**
Year Remod:
Possession: **Immediately**

Foundation: **Basement**
Basement: **Unfinished**
Porch Type: **Porch**
Firepic Fuel: **Natural**
Heat & Fuel: **Natural Gas, Forced Air**
Wtr Htr Fuel: **Natural Gas**
Water Source: **Municipal Water**

Features

Fndtn Mtrls: **Poured**
Roof Mtrls: **Asphalt**
Fireplace Loc: **Living Room**
Cooling: **Central Air**
Road Frontage: **Paved**
Sewer: **Sewer-Sanitary**

Room	Level	Dimensions	Floor Cover
Bath - Full	Entry	6 x 5	
Bedroom	Entry	10 x 9	
Family Room	Entry	14 x 13	
Living Room	Entry	16 x 15	

Room Information

Room	Level	Dimensions	Floor Cover
Bath - Lav	Lower	5 x 4	
Bedroom - Mstr	Entry	10 x 9	
Kitchen	Entry	16 x 9	

Property ID: **44020020060000**
Tax Summer: **\$6,053**
Legal Desc: **30D60 LOT 60 ALSO S 1/2 ADJ VAC ALLEY WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR**
Subdivision: **WESTWOOD SUB OF J W DALY FARM**
Terms Offered: **Cash**

Short Sale: **No**
Tax Winter: **\$539**

Legal/Tax/Financial

Home Warranty: **No**
Homestead: **Yes**
Ownership: **Fannie MAE/Freddie**
Oth/Sp Asmnt: **318**

List Office: **WEICHERT,REALTORS®-Cass Realty**

Office Information

Pub Rmks: **Cute 2 bedroom ranch with a full basement, fireplace, family room and garage. This is a Fannie Mae HECM property.**

Remarks

Sold Price: **\$6,000**
Sell Concession: **No**
Sold Date: **10/27/16**
Concession Type:

Sold Information

Financing: **Cash Sale**
Concession Amt:

Click on the arrow to hide Additional Photos



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REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: March 29, 2017

From: M. Jeannie Fields *mgf*
Director of Special Projects

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Consider transferring five (5) city-owned properties to the Michigan Land Bank Fast Track Authority for demolition under the Help for Hardest Hit Blight Elimination Program.

Current Action ☒ Emergency ☐ Future ☐

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

Mayor's Approval

BACKGROUND INFORMATION

In partnership with the Michigan Land Bank Fast Track Authority, the City was awarded \$2,250,000 in funding for demolition under the Help for Hardest Hit Blight Elimination Program. Approximately 112 properties have been identified to date for demolition under the program. Approximately 90 - 100 properties were expected to be demolished under the program. An extension has been requested for the program to July 2017. The Michigan Land Bank Fast Track Authority has requested an additional 4 - 5 properties to demolish.

SCOPE OF SERVICES

Transfer 5 city-owned properties to the Michigan Land Bank Fast Track Authority for demolition under the Help for Hardest Hit Blight Elimination Program as follows:

1. 28723 Glenwood
2. 26241 Hopkins
3. 26451 Hopkins
4. 3329 Manning
5. 26814 Norfolk

JUSTIFICATION

Demolition of blighted structures that are unsafe and dangerous will assist with blight elimination and enhance public safety.

PROJECT OR IMPROVEMENT TASKS

Improve and promote the image of Inkster.

COSTS

All costs will be paid under the grant program.

PROJECT TIME TABLE

Upon approval by City Council, the property will be quit claim deeded to the Michigan Land Bank Fast Track Authority.

RESOLUTION

Resolved by _____

Seconded by _____

To approve the transfer of five (5) city-owned properties to the Michigan Land Bank Fast Track Authority for demolition under the Help for Hardest Hit Blight Elimination Program.

Yes:

No:

Absent:

REQUEST FOR COUNCIL ACTION

To: Byron Nolen, Mayor

Date: March 29, 2017

From: Felicia Rutledge, City Clerk

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Consider approving the request for street closures of Carlyle between Isabelle and Springhill streets on June 24, 2017 for a Community Extravaganza from 12:00 p.m. until 4:00 p.m.
(Inkster Spring Hill Missionary)

Current Action ☒ Emergency ☐ Future ☐

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

Mayor's Approval ☐

BACKGROUND INFORMATION

The request is to seek permission to close Carlyle Street between Isabelle and Springhill Streets on June 24, 2017 from 12:00 p.m. until 4:00. A signed petition by neighbors has been included. All appropriate sign offs from the city have been obtained.

SCOPE OF SERVICES

N/A

JUSTIFICATION

N/A

PROJECT OR IMPROVEMENT TASKS

N/A

COSTS

N/A

PROJECT TIME TABLE

June 24, 2017 from 12:00 p.m. until 4:00 p.m.

RESOLUTION

Authorization is hereby given for a Street closure on Carlyle between Isabelle and Springhill Streets on June 24, 2017 for a Community Extravaganza.

Resolved by ☐

Seconded by ☐

Yes:

No:

Absent:



Felicia Rutledge, City Clerk
 City of Inkster
 26215 Trowbridge
 Inkster, MI 48141

www.cityofinkster.com
 Phone: 313.563.9770
 Fax: 313.563.7378
 frutledge@cityofinkster.com

STREET CLOSURE/BLOCK PARTY REQUEST

APPLICANT:

INKSTER Springhill MISSIONARY
 Name

248-808-0306
 Phone Number

3655 Springhill
 Applicant Address

 Email (Optional)

REQUEST:

Street To Be Closed: CARLYSLE

Cross Streets: ISABELLE & Springhill

Date(s) To Be Closed: JUNE 24, 2017

Event Hours: 12 am/pm To 4:00 am/pm (EVENTS MUST CONCLUDE BY 10PM)

Type Of Event: COMMUNITY EXTRAVAGANZA

Please read this Waiver carefully before signing – The undersigned hereby verifies that he/she agrees to indemnify defend and save harmless the City of Inkster, its officers, agents and employees from and against all loss and expense be reason of liability imposed by law of bodily injury, including death at any time resulting there from, sustained loss of use thereof, arising out of or in consequence of performance of this agreement, whether such injuries to person or damage to property is due or claimed to be due to the negligence of the contractor, the City of Inkster, its officers, agents and employees, excepting only such injury or damage as shall have been occasioned by the sole negligence of the City of Inkster, its officers, agents and employees. The undersigned further understands that failure to comply with all arrangements herein stated or falsification of any information called for in this application will be grounds for denial of this or any future request.

Applicant assumes all responsibility for the return of all required barricades/cones used for this event. The barricades/cones are to be returned in the same condition as received on the business day following the event.

Furthermore, the undersigned will be liable for the replacement costs of the barricades/cones in the event of loss or damage. The replacement cost is \$20.00 (Twenty Dollars) per item. If the matter is adjudicated in court, attorney fees and court costs will be assessed.

The barricades/cones may be obtained at the Department of Public Service, 26900 Princeton St., between the hours of 10:00 a.m. and 3:00 p.m. **Call to make arrangements: 313-563-9773**

Applicant Signature: *Johnnie Williams*

Date: 3/2/2017

OFFICIAL USE ONLY

REQUIRED APPROVALS:

Police _____ Fire _____ DPS _____ BLDG _____

REQUIRED EQUIPMENT:

Barricades _____ Cones _____ Other _____

CITY COUNCIL APPROVAL: Date Approved: _____ Resolution Number: _____

City Clerk Signature: _____ Date: _____



Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge
Inkster, MI 48141

www.cityofinkster.com
Phone: 313.563.9770
Fax: 313.563.7378
frutledge@cityofinkster.com

Street Closure/Block Party Requirements

- **Submit application indicating what the event is, the date(s) of the event, where the event will be held, which streets will be affected, etc. You should also include whether barricades will be needed, etc.**
- **The attached petition signed by residents in the area who will be affected by the street closure/block party.**
- **The application and petition should be submitted to the City Clerk's office at least 4 weeks prior to the event.**
- **The street closure/block party must be approved by Mayor and Council.**
- **There is no fee.**
- **For additional information, please call (313) 563-9770.**



Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge
Inkster, MI 48141

www.cityofinkster.com
Phone: 313.563.9770
Fax: 313.563.7378
frutledge@cityofinkster.com

STREET CLOSURE/BLOCK PARTY REQUEST

APPLICANT:

Name INKSTER Springhill MISSIONARY

348-808-0306
Phone Number

3655 Springhill
Applicant Address

Email (Optional)

REQUEST:

Street To Be Closed: CARLYSLE

Cross Streets: Isabelle & Springhill

Date(s) To Be Closed: JUNE 24, 2017

Event Hours: 12 am/pm To 4:00 am/pm (EVENTS MUST CONCLUDE BY 10PM)

Type Of Event: COMMUNITY EXTRAVAGANZA

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The barricades/cones may be obtained at the Department of Public Service, 26900 Princeton St., between the hours of 10:00 a.m. and 3:00 p.m. Call to make arrangements: 313-563-9773

Applicant Signature: [Signature]

Date: 3/2/2017

**OFFICIAL USE ONLY
REQUIRED APPROVALS:**

Police [initials] Fire DPS BLDG

REQUIRED EQUIPMENT:

Barricades [initials] Cones [initials] Other

CITY COUNCIL APPROVAL: Date Approved:

Resolution Number:

City Clerk Signature:

Date:

PUT. SECURITY [Signature]





Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge
Inkster, MI 48141

www.cityofinkster.com
Phone: 313.563.9770
Fax: 313.563.7378
frutledge@cityofinkster.com

STREET CLOSURE/BLOCK PARTY REQUEST

APPLICANT:

INKSTER Springhill MISSIONARY
Name

248-808-0306
Phone Number

3655 Springhill
Applicant Address

Email (Optional)

REQUEST:

Street To Be Closed: CARLYSLE

Cross Streets: ISABELLE & SPRINGHILL

Date(s) To Be Closed: JUNE 24, 2017

Event Hours: 12 am/pm To 4:00 am/pm (EVENTS MUST CONCLUDE BY 10PM)

Type Of Event: COMMUNITY EXTRAVAGANZA

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The barricades/cones may be obtained at the Department of Public Service, 26900 Princeton St., between the hours of 10:00 a.m. and 3:00 p.m. Call to make arrangements: 313-563-9773

Applicant Signature: Johnna Harrison

Date: 3/2/2017

**OFFICIAL USE ONLY
REQUIRED APPROVALS:**

Police _____ Fire _____ DPS _____ BLDG CL

REQUIRED EQUIPMENT:

Barricades _____ Cones _____ Other _____

CITY COUNCIL APPROVAL: Date Approved: _____ Resolution Number: _____

City Clerk Signature: _____ Date: _____



Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge
Inkster, MI 48141

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Phone: 313.563.9770
Fax: 313.563.7378
frutledge@cityofinkster.com

STREET CLOSURE/BLOCK PARTY REQUEST

APPLICANT:

INKSTAR Springhill Missionary
Name

248-808-0306
Phone Number

3655 Springhill
Applicant Address

Email (Optional)

REQUEST:

Street To Be Closed: CARLYSLE

Cross Streets: Isabelle 1 Springhill

Date(s) To Be Closed: JUNE 24, 2017

Event Hours: 12 am/pm To 4:00 am/pm (EVENTS MUST CONCLUDE BY 10PM)

Type Of Event: COMMUNITY EXTRAVAGANZA

Please read this Waiver carefully before signing – The undersigned hereby verifies that he/she agrees to indemnify defend and save harmless the City of Inkster, its officers, agents and employees from and against all loss and expense be reason of liability imposed by law of bodily injury, including death at any time resulting there from, sustained loss of use thereof, arising out of or in consequence of performance of this agreement, whether such injuries to person or damage to property is due or claimed to be due to the negligence of the contractor, the City of Inkster, its officers, agents and employees, excepting only such injury or damage as shall have been occasioned by the sole negligence of the City of Inkster, its officers, agents and employees. The undersigned further understands that failure to comply with all arrangements herein stated or falsification of any information called for in this application will be grounds for denial of this or any future request.

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The barricades/cones may be obtained at the Department of Public Service, 26900 Princeton St., between the hours of 10:00 a.m. and 3:00 p.m. Call to make arrangements: 313-563-9773

Applicant Signature: Johnna L. James

Date: 2/2/2017

**OFFICIAL USE ONLY
REQUIRED APPROVALS:**

Police JB Fire _____ DPS _____ BLDG _____

REQUIRED EQUIPMENT:

Barricades X Cones X Other _____

CITY COUNCIL APPROVAL: Date Approved: _____

Resolution Number: _____

City Clerk Signature: _____

Date: _____



Felicia Rutledge, City Clerk
City of Inkster
26215 Trowbridge
Inkster, MI 48141

www.cityofinkster.com
Phone: 313.563.9770
Fax: 313.563.7378
frutledge@cityofinkster.com

STREET CLOSURE/BLOCK PARTY REQUEST

APPLICANT:

INKSTER Springhill MISSIONARY
Name

248-808-0306
Phone Number

3655 Springhill
Applicant Address

Email (Optional)

REQUEST:

Street To Be Closed: CARLYSLE

Cross Streets: Isabelle & Springhill

Date(s) To Be Closed: JUNE 24, 2017

Event Hours: 12 am/pm To 4:00 am/pm (EVENTS MUST CONCLUDE BY 10PM)

Type Of Event: COMMUNITY EXTRAVAGANZA

Please read this Waiver carefully before signing – The undersigned hereby verifies that he/she agrees to indemnify defend and save harmless the City of Inkster, its officers, agents and employees from and against all loss and expense be reason of liability imposed by law of bodily injury, including death at any time resulting there from, sustained loss of use thereof, arising out of or in consequence of performance of this agreement, whether such injuries to person or damage to property is due or claimed to be due to the negligence of the contractor, the City of Inkster, its officers, agents and employees, excepting only such injury or damage as shall have been occasioned by the sole negligence of the City of Inkster, its officers, agents and employees. The undersigned further understands that failure to comply with all arrangements herein stated or falsification of any information called for in this application will be grounds for denial of this or any future request.

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The barricades/cones may be obtained at the Department of Public Service, 26900 Princeton St., between the hours of 10:00 a.m. and 3:00 p.m. Call to make arrangements: 313-563-9773

Applicant Signature: Johnnie Williams

Date: 3/2/2017

**OFFICIAL USE ONLY
REQUIRED APPROVALS:**

Police Fire DPS BLDG

REQUIRED EQUIPMENT:

Barricades Cones Other

CITY COUNCIL APPROVAL: Date Approved: _____ Resolution Number: _____

City Clerk Signature: _____ Date: _____

Street Closure/Block Party Petition

We the undersigned acknowledge and support the request for a Block Party on

Carlisle between Isabelle & Springhill
(Street) (Street)

and _____ for the date and time of June 24th 12:00-2:00
(Street) (Event date & time)

Block Party Coordinator: Johnnie Harrison
(Contact Person)

Daytime Number: (734) 510-6847 Evening Number: _____

[illegible]

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: March 29, 2017

From: Nate Ford

Economic Development, Director

Date for Council Consideration: April 3, 2017

ACTION REQUESTED: Consider approval to enter into an Intergovernmental Agreement (IGA) with Wayne County Land Bank (WCLB) that would give us additional tools to assist in expediting development and eliminating blight.

Current Action _____ Emergency _____ Future _____

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

Mayor's Approval _____

BACKGROUND INFORMATION

The City of Inkster recognizing the need to expedite the development process through quiet title action and the mutual interest in reducing blight, returning tax-foreclosed, abandoned and underutilized properties to productive use, seeks to deploy tools offered by the Wayne County Land Bank (WCLB). Quiet title, Nuisance Abatement, and the Guided Growth Program are identified in the IGA.

The Quiet Title Program is designed to clear title through a coordinated effort with the County and Circuit court guarantees court proceedings within 90 days. This allows the city to have the property re-conveyed back with clear title and have an executed a development deal within a guaranteed period and at a cost for less than private market dictates. This agreement does not bind the City to all the tools identified in the IGA, but offers a framework for collaboration.

SCOPE OF SERVICES

The parties will agree that the City shall convey all legal and equitable interests and possessory rights to and in the property(ies) so as to qualify the WCLB as an adequate complainant/plaintiff in the quiet title action. The Parties will agree that WCLB shall prepare and file a quiet title action as to each property transferred to the WCLB. After closing, WCLB shall be vested with legal title to the property(ies) in question. In order to quiet title, the WCLB shall file an expedited quiet title action and upon full payment of the quiet title fees, the WCLB shall re-convey simple title to the city.

JUSTIFICATION

Establishing tools that would expedite the quiet title process are becoming more apparent as development opportunities for the city increase. The agreement between the City and WCLB could save the city 3 - 6 months of time to clear title and approximately \$2,000.00 for each action. The agreement guarantees a 3 month turnaround for clear title.

PROJECT OR IMPROVEMENT TASKS

1. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.
2. Improve and promote the image of Inkster.

COSTS

The City shall pay the WCLB the sum of \$500.00 for each Property transferred to the WCLB to cover legal fees, court costs, and any other costs related to the quiet title action.

PROJECT TIME TABLE

Upon approval by council, the agreement will be executed for a period of three years.

RESOLUTION

Authorization is hereby given to enter into an Intergovernmental Agreement (IGA) with Wayne County Land Bank (WCLB) that would give us additional tools to assist in expediting development and eliminating blight.

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

INTERGOVERNMENTAL AGREEMENT
BETWEEN
WAYNE COUNTY LAND BANK CORPORATION
AND
CITY OF INKSTER

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THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is between the Wayne County Land Bank Corporation, whose business address is 500 Griswold, 28th Floor, Detroit, MI 48226, a body corporate ("Land Bank"), and the City of Inkster, a Municipal Corporation organized and existing under the laws of the State of Michigan ("City").

1. PURPOSE

1.01 The Land Bank and the City have a mutual interest in reducing blight in the community and returning tax-foreclosed, abandoned, and other underutilized properties to productive use.

2. SCOPE OF THE PROJECT

2.01 The City and Land Bank agree to work cooperatively to address hazardous and underutilized properties within the City. Through the Land Bank's Nuisance Abatement Program ("NAP"), the City and Land Bank may identify blighted properties for the Land Bank to abate through a civil lawsuit, as more specifically described in **Exhibit A**.

2.02 Through the Land Bank's Quiet Title Program, the City and Land Bank may identify properties for which the Land Bank will file a Quiet Title petition, as more specifically described in **Exhibit B**.

2.03 Through the Land Bank's Guided Growth Program, the City and Land Bank may identify tax-delinquent property subject to Right of Refusal (ROR) purchase under Sections 211.78m(1) and 211.78m(3) of the Michigan Compiled Laws for targeted acquisition and disposition, as more specifically described in **Exhibit C**.

2.04 Notwithstanding the above programs, the Land Bank may also provide the City with technical, legal, or development assistance from time to time, the terms and obligations of which will be mutually determined by the parties.

3. EFFECTIVE DATE

3.01 The Effective Date of this Agreement is upon approval of a resolution by the Inkster City Council, the Land Bank Board of Directors, and upon obtaining signatures by the Mayor of Inkster and the Land Bank Executive Director. The Agreement will expire 3 years after the last dated signature to this Agreement.

4. LAND BANK'S COVENANTS

4.01 With the exception of those costs and responsibilities set forth in Article 5 and Article 6 of this Agreement, the Land Bank will be responsible for and incur all costs and expenses, including the costs associated with NAP and Quiet Title procedures:

- A. Utilization of electronic investigative tools available on the internet and other available tracking database services, such as, but not limited to Lexis-Nexis

Search engine to identify the last known address of the owners or interested parties of record for subject properties.

- B. Coordination and oversight of all title work.
- C. Preparation and filing of complaints and petitions, ex-parte orders for alternative service, and lis pendens.
- D. Preparation and mailing of complaints and service packets.
- E. Maintenance and staffing of a hotline for telephone calls regarding subject properties.
- F. Defending legal challenges to NAP complaints and Quiet Title actions by preparing and responding to discovery requests, initiating motion practices in court, and attending all court hearings and conferences.
- G. Monitoring status of cases and facilitating resolution agreements.
- H. Maintaining database for all subject properties.
- I. Maintaining an on-line computerized inventory for the listing and sale of properties awarded to the Land Bank.
- J. Preparing purchase agreements and conducting closing of properties sold through, transferred through, or otherwise awarded to the Land Bank.
- K. Providing the administrative support and professional services to conduct the above actions.
- L. Satisfying any other obligations required of the Land Bank under the NAP, Quiet Title, or Guided Growth programs, as set forth in **Exhibit A, Exhibit B, and Exhibit C**, respectively.

5. CITY'S COVENANTS

5.01 The City will be responsible for and incur all costs and expenses for the following procedures:

- A. Identifying and listing properties in the City for which the City desires the Land Bank to file a NAP complaint or Quiet Title petition.
- B. Providing the Land Bank, upon request, with digital photographs of the identified properties that are capable of being imported into the Land Bank's computer system for reproduction.
- C. Providing and ensuring the assistance and full cooperation of all City

witnesses, including police, fire, DPS, and health department officials needed by the Land Bank to testify in court or other legal proceedings about the condition and adverse impact to the community of the identified properties.

- D. Assisting the Land Bank, upon request, to ensure compliance with court orders and renovation and demolition agreements. This assistance shall include, but not be limited to, returning to a subject property to provide updated digital photographs and visual inspection.
- E. Securing all post-judgment properties received following a NAP suit, and providing staff for the inspection of such properties, if necessary, prior to sale.
- F. Unless otherwise stipulated in writing, accepting all transfers of title from the Land Bank by way of quit claim deed regarding any and all property that may be awarded to the Land Bank pursuant this Agreement.
- G. Timely paying all applicable costs as a result of services rendered in regards to this Agreement.
- H. Maintaining properties for which the Land Bank has filed a pending Quiet Title petition.
- I. Purchasing any tax-foreclosed property acquired by the City under its Right of Refusal (ROR), notwithstanding such property's inclusion in the Land Bank's Guided Growth program.
- J. Satisfying any other obligations required of the City under the NAP, Quiet Title, or Guided Growth programs, as set forth in **Exhibit A**, **Exhibit B**, and **Exhibit C**, respectively.

6. SERVICE COSTS

6.01 The City agrees to reimburse the Land Bank for costs associated in the filing and pursuit of any nuisance abatement matter under this agreement, as more specifically described in **Exhibit A**, in the amount of six thousand (\$6,000.00) dollars per Complaint.

6.02 The City agrees to reimburse the Land Bank for costs associated in the filing and pursuit of any Quiet Title matter under this agreement, as more specifically described in **Exhibit B**, in the amount of five hundred (\$500.00) dollars per parcel.

6.03 The City shall reimburse the Land Bank for such costs within thirty (30) days of the Land Bank providing written notice to the City of such costs. The Land Bank may provide such notice upon the filing of a complaint on the subject properties or upon acquisition of property title.

7. NUISANCE ABATEMENT ACQUISITION AND TRANSFER

7.01 Title to property acquired or awarded to the Land Bank by way of a nuisance abatement action shall be transferred to the City, unless otherwise stipulated by the parties in writing or held by the Land Bank at its sole discretion.

7.02 Any NAP-seized property transferred from the Land Bank to the City shall be done in a reasonable time frame, by quit claim deed with no warranty, waiver or discharge of title, tax, lien or encumbrance.

7.03 Any additional costs or fees awarded by the court, or agreed to by the owner or interest holder of a subject property, shall remain with the Land Bank to offset the expenses incurred by the Land Bank through the NAP program.

8. TERMINATION

8.01 This Agreement may be terminated by either the Land Bank or the City upon ten (10) days written notice of a request to terminate the Agreement. Notice of termination must be in accordance with Article 18.

8.02 If either party terminates this Agreement prior to completion of any litigation, petition, or other legal proceeding initiated under this Agreement, the City shall be responsible for reimbursing the Land Bank for any and all outstanding charges noticed by the Land Bank pursuant to Article 6 of this Agreement. In addition, if either party terminates this Agreement, the Land Bank shall retain the sole discretion to terminate or continue any pending legal proceedings initiated under this Agreement.

9. DATA TO BE FURNISHED BY THE CITY

9.01 Upon the request of the Land Bank, the City must furnish copies of all documents related to the properties, including all information, data, reports, tax records, and photographs requested by the Land Bank. Any such information and copies shall be provided to the Land Bank without charge.

10. RELATIONSHIP OF PARTIES

10.01 The parties are independent governmental entities. No liability or benefits, such as workers' compensation, pension rights, or insurance rights, arising out of, or related to a contract for hire or employer/employee relationship, accrues to either party or either party's agent, subcontractor or employee as a result of this Agreement. No relationship, other than that of independent contractor, will be implied between the parties or either party's agent, employee, or subcontractor.

11. HOLD HARMLESS

11.01 The City agrees that it is the City's responsibility, and not the responsibility of the Land Bank, to identify and select properties for inclusion in a program delineated under this Agreement. The City agrees to hold the Land Bank harmless for any costs, fees, expenses, attorney fees or a judgment resulting from a challenge to the City's identification and selection of such

properties.

11.02 The City cannot hold the Land Bank liable for any personal injury incurred by City's employee(s), officials, agents, contractors or consultants while working on programs delineated under this Agreement, provided such injury is not held by a court of competent jurisdiction to be directly attributable to the gross negligence of the Land Bank or to Land Bank employee(s), officials, agents, contractors or consultants acting within the scope of their employment or duties. To the extent permitted by law, the City agrees to hold the Land Bank harmless from any such claim by the City's employees, officials, agents, contractors or consultants.

11.03 The Land Bank cannot hold the City liable for any personal injury incurred by the Land Bank employee(s), officials, agents, contractors or consultants while working on programs delineated under this Agreement, provided such injury is not held by a court of competent jurisdiction to be directly attributable to the gross negligence of the City or to the City's employee(s), officials, agents, contractors or consultants acting within the scope of their employment or duties. To the extent permitted by law, the Land Bank agrees to hold the City harmless from any such claim by the Land Bank's employee(s), officials, agents, contractors or consultants.

11.04 This hold harmless provision must not be construed as a waiver of any governmental immunity by the City or the Land Bank or their agencies, or employees, as provided by statute or modified by court decisions.

12. THIRD PARTY BENEFICIARY

12.01 This Agreement is not intended to create beneficial rights in any third party. This Agreement is entered into for the sole benefit of the parties to the Agreement.

13. ENVIRONMENTAL MATTERS

13.01 To the extent permitted by law, the City must defend, indemnify and hold harmless the Land Bank, its employees, agents, officer and directors, from and against any claims, demands, penalties, fines, liabilities, settlements, damages, costs or expenses, including attorneys' and consultant's fees, investigation and laboratory fees, court costs and litigation expenses, known or unknown, contingent or otherwise, arising out of or in any way related to the administration of this Agreement including but not limited to:

- A. The presence, disposal, release or threatened release of any Hazardous Materials on, over, under, from or affecting subject properties or the soil, water vegetation, buildings, personal property, persons or animals;
- A. Any personal injury (including wrongful death) or property damage (real or personal) arising out of or related to Hazardous Materials on subject properties;
- B. Any lawsuit brought or threatened, settlement reached or government order relating to the Hazardous Materials with respect to subject properties;

- C. Any violation of laws, orders, regulations, requirements or demands of government authorities, or any policies or requirements of any mortgage, which are based on or related to the Hazardous Materials used on subject properties.
- D. This section applies to the presence, disposal, release, leakage, or threatened release of any Hazardous Materials prior to the effective date of this Agreement.

13.02 Hazardous Materials means any materials or substance:

- A. Which is or becomes defined as a hazardous substance, pollutant, or contaminant pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et. seq.) and any amendments and regulations;
- A. Containing gasoline, oil diesel fuel or other petroleum products;
- B. Which is or becomes defined as hazardous waste pursuant to the federal Resource Conservation and Recovery Act (42 U.S.C. 6901 et. Seq.) and any amendments and regulations;
- C. Containing polychlorinated biphenyl;
- D. Containing asbestos;
- E. Which is radioactive;
- F. The presence of which requires investigation of remediation under any governmental regulation; or
- G. Which is or becomes defined as a hazardous waste, hazardous substance, pollutant, contaminant or biologically hazardous material under any governmental regulation.

13.03 This section applies to the presence, disposal, release, leakage, or threatened release of any Hazardous Materials prior to the effective date of this Agreement.

14. ASSIGNMENT

14.01 Neither party may assign this Agreement, or any part, without the other party's prior written approval.

15. COMPLIANCE WITH LAWS

15.01 Each party must comply with and must require its employees to comply with all applicable state and federal laws and regulations.

16. AMENDMENTS & MODIFICATIONS

16.01 No amendment or modifications to this Agreement is effective unless it references

this Agreement, is written, is signed and acknowledged by duly authorized representatives of both parties and is approved by a resolution adopted by the City Council and the Wayne County Land Bank Board.

17. NONDISCRIMINATION PRACTICES

17.01 Neither party shall engage in any discriminatory practices and both parties agree to abide by all applicable laws, rules and regulations. Additionally, and without limitation, the City and the Land Bank agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Breach of this covenant may be regarded as a material breach of this Agreement.

18. NOTICES

18.01 All notices, consents, approvals, requests and other communications ("Notices") required or permitted under this Agreement must be given in writing and mailed by first-class mail and addressed as follows:

If to the City:

Byron H. Nolen
Mayor of Inkster
26215 Trowbridge
Inkster, Michigan, 48141

If to the Land Bank:

Office of Corporation Counsel
Wayne County
500 Griswold St. 30th Floor
Detroit, Michigan 48226

Executive Director
Wayne County Land Bank
500 Griswold St., 28th Floor
Detroit, Michigan 48226

18.02 All Notices are deemed given and proper on the day of mailing. Either party to this Agreement may change its address for the receipt of Notices at any time by giving notice to the other as provided. Any Notice given by a party must be signed by an authorized representative of such party.

18.03 Termination Notices, Change of Address Notices, Breach Notices and Notices of a legal nature, are deemed an exception and must be sent by registered or certified mail, postage

prepaid, return receipt requested.

19. BREACH & WAIVER OF ANY BREACH

19.01 Upon a breach by a party regarding a term of this Agreement, the non-breaching party must notified the breaching party in writing (pursuant to Article 18) and reasonably state the details of the breach. The breaching party shall be given thirty (30) days to fix any such breach following notice. Upon failure of the breaching party to fix the breach within a timely fashion the non-breaching party may seek any appropriate and reasonable remedy at law.

19.02 Failure by a party to insist upon the strict performance of any term of this Agreement or to exercise any term, after a breach, does not constitute a waiver of any such breach of term. Subsequent waiver of any breach does not affect or alter this Agreement, but rather every other term of this Agreement remains effective. Any waiver of breach must be in writing and in accordance with Article 16.

20. SEVERABILITY OF PROVISIONS

20.01 If any provision of this Agreement or the application to any person or circumstance is, to any extent, judicially determined to be invalid or unenforceable, the remainder of the Agreement, or the application of the provision to persons or circumstances other than those as to which it is invalid or unenforceable, is not affected and is enforceable.

21. MERGER CLAUSE

21.01 This document contains the entire agreement between the parties and all prior negotiations and agreements are merged in this document. Neither party has made any representations except those expressly set forth herein. No rights or remedies are or will be acquired by either party by implication or otherwise unless set forth herein.

22. JURISDICTION AND LAW

22.01 This Agreement, and all actions arising from it, must be governed by, subject to, and construed according to the laws of the State of Michigan. Each party consents to the personal jurisdiction of any competent court in Wayne County, Michigan, for any action arising out of this Agreement. Service of process at the address and in the manner specified in this Agreement will be sufficient to put each party on notice.

23. MISCELLANEOUS

23.01 Articles 11, 12, 13, 18 and 22 survive termination of the Agreement.

23.02 The term "Land Bank" includes the Wayne County Land Bank Corporation and all other associated, affiliated, or subsidiary departments or divisions now existing or to be created, their agents, officials, contractors, consultants and employees.

23.03 This Agreement must not be construed as a waiver of any governmental immunity the Land Bank, its agencies, or employees has as provided by statute or modified by court decisions.

23.04 All the provisions of this Agreement are "covenants" and "conditions" as though the words specifically expressing or imparting covenants and conditions are used in each provision.

23.05 Unless the context otherwise requires, the words "herein," "hereof" and "hereunder" and other words of similar import, refer to this Agreement as a whole and not to any particular article, section, or other subdivision.

23.06 The headings of the articles in this Agreement are for convenience only and must not be used to construe or interpret the scope or intent of this Agreement or in any way affect the Agreement.

23.07 As used, the singular includes the plural, the plural includes the singular, and the use of any gender is applicable to all genders.

23.08 The Land Bank and the City acknowledge that both parties are self-insured pursuant to Michigan law. Therefore, no insurance requirements shall be placed on either of the parties.

24. LAND BANK'S DISCRETION

24.01 The Land Bank has the sole discretion to accept or decline a property submitted by the City pursuant to Section 5.01(A).

24.02 The Land Bank shall have the sole discretion to terminate litigation or other legal proceedings involving any property or terminate this Agreement should the Land Bank determine legislative or judicial action has made such litigation improper.

25. AUTHORIZATION AND CAPABILITY

25.01 Each party warrants that the person signing this Agreement is authorized to do so on behalf its principal and is empowered to bind its principal to this Agreement.

26. RESOLUTIONS

26.01 This Agreement has been approved and executed by the Wayne County Land Bank Corporation and the City of Inkster, as evidenced by the attached Resolutions adopted by the Inkster City Council and the Wayne County Land Bank Corporation. Copies of such Resolutions shall be attached to this Agreement.

27. FORCE MAJEURE

27.01 It is mutually understood and agreed that neither of the parties shall be held responsible for damages occasioned by delay for failure to perform where due to fire, strike, flood, acts of God, unavailability of labor, material, legal acts of public authorities or delays caused by

public carriers or third persons (including contractors or subcontractors) which cannot reasonably be foreseen or provided against.

EXECUTION BY LAND BANK

WAYNE COUNTY LAND BANK CORPORATION

By: _____

EXECUTIVE DIRECTOR

DATED: _____

Wayne County Land Bank Corporation approved and
Execution Authorized
by Resolution

No _____

Date _____

EXECUTION BY CITY

CITY OF INKSTER

BY:_____
BYRON H. NOLEN
MAYOR OF INKSTER

INKSTER CITY COUNCIL APPROVED AND
EXECUTION AUTHORIZED
BY RESOLUTION

NO _____

DATE _____

EXHIBIT A
NUISANCE ABATEMENT PROGRAM

The Nuisance Abatement Program will operate under the following timeline:

1. The City will identify property it wishes to Nuisance Abate and send a list of these properties to the Land Bank. The list will contain:
 - a. The common addresses for all included properties;
 - b. The parcel identification numbers for all included properties;
 - c. The legal addresses for all included properties;
 - d. To the extent available to the City, recent photographs of the included properties; and
 - e. To the extent available to the City, any and all documents determining the identity of any and all persons and/or entities possessing a claim or interest in any included property.
2. The Land Bank will examine the City's list and obtain four-sided photographs of the included properties.
3. The Land Bank, at its discretion and in consultation with the City, will remove non-eligible properties from the City's list, including, but not limited to, properties that are:
 - a. Non-blighted, such that they contain no blight factors, or substantially few blight factors;
 - b. Occupied;
 - c. Improved with commercial structures;
 - d. Owned by a governmental entity; or
 - e. In excess of the twenty-five (25) property limit for an individual Nuisance Complaint.
4. After the list is finalized, the City will render payment of the Nuisance Abatement fees.
5. The Land Bank will undertake all steps necessary to file and prosecute a Nuisance Abatement action, and will make a diligent, good faith effort to obtain a favorable Nuisance Abatement judgment. These steps include, but are not limited to:
 - a. Engaging a Title Company Partner to conduct a title search on each property, determine interest-holders for each property, and provide interest-holder addresses;
 - b. Verify the addresses provided by the Title Company Partner using online databases and other search tools;
 - c. Preparing and submitting a NAP complaint to the County Corporation Counsel to file with the Circuit Court;
 - d. Preparing and submitting a proposed Alternate Service (AS) Order to the County Corporation Counsel to file with the Court;
 - e. Engaging a Mail Service Partner to perform service on the NAP properties in accordance with the AS Order, which will include sending notice to identified interest-holders, posting notice on each property, and posting notice in three public places;

- f. Collecting affidavits from the Title Company Partner and Mail Service Partner to file with the Court;
- g. Collecting mail receipts and other evidence evincing service to file with the Court;
- h. Communicating with interest-holders who desire to rehabilitate a NAP property, and, where appropriate and feasible, entering into Stipulated Dismissal agreements for such rehabilitation;
- i. Preparing and submitting a Motion for Default Judgment and Hearing to the County Corporation Counsel to file with the Court;
- j. Engaging the Mail Service Partner to send notice of any such Motion to identified interest-holders;
- k. Setting and attending a pre-trial hearing, if necessary, regarding any interest-holders who have entered an appearance in the litigation;
- l. Attending the NAP hearing;
- m. Engaging the Mail Service Partner to send notice of the Court's default judgment entry, or other resolution, to identified interest-holders; and
- n. For any property dismissed under a Stipulated Dismissal agreement for its rehabilitation, monitoring the rehabilitation of such property to ensure the interest-holder's compliance, and, if necessary, seeking relief from the Court if the rehabilitation does not occur.

6. Throughout the Nuisance Abatement process, the Land Bank will remain in contact with the City regarding the status of the lawsuit, particularly in the event that:

- a. An interest-holder enters into a Stipulated Dismissal agreement for rehabilitation;
- b. The Land Bank believes it appropriate to voluntarily dismiss a given property from the NAP suit; or
- c. A hearing or pre-trial hearing is set.

7. At the conclusion of the Nuisance Abatement lawsuit, the City will take title to any properties awarded to the NAP plaintiffs, as follows, unless the City and Land Bank agree otherwise in a signed writing.

- a. If the Court awards title directly to the City, the City will take possession of the property and record the NAP judgment.
- b. If the Court awards title to the County or Land Bank, the County or Land Bank, respectively, will record the NAP judgment and then promptly transfer the property to the City via a Quit-Claim deed.

EXHIBIT B

QUIET TITLE PROGRAM

The Quiet Title Program will operate under the following timeline:

1. The City will identify property it wishes to Quiet Title and send a list of these properties to the Land Bank. The list will contain:
 - a. The common addresses for all included properties;
 - b. The parcel identification numbers for all included properties;
 - c. The legal addresses for all included properties; and
 - d. To the extent available to the City, any and all documents determining the identity of any and all persons and/or entities possessing a claim or interest in any included property.
2. The Land Bank, at its discretion and in consultation with the City, will remove non-eligible properties from the City's list, including, but not limited to, properties that are:
 - a. Not owned by the City;
 - b. Presently occupied;
 - c. Presently subject to an IRS lien or bankruptcy proceeding; or
 - d. In excess of the fifty (50) property limit for an individual Quiet Title petition.
3. The City will transfer any properties remaining on the list to the Land Bank, thereby giving the Land Bank all legal and equitable interests and possessory rights in each property, by taking the following actions:
 - a. Preparing a Quit Claim deed for each included property;
 - b. Delivering possession of each included property to the Land Bank;
 - c. Rendering payment of the Quiet Title fees; and
 - d. Delivering each Quit Claim deed to the Land Bank at the following address:

Wayne County Land Bank
Legal Department
500 Griswold St., 28th Floor
Detroit, Michigan 48226
4. The City will be responsible for paying any costs, expenses, fees, charges or expenses that may be incurred as part of the property transfer.
5. The Land Bank will record the deeds and provide the City an estimate of the Quiet Title timeline, which will be informed, in part, by the following considerations:
 - a. If the City's property list equals or exceeds twenty (20) properties, the Land Bank will promptly prepare a Quiet Title petition consisting of these properties.
 - b. If the City's list does not equal or exceed twenty (20) properties, the Land Bank may at its discretion await the addition of other properties from other partner or inventory sources before filing the petition.

6. The Land Bank will undertake all steps necessary to file and prosecute a Quiet Title action, and will make a diligent, good faith effort to obtain a Quiet Title judgment. These steps include, but are not limited to:

- a. Engaging a Title Company Partner to conduct a title search on each property and provide title commitments;
- b. Recording notice with the Register of Deeds;
- c. Filing a petition with the Circuit Court that complies with the Land Bank's statutory requirements and sets a hearing date;
- d. Posting notice of the petition and hearing date on each property and on three public buildings;
- e. Performing service in a manner that complies with the Land Bank's statutory requirements and to the satisfaction of the Land Bank's Title Company Partner;
- f. Publishing notice of the petition and hearing date, if necessary;
- g. Filing all relevant notice and service documents with the court;
- h. Attending the Quiet Title hearing, at which the Land Bank and County Corporation Counsel will advocate for a favorable Quiet Title judgment; and
- g. Recording the Quiet Title judgment, in the event a favorable judgment is obtained.

7. Throughout the Quiet Title process, the City will have a license to enter each property and will be responsible for all maintenance on each property, including all responsibility for any repairs, alterations, improvements, or cleaning services as may be necessary thereon. The Land Bank will not be liable for any damage, loss, or injury stemming from the City's exercise of this license or its maintenance obligations.

8. After the Quiet Title process is complete, the Land Bank will reconvey all subject properties to the City by taking the following actions:

- a. Preparing and delivering a Quit Claim deed for each property;
- b. Providing a copy of the Quiet Title judgment for each property for which a favorable judgment was received; and
- c. Providing a title commitment from the Land Bank's Title Company Partner for each property.

EXHIBIT C

GUIDED GROWTH PROGRAM

The objective of the Guided Growth Program is to coordinate and optimize City and Land Bank resources in order to target tax-delinquent properties in the City that are subject to Right of Refusal (ROR) or public property sale under Section 211.78m of the Michigan Compiled Laws. Such properties are generally among a community's most distressed, yet their disposition under Section 211.78m often results in acquisition by a speculator without the interest or capacity to rehabilitate them, thus perpetuating a cycle of divestment. It is the intent of the City and Land Bank to break this cycle by allocating development resources to certain properties purchased by the City.

The Guided Growth Program will operate under the following timeline:

1. At any time no less than two (2) weeks before the City is granted its ROR to purchase tax-delinquent property from the foreclosing government unit, as set forth in Section 211.78m(1) or 211.78m(3), the City at its discretion may submit to the Land Bank a list of property or properties for inclusion in the Guided Growth Program. For each property on the list the City must:
 - a. Represent and agree that the City will exercise its ROR to purchase the property, provided, however, that the City may stipulate that this exercise is contingent upon securing a preliminary development or financing agreement with a third party; and
 - b. Ensure and acknowledge that the property is eligible for either (i) an ROR purchase on or before July of that calendar year, as determined by the Wayne County Treasurer pursuant to Section 211.78m(1), or for (ii) an ROR purchase in October of that calendar year, pursuant to Section 211.78m(3), in the event the property is not previously sold at the first sale auction. The City will provide the Land Bank's Executive Director with any property data or deadlines obtained from the Wayne County Treasurer under this subsection.
2. After reception of the list, at any time no less than one (1) week before the City is granted its ROR to purchase tax-delinquent property from the foreclosing government unit, as set forth in Section 211.78m(1) or 211.78m(3), the Land Bank will inform the City which property or properties, if any, will be included in the Guided Growth program for that year (the "Included Properties").
3. The Land Bank will provide the City technical and developmental assistance regarding the Included Properties. Such assistance may include, but is not limited to, legal support, financing research and advocacy, data analysis, economic development consulting, compliance monitoring, and outreach and negotiation with potential third party developers, including efforts to secure escrow funds from such developers to support the City's ROR expenses.
4. The City will not pay the Land Bank for the above services. However, at the Land Bank's election, as made in writing by the Land Bank's Executive Director within two (2) weeks of the City's exercise of its ROR, the City will transfer an Included Property for which these services were provided to the Land Bank or County of Wayne for final disposition. The Land Bank or County of

Wayne will pay a purchase price of one dollar (\$1.00) as full and exclusive consideration for this transfer.