



INKSTER CITY COUNCIL

January 4, 2021

(Virtual Meeting)

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

Mayor – Patrick Wimberly
Mayor Pro Tem – Kim Howard, District V

Council Members:

George Williams, District I
La’Gina Washington, District II
Sandra K. Watley., District III
Steven Chisholm, District IV
Dennard Shaw, District VI

FELICIA RUTLEDGE
CITY CLERK

PATRICK WIMBERLY
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. Email your comment to be read for one (1) minute into the record. frutledge@cityofinkster.com (for virtual meeting)

January 4, 2021

Orientation 6:00 PM (Virtual)

Regular City Council Agenda – 7:00 PM (Virtual Meeting)

1. Call Meeting to Order

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

2. Approval of Agenda

3. Presentations/Discussion

A. Rhythm and Blues Café Presentation

4. Public Hearing

5. Consent Agenda

A. December 21, 2020 Regular (Virtual) City Council Meeting Minutes. **Pg. 1**

6. Boards and Commissions

A. Update of current list of appointments to Boards & Commissions. **Pg. 9**

7. Previous Business

A. Consider approval of offer to purchase (Case # LD 20-15) three (3) adjacent vacant residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlyle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302) in the amount of \$28,650.00 to Zimcube, Inc./Guasia Jones. **Pg. 16**

8. Ordinance(s)

A. First Reading(s)

B. Second Reading(s)

9. New Business

A. Discussion/Action: (Jerome Bivins) Consideration and approval authorizing the Director of DPS, as a representative of the City, to make an application to the Michigan Department of Treasury for necessary annual permit to work within the State Trunk line right of way on behalf of the City of Inkster. Also, consider adopting the attached Resolution to be submitted to MDOT as part of the requirement to submit the permit application. **Pg. 28**

10. Public Participation (limit to 1 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

December 21, 2020
Regular (Virtual) City Council Meeting – 7:00 PM

The regular meeting of the Council of the City of Inkster, Wayne County, and Michigan was a virtual meeting held on the Zoom platform in compliance with the State of Michigan Open Meetings Act. Monday, December 21, 2020.

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

Call Meeting to Order

Mayor Pro-Tem Howard called the meeting to order at 7:00p.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 Evangelist Barbara Cooper

Roll Call

Mayor Wimberly	Excused Absence
Councilwoman Howard	Present (Inkster, MI.)
Councilwoman Watley	Present (Inkster, MI.)
Councilman Williams	Present (Inkster, MI.)
Councilwoman Washington	Present (Inkster, MI.)
Councilman Chisholm	Present (Inkster, MI.)
Councilman Shaw	Present (Inkster, MI)

Approval of Agenda

Moved by Councilmember Shaw, Seconded by Councilmember Williams to approve the agenda with added items "D", "E", "F", "G" under New Business.

Resolution 12-20-206COV - Motion carried.

ROLL CALL VOTE:

Councilmember Chisholm	Yea	Councilmember Washington	Yea
Councilmember Watley	Yea	Councilmember Williams	Yea
Councilmember Howard	Yea	Councilmember Shaw	Yea

Presentations/Discussion

Public Hearings

A. Property development at John Daly and Bayhan – Mr. Guasia Jones of Zimcube

Consent Agenda

A. December 7, 2020 (Virtual) City Council Meeting Minutes.

- B. Receive and File the Planning Commission 2021 Calendar Dates.
 C. Allen Brother's and Attorney's PLLC Invoice \$ 31,717.80

**Moved by Councilmember Williams, Seconded by Councilmember Washington
 Resolution 12-20-207COV - Motion carried.**

ROLL CALL VOTE:

Councilmember Williams	Yea	Councilmember Shaw	Yea
Mayor Pro-Tem Howard	Yea	Councilmember Chisholm	Yea
Councilmember Washington	Yea	Councilmember Watley	Nay

Boards and Commission

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

**Moved by Councilmember Williams, Seconded by Councilmember Shaw
 to appoint Lenoria Warmack to the Board of Review for a one year term.
 Resolution 12-20-208COV - Motion carried.**

ROLL CALL VOTE:

Councilmember Chisholm	Yea	Mayor Pro-Tem Howard	Yea
Councilmember Shaw	Yea	Councilmember Williams	Yea
Councilmember Washington	Yea	Councilmember Watley	Yea

Previous Business

- A. Consider approval of offer to purchase (Case # LD 20-15) three (3) adjacent vacant residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlyle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302) in the amount of \$28,650.00 to Zimcube, Inc./Guasla Jones.

**Moved by Councilmember Williams, Seconded by Councilmember Shaw
 to REMOVE FROM THE TABLE an offer to purchase (Case # LD 20-15) three (3)
 adjacent vacant residential lots which are located on the east side of Bayhan
 between Trowbridge St. and Carlyle Ave. and are legally described as 30J
 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE
 FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302),
 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S
 R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-
 1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S
 R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302) in the amount of
 \$28,650.00 to Zimcube, Inc./Guasla Jones.
 Resolution 12-20-209COV - Motion carried**

ROLL CALL VOTE:

Councilmember Watley	Nay	Councilmember Williams	Yea
Councilmember Washington	Yea	Mayor Pro-Tem Howard	Yea
Councilmember Chisholm	Yea	Councilmember Shaw	Yea

Moved by Councilmember Williams, Seconded by Councilmember Shaw to TABLE to the January 4, 2021 meeting an offer to purchase (Case # LD 20-15) three (3) adjacent vacant residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlisle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302) in the amount of \$28,650.00 to Zlmcube, Inc./Guasia Jones.
Resolution 12-20-210COV - Motion carried

ROLL CALL VOTE:

Councilmember Shaw	Nay	Councilmember Watley	Yea
Councilmember Williams	Yea	Councilmember Washington	Yea
Mayor Pro-Tem Howard	Yea	Councilmember Chisholm	Yea

Ordinance(s)

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

New Business

- A. Discussion/Action: (Jerome Blvins) Consideration and approval authorizing the Director of DPS, as a representative of the City to make an application to the Wayne County Department of Public Services for necessary annual permit to occupy the Right-of-Way of County Roads on behalf of the City of Inkster. Consider adopting the attached Resolutions to be submitted to the Wayne County as part of the requirements to submit the permit application

Moved by Councilmember Shaw, Seconded by Councilmember Williams to approve the Director of DPS, as a representative of the City to make an application to the Wayne County Department of Public Services for necessary annual permit to occupy the Right-of-Way of County Roads on behalf of the City of Inkster. Consider adopting the attached Resolutions to be submitted to the Wayne County as part of the requirements to submit the permit application

Resolution 12-20-211COV – Motion carried

ROLL CALL VOTE:

Councilmember Washington	Yea	Councilmember Watley	Yea
Councilmember Howard	Yea	Councilmember Shaw	Yea
Councilmember Chisholm	Yea	Councilmember Williams	Yea

- B. Discussion/Action: (Kaitlyn Hines) Consider approval of Special Land Uses (SLUs 20-21, 20-22, 20-23, 20-24) for a proposed Medical Marijuana and Adult Use Marijuana Cultivation and Processing Facility to be located on Bayhan St. between Dunning and the railroad tracks in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Fred Bishop Jr., on behalf of Five Blind Mice is the applicant.

Moved by Councilmember Williams, Seconded by Councilmember Shaw

to approve of Special Land Uses (SLUs 20-21, 20-22, 20-23, 20-24) for a proposed Medical Marijuana and Adult Use Marijuana Cultivation and Processing Facility to be located on Bayhan St. between Dunning and the railroad tracks in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Fred Bishop Jr., on behalf of Five Blind Mice is the applicant.
Resolution 12-20-212COV – Motion carried

ROLL CALL VOTE:

Councilmember Chisholm	Yea	Councilmember Washington	Yea
Councilmember Watley	Yea	Councilmember Williams	Yea
Councilmember Shaw	Yea	Mayor Pro-Tem Howard	Nay

- C. Discussion/Action: (Kaltlyn Hines) Consider approval of a 6-month extension for Special Land Uses (SLUs 18-19, 18-20, 18-21, 18-22) for a proposed Medical Marijuana Multi-use Facility to be located on Industrial Drive between Henry Ruff and Middlebelt in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. The original approval was on October 21, 2019, and the preliminary site plan was given approved for extension on December 14, 2020 by the Planning Commission. Abe Hachem on behalf of MAD Collective is the applicant.

Moved by Councilmember Williams, Seconded by Councilmember Chisholm to approve of a 6-month extension for Special Land Uses (SLUs 18-19, 18-20, 18-21, 18-22) for a proposed Medical Marijuana Multi-use Facility to be located on Industrial Drive between Henry Ruff and Middlebelt in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. The original approval was on October 21, 2019, and the preliminary site plan was given approved for extension on December 14, 2020 by the Planning Commission. Abe Hachem on behalf of MAD Collective is the applicant.

Resolution 12-20-213COV – Motion carried

ROLL CALL VOTE:

Mayor Pro-Tem Howard	Nay	Councilmember Watley	Yea
Councilmember Williams	Yea	Councilmember Chisholm	Yea
Councilmember Washington	Yea	Councilmember Williams	Yea

- D. Discussion/Action: (Vijay) Consider approval of Consider an approval to authorize the City Treasurer to make an emergency IT expenditure in the amount of \$5,226.91 annually for FY20-21, FY21-22, and FY22-23 for a total of \$15,680.72. Annually, \$3,484.61 will be disbursed from budget line 101-228-740.000 and \$1,742.30 will be disbursed from 101-371-727.000.

Resolution 12-20-214COV – Motion died

- E. Discussion/Action: (City Council) Consider approval to place a moratorium on Recreational retail stores business licenses, except for Microbusinesses for one year.

Moved by Councilmember Washington, Seconded by Councilmember Chisholm to approve to place a moratorium on Recreational retail stores business licenses, except for Microbusinesses for one year.
Resolution 12-20-215COV- Motion carried.

ROLL CALL VOTE:

Councilmember Williams	Yea	Mayor Pro-Tem Howard	Yea
Councilmember Chisholm	Yea	Councilmember Shaw	Yea
Councilmember Washington	Yea	Councilmember Watley	Yea

F. Discussion/Action: (City Council) Consider approval to request a Resolution extension/assistance from State Representative Jewell Jones office to the department of Treasury to request an extension on the \$150,000.00 grant for the amphitheater.

Moved by Councilmember Chisholm, Seconded by Councilmember Watley to approve to request a Resolution extension/assistance from State Representative Jewell Jones office to the department of Treasury to request an extension on the \$150,000.00 grant for the amphitheater. Resolution 12-20-216COV- Motion carried.

ROLL CALL VOTE:

Councilmember Shaw	Yea	Councilmember Washington	Yea
Councilmember Watley	Yea	Councilmember Chisholm	Yea
Mayor Pro-Tem Howard	Yea	Councilmember Williams	Yea

G. Discussion/Action: (City Council) Consider approval to formally accept the \$800,000 grant from Wayne County for the Recreation Complex.

Moved by Councilmember Chisholm, Seconded by Councilmember Watley to approve to formally accept the \$800,000 grant from Wayne County for the Recreation Complex. Resolution 12-20-217COV- Motion carried.

ROLL CALL VOTE:

Councilmember Chisholm	Yea	Councilmember Washington	Yea
Councilmember Williams	Yea	Councilmember Shaw	Yea
Councilmember Watley	Yea	Mayor Pro-Tem Howard	Yea

H. Discussion/Action: (City Council) To Vote In Accordance with the discussion in Closed Session. (McGill)

Moved by Councilmember Chisholm, Seconded by Councilmember Washington to approve To Vote In Accordance with the discussion In Closed Session. (McGill) Resolution 12-20-218COV- Motion carried.

ROLL CALL VOTE:

Councilmember Watley	Nay	Mayor Pro-Tem Howard	Yea
Councilmember Washington	Yea	Councilmember Chisholm	Yea
Councilmember Shaw	Yea	Councilmember Williams	Yea

Public Participation

- **Jerome Bivins** – Thanked Wayne County on behalf of Mayor Wimberly and the citizens of Inkster for the donation of Mask from Wayne County Executive Warren Evans for the City of Inkster residents.

- **Adrian Monk** - Hello my name is Adrian Monk. I am a City of Redford resident. I have a question for Mayor Wimberly. Mayor Wimberly do you care to be honest with the public and city council and tell us about why you had a bench warrant issued for your arrest in 2017 from Wayne County Circuit Court? It is important you tell everyone about this bench warrant. Please be transparent.
- **Charles Blackwell** – Asked why Jerome Bivins is sticking up for Mayor Wimberly, he needs to be clarifying about his \$5000.00 water bill at his home as the Director of Public Works. He stated that Reverend Williams made a valid point at the last city council meeting about allowing the public to access and be seen on zoom.
- **Robin Broadnax** – Stated she has contacted Councilwoman Sandra Watley about semi-trucks taking an illegal route around her home. She further stated she has spoken with Code Enforcement officer Wall regarding illegal dumping and drug usage in a home behind her house.
- **Octavia Smith** – Announced that Western Wayne is still doing free COVID-19 testing and administering the flu shot vaccine. She asked administration if the city is participating in Wayne County "Pay as you Stay" program. She lastly asked if gift cards would be given out by the Mayor this year.
- **Yvette Brock** – Stated that accountability of the board and administration needs to be had with regards for spending money and then asking for permission. She wished residents a Happy Holiday Season.
- **Kufensa Mandisa** – Asked if the city had a COVID-19 Response plan for employees returning back to work. He asked if these procedures are updated in the handbook. He further asked about a COVID-19 dash board.
- **SGT. Wall** – Stated that Robin Broadnax issues have been addressed.
- **Gina Wilson-Steward** – Wished residents a Merry Christmas. She further stated that when she is around the city delivering the Telegram news, she stills sees residents going into establishments without a mask. She has asked resident to please wear their mask.
- **Pastor John Hearn** – Commend the council for their actions on the marijuana moratorium. He stated the NAACP will be hosting a listening tour and speaking to police chiefs in several municipalities in Wayne County on January 14, 2020.
- **Paris Jones** – Stated that the Community Referral Center has free formula for infants and small packages of pampers. She asked how to handle the deplorable conditions in Hamlin Place. She stated she is getting several calls from residents there that are in jeopardy of losing their section 8 because of the poor conditions.
- **Shirley Hankerson** – Thanked City Council for their support with the marijuana moratorium vote. She stated that residents should have a chance to own some businesses in that industry.
- **Sammy Ward-Bey** - I'm reaching out to Inkster city counsel for assistance who do I talk to about the rights of the indigenous people can any of the city council members point me in the right direction the Declaration of the rights of the indigenous people said reach out to local counsel men and women and come up with a resolution and ways to work with your local government.

City Clerk

I want to place on the record that Charles Blackwell's constant emails, and phone calls have become in my opinion harassment. I am in fear of him. I have 180 emails from Charles Blackwell in which some are inappropriate communications that are NOT FOIA Request related or otherwise properly related to my job functions as city clerk. He continues to email me not only during business hours but after hours and on weekends, in addition to numerous calls to my office at city hall. He now has my personal cell phone number and my home address. I believe based on these actions that he is targeting me. He has used up a considerable amount of employee and departmental resources and time responding to his numerous FOIA requests. In fact, the city has already paid approximately \$15,000 in attorney fees to defend against the FOIA and Open Meeting lawsuits he filed against the city. He is harassing, and, I believe, demonstrating stalking tendencies. I am in fear of the unknown because of his erratic and unpredictable

behavior. In this day and age, we have seen too many tragic cases, where public officials have been harmed. I have placed my employer, the city attorney, my family and now the public on alert that I am in fear for my safety as a result of the ongoing and unrelenting conduct of Charles Blackwell. Thank you

City Treasurer

- Stated that the city will be processing tax payments over city hall's holiday closure. He further stated that if you leave an envelope with your address, you will be mailed your receipt.

Mayor and Council

- **Councilwoman Washington** – Thanked the Inkster Police Department for stopping cars and providing residents with \$50.00 gift cards.
- **Councilwoman Watley** – Asked if the Police vehicles had arrived that were purchased. She additionally asked the status on the large event that was at the Recreation complex on Saturday, December 19, 2020. She also asked about how residents receive a receipt for their tax payments. Lastly she asked about a story on Fox News regarding property being purchased and developed. She said a vote had not been taken, just a presentation on the land in question.
- **Councilman Williams** – Stated that Mayor Wimberly had every intention on addressing city council on the event at the Recreation Complex, however, due to his excused absence he is unable to do so. He announced a Coat Drive at the building on Walnut. He said he is getting a lot of calls about taxes and water bills. He commended the new City Treasurer for taking calls from residents.
- **Councilman Chisholm** – Made motions "F" and "G" under New Business.
- **Councilman Shaw** – Wished residents Happy Holidays. He stated that Police patrol is needed on Arlington, Sunningdale and North River Park.
- **Mayor Pro-Tem Howard** – Asked the City Treasurer about receiving the expenditure reports and the check registry that was normally provided to city council every month. She further asked about the laptops that are being programmed by NerdsXpress, when she would be receiving hers. She wished residents a safe and Happy Holiday Season. She stated that COVID-19 is still here and asked residents to wear their mask.

CLOSED SESSION

Moved by Councilmember Williams, Seconded by Councilmember Williams to go into closed session 8:43p.m. to discuss pending litigation. (McGill)

ROLL CALL VOTE:

Councilmember Watley	Yea	Councilmember Washington	Yea
Councilmember Williams	Yea	Councilmember Shaw	Yea
Councilmember Howard	Yea	Councilmember Chisholm	Yea

Adjournment

There being no further business to come before Council, on a motion duly made

By Councilmember Shaw, Seconded by Councilmember Williams carried, to conclude

The Regular Virtual City Council meeting of December 21, 2020 was adjourned at 9:07p.m.



Felicia Rutledge, City Clerk
City of Inkster

January 4, 2021 (Virtual Meeting)

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)

Rochelle Wells

Rosie Allen Thompson

Henry Wade

Toni Bailey

Roosevelt Stubbs

Gabe Henderson

Jean Liddell

Iris Long

June Patter son

Debra Owens

Chuck Coleman

Tenure

Exp. 07/20/22

Exp. 07/06/22

Exp. 07/06/22

Exp. 07/06/22

Exp. 04/15/21

Exp. 07/06/22

Exp. 07/06/22

Exp. 01/06/22

Exp. 01/06/22

Exp. 07/06/22

Exp. 07/06/22

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

William Miller

Lenoria Warmack

Ned Sanders

Peggy Bishop (Alternate)

Clerk of the Board – Non Voting

Exp. 01/06/21

Exp. 12/21/21

Exp. 02/03/21

Exp. 12/7/21

BEAUTIFICATION COMMITTEE

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

2 Year Term

Toni Bailey

Kathleen Gibbs

Gabe Henderson

Avis Love

George Williams

Lenoria Warmack

Exp. 07/06/22

Exp. 01/21/22

Exp. 02/18/21

Exp. 01/06/22

Exp. 08/17/22

Exp. 12/16/21

Vacant

Vacant

Vacant

Vacant

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Vacant

January 4, 2021 (Virtual Meeting)

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

Vacant

Ex. Officio

Troy Seaton Dist. 1

Exp. 07/06/23

Phineas Cody Dist. 3

Exp. 10/07/22

Octavia Smith Dist. 4

Exp. 07/03/20-Expired

Thelma Jean Overman Dist. 5

Exp. 02/06/20-Expired

Connie R. Mitchell Dist. 6

Exp. 02/04/22

Sandra Watley **Mayoral**

Exp. 01/06/23

Steven Chisholm At-Large

Exp. 07/06/23

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS

[MEETINGS: Monthly]

3 Year Term

3 Members

Ordinances 237 & 559

Vacant

Vacant - (Employee Representative)

Vacant (Commission Appointment)

CONDEMNATION BOARD

[MEETINGS: AS NEEDED]

5 Members

Ordinance 150.140 thru 150.145

Don Jones (Building Contractor)

Exp. Tenure

Deborah Owens (General Member)

Exp. 01/22 (2 Year Term)

Guy Borrusch General Member

Exp. 9/19 (2 Year Term)-Expired

Tom Michellini Contractor

Exp. 01/23 (3 Year Term)

James Garrett (Engineer)

Exp. 9/20 (3 Year Term)-RESIGNED

Charles Rizzo (Alternate)

Exp. 01/21

January 4, 2021 (Virtual Meeting)

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Shirley Hankerson		Exp. 12/21
Yvette Brock		Exp. 12/21
Charles Rizzo		Exp. 12/21
Rebecca Daniels		Exp. 02/22
Tom Michelini		Exp. 04/19-Expired
Don Jones- Building Inspector		Exp. Tenure

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
Martha Thels		Exp. 12/17/22
Angela Dodson		Exp. 02/19/22
Barbara Cooper		Exp. 10/7/23
Octavia Smith		Exp. 10/21/23
Sonja Jennings		Exp. 11/4/23
Randa Davis		Exp. 11/4/23
Winston Wade		Exp. 07/17/21
Rerhi Onomake (Treasurer)		Exp. 3/16/19-Expired
Uche Ndubuisi		Exp. 7/20/19-Expired
Clarence Oden		Exp. 7/1/23

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
Bishop Walter Starghill, Jr.		Exp. 06/07/16-Expired
Octavia Smith		Exp. 10/21/25
Angela Dotson		Exp. 10/21/25
Deborah Walker		Exp. 06/07/16-Expired
Mary Welslo		Exp. 03/07/17-Expired
Cassandra Leonard		Exp. 06/07/16-Expired
Herbert Johnson		Exp. 06/07/16-Expired
Dennis Welslo		Exp. 06/07/19-Expired
Charmaine Kennedy		Exp. 01/17/23
Connie R. Mitchell		Exp. 02/06/23

ELECTRICAL EXAMINING BOARD-INACTIVE

Indefinite Terms 4 Members State Law and Ordinance 616

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

January 4, 2021 (Virtual Meeting)

ELECTION COMMISSION

[Per the City Charter; Chapter 4; Section 4.1]

4 Year Term

Council Member (most votes)

City Attorney

City Clerk

LaGina Washington (Mayor and Council appointee)

Ruth E. Williams

Kim Howard

Tenure

Tenure

12/22 – will need to resign

02/24

HOUSING AND REDEVELOPMENT

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

5 Year Term

5 Members

State Law and Ordinance 99

Will Miller

Mable Stroman

Ellis Clifton

DaSalla Scott

Yvette Brock

Exp. 02/25

Exp. 3/22

Exp. 5/24

Exp. 9/20 (Resident Housing)

Exp. 10/24

INKSTER HISTORICAL COMMISSION

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

2 Year Term

7 Members

State Law and Ordinance 196

Roosevelt Stubbs

Dist. 1

Exp. 7/06/22

Rhoda Littles

Dist. 2

Exp. 10/24/21

Ruth E. Williams

Dist. 3

Exp. 02/06/19 – Expired

Vacant

Dist. 4

Vacant

Dist. 5

June Liddell

Dist. 6

Exp. 10/21/21

George Mitchell

Exp. 10/21/21

Gabe Henderson

Dist. ???

Exp. 08/20/20

Chrisha Bond-Johnson

Exp. 10/19/22

LIBRARY BOARD

4 year term -Elected

Michael Wells

Exp. 2023

Timothy Williams

Exp. 2023

DeAndra Crystal-Rikay Watley

Exp. 2023

Stephanie Abernathy-Lane

Exp. 2023

Doyse A. Thompson

Exp. 2023

Ruth E. Williams

Exp. 2023

LOCAL BUSINESS ENTERPRISE ADVISORY COMMITTEE

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

2 Year Term

7 Members

Ordinance: 603

Neil Harrison

Dist. 1

Exp. 3/21/18-Expired

Curtistine Barge

Dist. 2

Exp. 1/20/18-Expired

Brittni Abiolu

Dist. 3

Exp. 3/7/18-Expired

Olubisi B. Ajetunmobi

Dist. 4

Exp. 1/20/18-Expired

Vacant

Dist. 5

Barbara Cooper

Dist. 6

Exp. 5/2/18-Expired

Marie Jenkins

Mayorai

Exp. 1/20/18-Expired

January 4, 2021 (Virtual Meeting)

LOCAL OFFICERS COMPENSATION COMMISSION

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

7 Year Term

7 Members

State Law and Ordinance 409

Lenoria Warmack	Exp. 10/17/2023
Thelma Jean Overman	Exp. 10/17/2023
Debra Owens	Exp. 10/17/2023
Ann Gross	Exp. 12/5/2023
Ronald Johnson	Exp. 12/19/2023
Courtney Owens	Exp. 12/16/2026
Aaron Sims	Exp. 01/03/2024

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

VACANT	Dist. 1	Exp. 03/20/19
Opal Nolen	Dist. 2	Exp. 11/6/19- Expired
Tania James	Dist. 3	Exp. 04/01/21
LaWanna Abney-Mitchell	Dist. 4	Exp. 02/17/22
VACANT	Dist. 5	Exp. 02/19/20
Connie R. Mitchell	Dist. 6	Ex. 11/18/21
Ashwanna Butts	Mayoral	Exp. 01/21/22
Shirley Hankerson	Mayoral	Exp. 4/15/21
Ned Sanders	Council	Exp. 07/07/19- Expired

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term

6 Members

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

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

Patrick Wimberly (Mayor)	Tenure
Darryl Davis (City appointee)	Exp. 3/22
Tonia Williams	Exp. 02/23
Mack Willis	Exp. 07/23
Rebecca Daniels	Exp. 10/23
William Ratliff (Vice-Chair)	Exp. 07/22
Lynette Cain (Secretary)	Exp. 07/22
Steven Chisholm (Chair)	Exp. 07/22
Kim Falson	Exp. 01/21

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. 12/19
Barry O'Bryan	Police Rep	
Jason Kaye	Fire Rep	

January 4, 2021 (Virtual Meeting)

Sandra K. Watley
Velma Overman

City Council Rep Exp. 12/23
Board of Trustee Rep

WATER REVIEW COMMITTEE- INACTIVE

[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

ZONING BOARD OF APPEALS (ZBA)

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

3 Year Term 7 Members State Law and Ordinance 277

Ruth E. Williams	Dist. 1	Exp. 12/16/22
Clarence Oden, Jr. (VC)	Dist. 2	Exp. 08/03/23
James Cross	Dist. 3	Exp. 07/01/16- Expired
Roosevelt Stubbs (S)	Dist. 4	Exp. 08/21/20 -To Expire
Vanola Williams	Dist. 5	Exp. 02/06/20-Expired
Norma McDaniel	Dist. 6	Exp. 12/16/22
Teresa Patton		Exp. 08/06/21
Mac Willis		Exp. 11/05/21
Dorsey Williams		Exp. 07/1/22

Nankin Transit

[Meetings: Thrd Thursday of each month at 5:45 p.m., Nankin Transit [Jefferson Barns Community CTR. 32150 Dorsey Westland, MI. 48186]

Mayor Patrick Wimberly
Denise Champagne, Community Appointee

Exp. Tenure - (Tenure is up)
Exp. (Appointed in 2009)

2015 Community Development Block Grant Advisory Council (CDBG)

[Meetings: Dates and times are quarterly and locations are various]

Timothy Williams, Council Appointee
Clarence Oden (Alternate)

Exp. Tenure- No longer on City Council
Exp. Tenure-No Longer on City Council

COMMITTEES FORMED BY COUNCIL RESOLUTIONS

TAX INCREMENT FINANCE AUTHORITY

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]

6 Year Term	13 Members	Resolution 85-8-331
Patrick Wimberly		Tenure
Kim Howard		09/08/26
Connie R. Mitchell		Tenure
Avis Love		Exp. 03/20/23
Rerhi Onomake		Exp. 03/16/21
Vacant		Exp.
Charmaine Kennedy		Exp. 02/20/21
Mary Weislow (Treasurer)		Exp. 06/06/22
Winnie Nwankwo		Exp. 05/18/21

January 4, 2021 (Virtual Meeting)

Yolanda Lockett

Exp. 09/08/26

BROWNFIELD REDEVELOPMENT AUTHORITY

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]

Terms 1, 2 and 3 years Up to 9 members

Resolution 02-9-458

Tonia Williams, 2021 Council Representative	Tenure [Tenure is up]
Darin Carrington, Treasurer	Tenure
Vacant Community	Tenure
Tonia C. Williams	Exp. 02/20/19
Vacant	Exp. 11/6/20

NOTES:

Vacancies and/or Expired terms

*Has not taken the oath

REQUEST FOR COUNCIL ACTION

To: Patrick Wimberly, Mayor

Date: December 2, 2020

**From: Tracy-Ann Jennings,
Special Projects Director**

Date for Council Consideration: December 7, 2020

ACTION REQUESTED: Consider approval of offer to purchase (Case # LD 20-15) three (3) adjacent vacant residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlyle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302) in the amount of \$28,650.00 to Zimcube, Inc./Gussie Jones.

Current Action X Emergency Future

Funds Budgeted: If Yes X Account # 101.721.673.130 No N/A

Mayor's Approval _____

BACKGROUND INFORMATION

Zimcube, Inc./Guasla Jones has made the application to purchase 3 adjacent residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlyle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302). The City has had a Request for Proposals to purchase this property for Land Development. Zimcube, Inc. is a Real Estate Investment Company specializing in modular-style homes in the State of Michigan. They are looking to provide cost efficient, modern and durable homes for future homeowners/renters as well as commercial spaces for the City of Inkster.

SCOPE OF SERVICES

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

JUSTIFICATION

These parcels are residential lots, located in the R1-B, One Family Residential Zone and are in need of Land Development.

PROJECT OR IMPROVEMENT TASK

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 put in a deposit of \$300.00, and is offering a total purchase price of \$28,650.00.

RESOLUTION

Authorization is hereby given for the sale of three (3) vacant residential lots which are located on the east side of Bayhan between Trowbridge St. and Carlyle Ave. and are legally described as 30J 1011 TO 1014 LOTS 1011 TO 1014 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1011 302), 30J1015 LOTS 1015 TO 1020 WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1015 304), and 30J1021-1023 LOTS 1021 TO 1023 INCL WESTWOOD SUB OF VAN ALSTINE FARM T2S R10E L40 P29, 30 WCR (Property I.D. 44 022 01 1021 302), also known as Vacant Lots Bayhan, in the amount of \$28,650.00 to Zimcube, Inc./Guasla Jones, subject to the following conditions:

Complete closing on the property within thirty (30) days by paying the balance of the price of the sale (\$28,350.00), paying the cost of recording the deed (\$54.00), 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:

1

My Big Walk In Closet, corp

19926 Roselawn st.

Detroit, MI 48221

Contact Info:

Zincube Inc. / My Big Walk In Closet Corp mybigwalkincloset@gmail.com

(347) 833-8851

INKSTER CONTAINER HOME PROPOSAL

October 2020



C

Overview

Zimcube Inc/My Big Walk In Closet corp is a real estate investment company specializing in modular style homes in the state of Michigan (and expanding). We see an opportunity for a great partnership to develop the City of Inkster and provide cost efficient, modern and durable homes for future homeowners/renters as well as commercial spaces for the community.

We are currently building 12-16 modular homes in the Warren and Detroit areas of Michigan with a prospective completion date of April 2021. These homes will be similar to the homes that we will build in Inkster. We also plan to build modular commercial spaces for schools, restaurants and large chain grocery stores, department stores and etc.

Zimcube Inc. is an all around entity that helps homeowners achieve the American dream through modular living. We have programs for potential residents to rent to own and lease to own; credit restoration programs; first time homeowner classes and we also offer military discounts.

Our product is affordable, durable and modern and will help give Inkster an updated and more modern look. Following this project, many areas of Inkster will be a world-class urban city with secure, attractive residential and commercial neighborhoods.

DEVELOPMENTAL PLANS:

1. **Obtain Several Lots in the City of Detroit:** We have requested to purchase 3 parcels on on Bayhan St in which we will build about 10-15 single family container town homes. Parcel #- 44022011015304 , 44022011021302, 44022011011302
2. **Build sustainable single/multi family homes :** We plan on building a row of multifamily homes/condos within this specific areas of Inkster. Each unit will be about 1,500 sqft and have atleast 2-4 bedrooms and 1 bath. We will build a variety of 3-5 bed and 2 bath homes as well. An example is pictured below.



Proposed Scope

1. **Residential** - Traditional neighborhood development , including compact residential and mixed use commercial.
2. **Recreation** - we plan to offer commercial space for recreational activities such as parks, community centers, and open fields for sporting events.
3. **Retail** - Container commercial spaces can offer space for restaurants, shopping centers, small business spaces and department stores.

Building Cost : The average container home will cost about \$50,000-80,000 to build from excavation to vertical build, depending on the finishes. We plan on building the first few homes on the Bayhan street lots and hope to extend the build to other areas of Inkster. The projected build time is 6-8 weeks for each house and we see a completion date of December 2021 to finish both lots. We will sell each unit for \$175,000

Financing: We have crowdfunded over \$190,000 to purchase our base containers, lots and materials. Here below is our proof of funds.

Invoice

Client Name
123456789
123456789
123456789

Invoice Number 123456789
Invoice Date 12/31/2020
Payment Terms 12/31/2020
Invoice Amount 123456789
Created By 123456789

Billing Address
123456789
123456789
123456789

Shipping Address
123456789
123456789

Item #	Item Name	Quantity	Unit Price	Taxable	Total
1000	1000	1000	1000		
1001	1001	1001	1001		
1002	1002	1002	1002		
1003	1003	1003	1003		
1004	1004	1004	1004		
1005	1005	1005	1005		
1006	1006	1006	1006		
1007	1007	1007	1007		
1008	1008	1008	1008		
1009	1009	1009	1009		
1010	1010	1010	1010		
1011	1011	1011	1011		
1012	1012	1012	1012		
1013	1013	1013	1013		
1014	1014	1014	1014		
1015	1015	1015	1015		
1016	1016	1016	1016		
1017	1017	1017	1017		
1018	1018	1018	1018		
1019	1019	1019	1019		
1020	1020	1020	1020		

Cost Break Down:

Above is the invoice we created for a few single/multifamily family homes.

Completion plans:

Once each home is completed we will be selling them or renting them out and refinancing them.

Experience:

8

Our team has about 20 years of real estate construction, development and investing experience. We currently own a total of 10 properties in the Detroit area as well as Gary, Indiana.

Our architect : The architect that we will be using for this project is David Allen of D'Anna Associates located at 26520 Grandriver suite 101 Redford, MI 48240



REQUEST FOR PROPOSALS LAND DEVELOPMENT

PROJECT SCOPE & TIMELINE:

The City of Inkster is soliciting proposals from qualified developers to develop ten (10) units within the city on the following parcels: 44-022-01-1011-302, 44-022-01-1015-304, and 44-022-01-1021-302. Combined 2.5 acres, and 109,270 square feet. Units will be built in the R1-B zone, and should conform with the City of Inkster Master Plan, and the City of Inkster Residential Target Market Analysis.

The City is requesting formal proposals to develop single family residential units.

The selected applicant will be expected to enter into a Developer Agreement with the City of Inkster. The development expectations will align with the below proposal requirements.

Sale of land will be \$28,650, for the accepted proposal.

CITY CONTACT:

Dennis Black – Interim Special Projects Director
313-768-6071

dblack@cityofinkster.com

PROPOSAL SUBMITTAL DEADLINE & PROCESS:

We encourage drive-by visits of the property.

If you would like to schedule a meeting please send email to dblack@cityofinkster.com.

An electronic copy of the proposal must be received via email at dblack@cityofinkster.com. Proposals will be reviewed by an evaluation committee from various City departments and final approval will be given by City Council. Applications will be accepted until Friday, August 28th, 2020 by 5pm via email ONLY.

SCOPE OF SERVICES REQUESTED:

Development of the following buildable lots: 44-022-01-1011-302, 44-022-01-1015-304, and 44-022-01-1021-302

SELECTION CRITERIA:

1. Experience as related to land development.
2. Documented prior experience in handling project(s) of similar size and scope;
3. Meets qualifications set forth in this RFP.



CITY OF INKSTER

26215 Trowbridge St.
Inkster, MI 48141
www.cityofinkster.com

PROPOSAL REQUIREMENTS:

1. Firm name, address, primary contact person, telephone and e-mail contact information. Name and address of all vendor parties.
2. Describe restoration schedule and timeframe.
3. Provide estimate of rehabilitation expectation of expenses.
4. Provide history of commercial restoration
5. Describe the specific role the applicant will perform regarding the project. Joint ventures designed to provide an overall "team" approach are encouraged but any such partner(s) and their role need to be identified and described. The specific party in a joint venture who is responsible for this proposal must be identified.
6. Statement of any known conflicts of interest by members of the project team with the City, its officials and professional staff.

STANDARD TERMS AND CONDITIONS:

To enhance the City's understanding of the Proposals received and to allow reasonable interpretation of the Proposals, the City may request that the applicant submit explanation, substantiation or clarification of certain aspects of the submitted proposal. The City may request and allow applicants the opportunity to eliminate minor irregularities, informalities, or apparent clerical mistakes in submittal.

Proposals submitted are offers only, and the decision to accept or reject is a function of quality, reliability, capability, reputation, and expertise of the firms/individuals submitting proposals. Issuance of this RFP does not obligate the City to pay any costs incurred by a respondent in its submission of a proposal or making any necessary studies or designs for the preparation of that proposal, or for procuring or contracting for the services to be furnished under this RFP. The City reserves the right to accept the proposal that is, in its judgment, the best and most favorable to the interests of the City and to the public; to reject the proposal with the lowest consultant fee; to accept any item of any proposal; to reject any and all proposals; and to waive irregularities and informalities in any proposal submitted or in the RFP process; provided, however, that the waiver of any prior defect or informality shall not be considered a waiver of any future or similar defect or informality. Firms should not rely upon, or anticipate, such waivers in submitting their proposal. The City Council has the ultimate authority to approve any proposal and to authorize execution of the Agreement.

REQUEST FOR COUNCIL ACTION

To: Patrick Wimberley, Mayor

Date: December 17, 2020

From: Jerome Bivins, DPS Director

Date for Council's Consideration: January 4, 2021

ACTION REQUESTED: Consider authorizing the Director of DPS, as a representative of the City, to make an application to the Michigan Department of Transportation for necessary annual permit to work within the State trunk line right of way on behalf of the City of Inkster. Also consider adopting the attached resolution to be submitted to MDOT as part of requirement to submit the permit application.

Current Action ☒ X Emergency _____ Future _____

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

Mayor's Approval _____

BACKGROUND:

Michigan Avenue (US12) is a State trunk line. Any works performed in the infrastructure within the right of way of this trunk line requires a permit from MDOT. The example of works would be to repair fire hydrants, water gate valves, man holes, sewer or water lines, etc.

SCOPE OF SERVICES:

To perform repair works within the State trunk line right away.

JUSTIFICATION:

MDOT's Standard Operation Practice.

PROJECT IMPROVEMENTS:

Improve and promote the image of Inkster.

COSTS:

N/A

PROJECTED TIME TABLE:

Resolution will be submitted as part of application upon adoption by the Mayor and Council resolution.

RESOLUTION:

Authorization is hereby given to Director of DPS, as a representative of the City, to make an application to the Michigan Department of Transportation for necessary annual permit to work within the State trunk line right of way on behalf of the City of Inkster. Also consider adopting the attached resolution to be submitted to MDOT as part of requirement to submit the permit application.

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

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

RESOLVED WHEREAS, the _____
(city, village, township, etc.)

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

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

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

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

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

Title and/or Name:

Jerome Bivins, DPS Director
 LaToria JOYCE, Superintendent
 Daryl DAVIS, Crew Chief

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

the _____
 (Name of Board, etc)

of the _____ of _____
 (Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____

Signed _____ Title _____