

Regular Council Meeting of the City of Melvindale held in the Council Chambers on Wednesday, October 3, 2012 at 7:30 pm.

The meeting was called to order by Mayor Stacy Striz and roll call was taken:

PRESENT COUNCIL MEMBERS: Hess, Balderas, Marsee, Barnes, Cybulski.

Council President Carl Louvet is absent and excused.

ALSO PRESENT: Diana Zarazua, City Clerk; Karen Lowe, Treasurer; James Beri, City Administrator; Corinne Galusky, Corporation Counsel; Steven Densmore, Fire Chief.

Council President Carl Louvet was absent and excused.

Police Chief Chad Hayse was absent and excused.

Joe Owens, DPW Director was absent and excused.

Laura Irvin, Parks & Recreation Director was absent and excused.

The Pledge of Allegiance was led by Mayor Striz and the invocation was led by Pastor Sammy Huff of Faith Tabernacle.

12-10-291: Moved by Barnes and supported by Balderas to approve the *Regular* Council Meeting minutes dated September 19, 2012.

Passed Unanimously

Audience Participation was offered.

12-10-292: Moved by Marsee and supported by Barnes to approve the request of Fire Chief Steven Densmore to purchase fifteen (15) sets of lion protective firefighting gloves from “The Fire Store” in the amount of \$855.00.

Passed Unanimously

12-10-293: Moved by Hess and supported by Balderas to adopt the resolutions approving the revised Ice Arena Deficit Elimination Plan as presented:

CITY OF MELVINDALE

RESOLUTIONS APPROVING REVISED ICE ARENA

DEFICIT ELIMINATION PLAN

WHEREAS, The City’s Ice Arena Fund filed a deficit elimination plan with the State of Michigan in 2009; and

WHEREAS, the State of Michigan has requested the City to file an updated deficit elimination plan related to the City’s Ice Arena Fund; and

WHEREAS, the City is currently pursuing the sale of the Ice Arena and community center and, in the interim, the prospective purchaser is managing the Ice Arena and community center operations until financing can be secured; and

WHEREAS, the City believes the sale of the Ice Arena will result in elimination of the outstanding bonds on the Arena, which is the primary cause of the continuing annual deficits at the Ice Arena.

NOW, THEREFORE, BE IT RESOLVED, that the updated deficit elimination plan related to the City's Ice Arena Fund, as stated above, is hereby approved; and further

RESOLVED, that the City Administrator be, and he hereby is, authorized to sign the necessary papers and file the updated deficit elimination plan related to the City's Ice Arena Fund with the State of Michigan on or before October 7, 2012.

Passed Unanimously

12-10-294: Moved by Marsee and supported by Balderas to adopt the resolutions approving the Storm Water Management System Agreement between the City of Melvindale and O'Reilly Automotive Stores, Inc:

CITY OF MELVINDALE COUNCIL RESOLUTIONS

LONG TERM MAINTENANCE OF STORM WATER MANAGEMENT SYSTEM

At a Regular Meeting of the City of Melvindale City Council on October 3, 2012, the following resolution was offered:

WHEREAS, chapter 7 of the Wayne County Storm Water Management Ordinance ("Wayne County Ordinance"), requires storm water management systems to be maintained in perpetuity to ensure that the systems function properly as designed;

WHEREAS, Rule 1001 of the Wayne County Storm Water Management Administrative Rules ("Administrative Rules") requires applicants for storm water construction approval to submit long term maintenance plans as part of an application for storm water construction approval;

WHEREAS, O'Reilly Automotive Stores, Inc. ("Developer"), has applied to the Wayne County Department of Public Services for a storm water construction approval with respect to the development of land as a retail store and parking lot to be located at 3660 Oakwood Boulevard, Melvindale, Michigan ("Project");

WHEREAS, Developer's application for storm water construction approval has been assigned permit review number R 12-056;

WHEREAS, Developer submitted a plan to the County and the City of Melvindale ("Plan") for long-term maintenance of the storm water management system(s) at the Project pursuant to Rule 801, which Plan has been tentatively approved by the County pending issuance of this resolution and has been accepted by the City; and

WHEREAS, the City of Melvindale has agreed to assume jurisdiction and accept responsibility for long-term maintenance of storm water management system(s) at the Project in perpetuity.

NOW THEREFORE BE IT RESOLVED, that the City of Melvindale assumes jurisdiction over and accepts responsibility for long term maintenance of storm water management system(s) at the Project pursuant to the Wayne County Ordinance, the Administrative Rules, the Plan, and the storm water construction approval issued by Wayne County;

BE IT FURTHER RESOLVED, that approval be and is hereby granted for permit review number R 12-056; and the Mayor is authorized to execute, on behalf of the City of Melvindale, all documents, including Permit No. R 12-056, for long term maintenance of the storm water management system issued by Wayne County for the Project.

Passed Unanimously

12-10-295: Moved by Marsee and supported by Barnes to authorize the second reading of

ORDINANCE # 758:

AN ORDINANCE TO REPEAL SECTIONS 11-111 THROUGH 11-140 OF CHAPTER 11 (FIRE PREVENTION AND PROTECTION), ARTICLE V, OF THE CITY OF MELVINDALE CODE OF ORDINANCES AND TO ADOPT IN ITS PLACE NEW SECTIONS 11-111 THROUGH 11-140 TO PROVIDE FOR THE REGULATION OF THE IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS AS PERMITTED UNDER THE MICHIGAN FIREWORKS SAFETY ACT, MCL 28.451, ET. SEQ., AS AMENDED.

Passed Unanimously

12-10-296: Moved by Balderas and supported by Marsee to adopt Ordinance # 758.

Passed Unanimously

12-10-297: Moved by Barnes and supported by Balderas to receive and place on file the September Treasurer's Deposit report.

Passed Unanimously

12-10-298: Moved by Hess and supported by Balderas to reallocate the funds from the Beautification Committee to the Parks & Recreation Commission with the intent of earmarking a portion of the funds for beautification projects previously performed by the Beautification Committee.

Passed Unanimously

Audience participation was offered for a second time.

12-10-299: Moved by Hess and supported by Balderas to receive and place on file the invoice and cover sheets and to authorize the payment of invoices totaling \$223,578.17 and the electronic transfers totaling \$111,546.76.

Passed Unanimously

12-10-300: Moved by Barnes and supported by Cybulski to adjourn at 8:20 pm.

Passed Unanimously

Stacy Striz, Mayor

Diana Zarazua, City Clerk