

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING
(CORRECTED BY RESOLUTION #2018-35 ON 1/29/2018)

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, January 22, 2018, and was called to order at 7:00pm with Honorable Mayor Pro Tempore Robert A. DeSana presiding.

The meeting began with the Pledge of Allegiance, followed by roll call.

Present: Councilpersons Robert Alderman, Christopher Calvin, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz

Absent: Mayor Joseph R. Peterson

Also Present: Todd Browning, City Treasurer; Theodore Galeski, City Assessor; William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence Stec, City Clerk

PRESENTATIONS

PRESENTATION OF PETITIONS

None

APPROVAL OF AGENDA

PUBLIC HEARINGS

None

OLD BUSINESS

2018-12 WMS RESPONSE TO POWER SUPPLY QUESTIONS

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED by the City Council to receive and place on file the response letter regarding purchased and generated power questions for October 2017 by Councilperson DeSana, as approved by the Municipal Services Commission on January 10, 2018.

Motion unanimously carried.

CALL TO THE PUBLIC

None

CONSENT AGENDA

2018-13 CONSENT AGENDA APPROVALS

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the following items on the consent agenda be approved:

2. Approval of Council Meeting Minutes – January 8, 2018
3. 2018 Parking Lot Closures

Motion unanimously carried.

2018-14 MINUTES

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the minutes of the meeting held under the date of January 8, 2018, be approved as recorded, without objection.

Motion unanimously carried.

2018-15 2018 PARKING LOT CLOSURES

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that Council Concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets and property for the events held by WOW 360 on the following dates:

BBQ Event - May 18th and 19th - 5-11 pm and from 12 to 11 pm

- Street Closures/Property Use:
 - Parking Lot #1
 - Bishop Park - for kids activities - see map
 - Close parking Lot 1 on Thursday, May 17th at 8 am
 - Parking Lot 1 to reopen the following Monday morning at the latest

80's Rewind Festival - June 9

- Parking Lot #1
- Close Parking Lot #1 on Friday, June 8th at 12 pm
- Parking Lot 1 to reopen the following Monday morning at the latest

Bark on Biddle - June 15th and 16th 3 pm - 10 pm and 12 pm to 8 pm

- Street Closures/Property Use:
 - Parking Lot #1 on Thursday, June 14th at 8 am to set up activities, tents, etc.
 - Bishop Park - see map
 - Parking Lot 1 to reopen the following Monday morning at the latest

Beer Festival - September 21st - 5 pm to 12 am

- Street Closures/Property Use:
 - Parking Lot #1
 - Close Parking Lot 1 on Thursday, September 21st at 8 am
 - Parking Lot 1 to reopen the following Monday morning at the latest

Merchants who want to utilize the space in front or behind any of their businesses in the downtown area during any of the above dates, must send an application to the Special Events Office. Further, this permission should extend only to those merchants who have been issued a permit/granted permission by the City of Wyandotte/ Special Events Office. They are not authorized to sub-contract their space. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 32-1.

BE IT FURTHER RESOLVED that WOW 360 will comply with the following:

- If there are any costs for any city staff/material/property for said event, WOW 360 will be responsible for those fees no later than 14 days after said event date.
- Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- Clean up before/during and after the event (glass, spills; broken items, etc.) must be done by WOW 360 for the duration of the event.

BE IT FURTHER RESOLVED that WOW 360 must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement. Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial.

Motion unanimously carried.

NEW BUSINESS

2018-16 WFD REMOUNTING AMBULANCES BID ACCEPTANCE

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the resolution regarding the award of Bid File #4722 (Remounting of Ambulances) shall be held in abeyance until the City Council meeting on February 5, 2018 (2 weeks).

Motion unanimously carried.

2018-17 FEBRUARY THIRD FRIDAY CARRIAGE CONTRACT

By Councilperson Sabuda, supported by Councilperson Calvin

WHEREAS the Special Events Coordinator has requested to contract the services of Ann Arbor Carriage, in conjunction with the February 2018 Third Friday Event on Friday, February 16, 2018.

WHEREAS said services will consist of the following event, time and cost:

One horse-drawn carriage 5:00 – 8:00PM (4:45PM Arrival) \$495

BE IT RESOLVED that Council concurs with the Special Events Coordinator to approve the contract for Ann Arbor Carriage for the 2017 Independence Day Parade with funds to be paid from the Third Friday Account 499-200-952-797; AND

THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract and a hold harmless agreement for the company on behalf of the City of Wyandotte.

Motion unanimously carried.

2018-18 INFORMATION BOOTH PURCHASE

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator, to approve of the contract for the purchase of a food trailer in the amount of \$3,000 from Wyandotte Street Art Fair Expense Account.

Motion unanimously carried.

2018-19 DPS TRUCK LIFT PURCHASE

By Councilperson Alderman, supported by Councilperson Maiani

BE IT RESOLVED that the communication from the City Engineer regarding acceptance of the quote from Allied, Inc., Ann Arbor, Michigan, in the amount of \$11,050.00 from account 101-448-750-270 for the removal and installation of a truck lift at the Department of Public Service is hereby approved.

Motion carried.

YEAS: Alderman, DeSana, Maiani, Schultz

NAYS: Calvin, Sabuda

2018-20 DPS TRUCK LIFT PURCHASE – ALTERNATE RESOLUTION (FAILED)

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the communication from the City Engineer regarding the acceptance of the quote from Allied, Inc, of Ann Arbor, Michigan is received and placed on file; AND

FURTHER, instructs the City Engineer to bid the purchase of a new vehicle lift in the DPS facility in accordance with the Procurement Policy approved by the City Council on January 9, 2017, which requires purchases over \$10,000 be procured via a competitive bid process.

Motion failed.

YEAS: Calvin, Sabuda

NAYS: Alderman, DeSana, Maiani, Schultz

2018-21 AMENDMENT TO CONTRACT OF PURCHASE – MCKINLEY PROPERTY

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the communication from the City Engineer regarding the First Amendment to Contract of Purchase for the sale of the former McKinley School Site at 640 Plum Street with Coachlight Properties LLC/Jonesboro Investments Corp. is hereby approved and the Mayor and City Clerk are authorized to sign said First Amendment to Contract of Purchase.

Motion unanimously carried.

2018-22 SOLID WASTE COLLECTION PROGRAM BID ACCEPTANCE

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to award the Solid Waste Collection Program, File No. 4719 to Waste Management of Michigan, Inc. in the amount of \$8,297,303.83 for six (6) years beginning February 1, 2018 from Account #290-448-825-470 in the

amount of \$8,282,306.49 and from Account #285-225-925-860 in the amount of \$14,997.34. This includes: A. Alternative #1 for weekly collection, B. Dumpsters, C. Cardboard Dumpsters, D. Street Art Fair, E. Drop-off Recycling Center, H. Subscription Curbside Recycling Collection, J. Emergency Collection, and K. Front Load dumpsters; AND BE IT FURTHER RESOLVED that the Council authorizes the Mayor and Clerk to executed the Contact for Solid Waste Collection Program between the City and Waste Management of Michigan in the amount of \$8,297,303.83, including A. Alternative #1 for weekly collection, B. Dumpsters, C. Cardboard Dumpsters, D. Street Art Fair, E. Drop-off Recycling Center, H. Subscription Curbside Recycling Collection, J. Emergency Collection, and K. Front Load dumpsters; AND BE IT RESOLVED that Council hereby directs the return all bid bonds/bid checks; AND BE IT FURTHER RESOLVED that the Finance Director to submit applicable budget amendments to be presented to Council for approval.
Motion unanimously carried.

2018-23 2018 SUBSCRIPTION YARD WASTE COLLECTION

By Councilperson Sabuda, supported by Councilperson Calvin
BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding the Curbside Yard Waste Subscription Program and approves the Department of Public Service to provide Subscription Yard Waste Collection for 2018 at a cost of \$53.00 for the 2018 Season; AND BE IT RESOLVED that the Engineering Department will place a notice on cable and the City website to inform residents of open enrollment; AND BE IT FURTHER RESOLVED that residents interested in this program should complete a Curbside Yard Waste Application available at www.wyandotte.net under the Department of Public Service tab.
Motion unanimously carried.

2018-24 2018 SOLID WASTE FEES (AMENDED BY RESOLUTION #2018-35)

By Councilperson Sabuda, supported by Councilperson Calvin
BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding Monthly Dumpster Pick-Up Fees, Annual License Fee for Yard Waste Collection, Roll-Off Dumpster Rental Fees, Dumping Fees at the DPS and 96 Gallon Toter Rental Fee by approving the Proposed 2018 Fees as outlined below:

2018 MONTHLY DUMPSTER FEES

| | <u>Pick-up Once a Week</u> | <u>Pick-up Twice a Week</u> | <u>Pick-up Three Times a Week</u> |
|--|------------------------------------|---------------------------------|---------------------------------------|
| 2 c.y. | \$ 47.00 | \$ 72.00 | \$ 103.00 |
| | | | \$133.00 |
| 3 c.y. | \$ 54.00 | \$ 91.00 | \$ 113.00 |
| 4 c.y. | \$ 61.00 | \$ 111.00 | \$ 163.00 |
| Special: 3 c.y. Pick-up 4 Times a Week | \$183.00 | | |
| 4 c.y. Pick-up 5 Times a Week | \$326.00 | | |
| | <u>Corrugated Cardboard</u> | | |
| 6 c.y. | \$ 44.00 | \$ 67.00 | \$ 102.00 |

Extra Fee of \$18.00 per month if a dumpster does not have a secure lid.
Any unscheduled extra pick-ups will be charged \$54.00.
If purchasing a dumpster from the City, the minimum monthly payment will be \$27.00 per month until the dumpster is paid off.

2018 ANNUAL LICENSE FOR YARD WASTE COLLECTION FEE

- \$220 Per Pick-up Truck for Wyandotte Business
- \$880 Per Pick-up Truck for Non-Wyandotte Business
- \$330 Per Pick-up Truck with Raised Truck Bed for Wyandotte Business
- \$1,320 Per Pick-up Truck with Raised Truck Bed for Non-Wyandotte Business
- \$500 Per Pick-up Truck with Trailer for Wyandotte Business

- \$2,000 Per Pick-up Truck with Trailer for Non-Wyandotte Business
- \$500 per Dump Truck for Wyandotte Business
- \$2,000 per Dump Truck for Non-Wyandotte Business
- \$700 Per Dump Truck with Raised Truck Bed for Wyandotte Business
- \$2,800 per Dump Truck with Raised Truck Bed for Non-Wyandotte Business

2018 ROLL-OFF DUMPSTER RENTAL FEE

| Dumpster Size | Brush 6" or Less | Logs Over 6" | Concrete | Household Debris Construction Debris | No. of Days Box Can be at Site |
|---------------|---------------------|-----------------|-----------|---|-----------------------------------|
| 10 Cu. Yards | \$77.00* | \$192.50* | \$110.00* | \$165.00*** | 2 Nights |
| 20 Cu. Yards | \$88.00* | \$357.50* | N/A | \$247.50*** | 3 Nights |
| 30 Cu. Yards | \$99.00* | \$522.50* | N/A | \$330.00*** | 4 Nights |

*Dumpster cannot contain any other material. If it does, there is a fine of a minimum of \$165.00
 *** Dumpster cannot contain any concrete, dirt, regular trash, tires, yard waste, appliances with Freon, hazardous materials, and/or paint of any type. If any of this is found there is a minimum fine of \$165.00.

If any of the above size boxes are overloaded there is a minimum fine of \$165.00

2018 DUMPING FEES AT DPS

Concrete..... \$9.00/Cubic Yard
 Construction Debris including: Drywall, Shingles, and Wood..... \$11.00/Cubic Yard

2018 96 GALLON TOTES RENTAL FEE

New Lease.....\$54.00/2 years
 After 2 years.....\$ 2.25/month

Motion unanimously carried.

2018-25 SAD #942 – SPECIAL ASSESSMENT HEARING REFERRAL, SIDEWALKS

By Councilperson Sabuda, supported by Councilperson Calvin
 BE IT RESOLVED that Council concurs with the recommendation of the City Engineer and directs the City Clerk to schedule a Special Assessment Hearing relative to SAD #942 – 2017 Sidewalk Repairs.
 Motion unanimously carried.

2018-26 TRANSIENT MARINA & BOATING INFRASTRUCTURE GRANT PROGRAM

By Councilperson Sabuda, supported by Councilperson Calvin
 BE IT RESOLVED that the City Engineer’s recommendation to request the withdraw the City of Wyandotte’s Grant Agreement with the U.S. Fish and Wild Life Service, Boating Infrastructure Grant Program (BIGP) in the amount of \$1,170,500 to construct the Bishop Park Transient Marina shall be held in abeyance until May 21, 2018.
 BE IT FURTHER RESOLVED that the recommendation by the City Engineer to withdraw from the City of Wyandotte’s grant agreement in the amount of \$1,170,500 from the U.S. Fish and Wild Life Service to build the Bishop Park Transient Marina is received and placed on file.
 BE IT FURTHER RESOLVED that the letter from the City Engineer be referred to the Bishop Park Transient Marina Committee for their comments and observations, as this committee was created by Mayor Peterson to oversee this project. And any decision to accept the recommendation of the City Engineer, this committee should have input before a vote by Council is taken.
 Motion unanimously carried.

2018-27 FINAL READING #1459: CH. 6, QUADRICYCLES

By Councilperson Sabuda, supported by Councilperson Calvin

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF WYANDOTTE BY ADOPTING
AN ORDINANCE TO REGULATE QUADRICYCLES AND AMEND THE HEADINGS OF
CHAPTER 6

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment of Chapter 6 Headings and Adoption of Article III as follows:

Chapter 6. Human-Propelled Vehicles

Article I Bicycles – In General

Article II Bicycle Registration

Article III Quadricycles

Sec. 6-40. Definitions.

For the purpose of this ordinance, the following words and phrases shall have the meanings as set forth in this section:

“Quadricycle” is a vehicle that satisfies the following:

1. A vehicle that has fully operative pedals for propulsion which would permit the operation entirely by human power.
2. The vehicle has at least 4 wheels and is operated in a manner similar to a bicycle.
3. The vehicle has at least 2 seats for passengers.
4. The vehicle is designed to be occupied by a driver and powered exclusively by passengers providing pedal power to the drive train of the vehicle or with the additional assistance of a motor capable of propelling the vehicle even when it is not being pedaled.
5. The vehicle is used for commercial or noncommercial purposes.

Sec. 6-41. License.

No person or entity shall operate a quadricycle in the City of Wyandotte without a license issued by the city clerk.

Sec. 6-42. License Application.

A person or entity who operates a quadricycle in the City of Wyandotte shall submit an application with the following requirements:

- a) The applicants name, address, telephone number and email.
- b) A copy of a current insurance certificate providing coverage for bodily injury and property damage liability with a minimum combined single limit of two million (\$2,000,000.00) dollars for all persons injured or for property damage.
- c) Proof of ownership of the quadricycle
- d) An executed hold harmless agreement in a form provided by the City of Wyandotte which indemnifies and holds the city harmless from all claims arising from the operation of the quadricycle.

Sec. 6-43. Insurance Requirements.

No person shall operate a quadricycle without bodily injury and property damage liability insurance with a minimum combined single limit of two million (\$2,000,000.00) dollars for all persons injured or for property damage. The City of Wyandotte shall be named as an additional insured party.

Sec. 6-44. Alcohol Prohibited.

No operator or occupant of a quadricycle may transport, possess, or consume alcoholic liquor on a quadricycle. A violation of this section 6-44 is a misdemeanor.

Sec. 6-45. Prohibited Operation of a Quadricycle-Location.

A quadricycle is prohibited in the following locations:

1. The central business district (as designated in the city’s zoning ordinance) in the City of Wyandotte.
2. All sidewalks and crosswalks in the City of Wyandotte.

Sec. 6-46. Operation of a Quadricycle.

A quadricycle must comply with the following rules:

- A. A quadricycle may only be operated between ½ hour after sunrise and ½ hour before sunset.
- B. The quadricycle shall be equipped with a lamp on the front that emits a white light visible from a distance at least 500 feet to the front and with a red reflector on the rear that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
- C. The quadricycle shall be operated in the traffic lane closest to the curb and shall pull over to permit faster moving traffic to pass safely.
- D. The quadricycle shall be equipped with a rearview mirror to permit the operator to observe traffic behind the quadricycle.
- E. A quadricycle may only be parked on a street where parking is permitted or parking lot.
- F. A quadricycle may not be operated at a speed in excess of 25 miles per hour.
- G. The driver/operator of a quadricycle shall obey all the traffic laws applicable to the driver/operator of a motor vehicle and in accordance with all provisions of the Motor Vehicle Code except as otherwise stated above.

Sec. 6-47. License Fee.

The license fee under this ordinance shall be \$100.00. The city council may amend the fee amount by resolution.

Sec. 6-48. Civil Infraction

Any violation of any provision of this ordinance (other than Sec. 6-44) is a civil infraction.

Section 2. Severability.

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent to give this Ordinance full force and effect.

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

Motion unanimously carried.

2018-28 FIRST READING #1460: REZONING OF 785 FOREST FROM RA TO PD

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that a first reading of the Ordinance Amendment #1460 regarding the rezoning of the property at 785 Forest from RA to PD will be held at the January 22, 2018 meeting of the City Council.

Motion unanimously carried.

2018-29 CLOSED SESSION REQUEST

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the City Administrator has expressed a desire to meet in closed session to discuss pending litigation, in accordance with Section 15.268e of PA 267 of 1976.

THEREFORE, BE IT RESOLVED that this Body will meet in closed session immediately following the regularly scheduled Council meeting for the above-stated purpose only.

Motion unanimously carried.

BILLS & ACCOUNTS**2018-30 BILLS & ACCOUNTS**

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the total bills and accounts of \$3,430,720.43 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES


| | |
|--|--|
| Beautification Commission | November 8 & December 13, 2017 |
| BRDA/TIFA | January 16, 2018 |
| Cultural & Historical Commission | September 21, October 19, & November 9, 2017 |
| Design Review Committee | January 9, 2018 |
| Fire Commission | November 28, 2017 |
| Firefighter's Civil Service Commission | December 21, 2017 |
| Wyandotte Municipal Services | January 10, 2018 |
| Police Commission | November 28, 2017 |
| Retirement Commission | December 21, 2017 |
| Zoning Board of Appeals & Adjustment | January 3, 2018 |

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

None

ADJOURNMENT**2017-31 ADJOURNMENT**

By Councilperson Sabuda, supported by Councilperson Calvin
RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 9:05 p.m.
Motion unanimously carried.



Lawrence S. Stec, City Clerk