

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers and via Virtual Telecommunication methods, due to COVID-19 in accordance with Executive Order 2020-161 using the Zoom Audio platform, on Monday, September 28, 2020, 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: Mayor Pro Tempore Robert A. DeSana, Councilpersons Robert Alderman, Christopher Calvin, Megan Maiani, Leonard Sabuda, and Donald Schultz

ABSENT: Theodore Galeski, City Assessor

Also, Present: Todd Browning, City Treasurer; William Look, City Attorney; Greg Mayhew, City Engineer; and Lawrence Stec, City Clerk

PRESENTATIONS

PRESENTATION OF PETITIONS

PUBLIC HEARINGS

UNFINISHED BUSINESS

CALL TO THE PUBLIC

CONSENT AGENDA

2020-275 MINUTES

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the minutes of the meeting held under the dates of September 14, 2020, be approved as recorded, without objection.

Motion unanimously carried.

2020-276 SEAWAY BOAT CLUB EVENT – DATE CHANGE

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator, Fire Chief, Police Chief and Recreation Superintendent to approve the use of City property for the Seaway Boat Club event to be held on October 18th, 2020, provided the group/individual sign a hold harmless agreement, adds the city of Wyandotte as additional insured to their insurance policy, and abides by all City of Wyandotte Ordinances.

Motion unanimously carried.

2020-277 WSAF 2021 STAGE, LIGHT, & SOUND AGREEMENT

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the Special Event Coordinator to approve the contract for services with GCS Audio LLC of Warren, Michigan, to provide the sound, lights, and stage for concerts at the Wyandotte Street Art Fair Riverfront Entertainment Area from July 7th until July 10th, 2021 with funds in the amount of \$12,000 to be paid from account #285.225.925.730.860; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte.

Motion unanimously carried.

2020-278 POLISH ARMY VETERANS POST 95 PROCESSION REQUEST

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED that Council grants permission to Polish Army Veterans Post 95 to hold a procession from Our Lady of the Scapular Church to Pulaski Park on October 11, 2020.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Police Department for coordination of police escort.

Motion unanimously carried.

NEW BUSINESS**2020-279 CITIZEN COMMUNICATION – G. MOSCZYNSKI/GOODELL PROPERTIES**

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED that the communication from Greg Mosczynski regarding the St. Elizabeth properties on Goodell is hereby received and placed on file.

Motion unanimously carried.

2020-280 CITIZEN COMMUNICATION – T. HUTCHISON & HOLY COW! CREAMERY

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED that the communication from Tyler Hutchison of Holy Cow! Creamery is hereby referred to the Police Department, Legal Affairs, and Department of Building and Engineering for review and report back to Council on October 12, 2020.

Motion unanimously carried.

2020-281 CITIZEN COMMUNICATION – NORTH SHORE CLUB OF WYANDOTTE

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED that the communication from Larry Lokuta of the North Shore Club of Wyandotte is hereby referred to the Department of Engineering and Building & Department of Legal Affairs for review and report back to Council on October 12, 2020.

Motion carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Maiani, Schultz

NAYS: None

ABSTAIN: Councilperson Sabuda

2020-282 FINAL READING #1496: 2021 FISCAL YEAR BUDGET ORDINANCE

By Councilperson Calvin, supported by Councilperson Maiani

City of Wyandotte**2021 Fiscal Year Budget Ordinance**

“AN ORDINANCE TO PROVIDE AND APPROPRIATE THE SEVERAL AMOUNTS REQUIRED TO DEFRAY THE EXPENDITURES AND LIABILITIES OF THE CITY OF WYANDOTTE FOR THE FISCAL YEAR BEGINNING THE FIRST THURSDAY OF OCTOBER, 2020. THE SAME TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR THE 2021 FISCAL YEAR.”

THE CITY OF WYANDOTTE ORDAINS:

SECTION I - GENERAL FUND

There shall be raised by general tax for the fiscal year beginning October 1, 2020, and ending September 30, 2021, to be assessed, levied, and collected by tax on all taxable real and personal property in the City of Wyandotte, Michigan, the sum of \$10,736,565. In addition to the foregoing, it is estimated that state receipts, revenues, and moneys from sources other than current City taxes will be \$12,804,752, for a total of \$23,541,317 of General Fund Revenue.

Appropriation of funds is hereby made in the following categories of Funds and Accounts:

A. General Fund:

- | | | |
|----|--|--------------|
| 1. | Estimated Fund Balance - October 1, 2020 | \$ 4,681,958 |
| 2. | Appropriations: | |
| a. | Legislative | 132,824 |

b.	Judicial	1,062,959
c.	Financial Services/Administration	665,070
d.	Information Technology	202,546
e.	General Government	1,507,700
f.	Assessor	440,231
g.	City Clerk	248,214
h.	Treasurer	136,945
i.	Police & Civil Defense	4,719,851
j.	Downriver Central Dispatch	957,729
k.	Downriver Central Animal Control	241,703
l.	Fire	4,210,452
m.	Engineering & Building	1,075,019
n.	Public Works	2,817,512
o.	Recreation	507,746
p.	Swimming Pool	15,771
q.	Yack Arena	360,905
r.	Youth Assistance	47,588
s.	Historical Commission (Museum)	187,291
t.	City Commissions	27,395
u.	Retirement Contribution and OPEB	3,888,020
v.	Elections	84,708

SECTION II - SPECIAL REVENUE FUNDS

B.	Major Street Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 1,202,206
2.	Estimated Revenues:	
a.	State Revenue	1,586,859
b.	METRO Act Revenue	80,000
c.	Investment Earnings	500
3.	Appropriations:	
a.	Reimbursement to General Fund	400,000
b.	Maintenance and Construction	759,800
c.	Transfer to Local Street Fund	396,715
C.	Local Street Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 625,501
2.	Estimated Revenues:	
a.	State Revenue	586,827
b.	Transfer from Major Street Fund	396,715
c.	Investment Earnings	500
3.	Appropriations:	
a.	Reimbursement to General Fund	433,000
b.	Maintenance and Construction	525,500
D.	Sidewalk/Alley Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 870,929
2.	Estimated Revenues:	
a.	Special Assessments	160,340
b.	Investment Earnings	1,000
3.	Appropriations:	
a.	Sidewalks/Alleys/Parking Lots	150,000
b.	Administration	100,000
E.	Michigan Indigent Defense Fund	
1.	Estimated Fund Balance – October 1, 2020	\$ 1,431
2.	Estimated Revenues:	

4		September 28, 2020
	a. Grant	131,722
	b. Other	1,463
	3. Appropriations	133,185
F.	Drug Law Enforcement Fund:	
	1. Estimated Fund Balance - October 1, 2020	\$ 194,988
	2. Estimated Revenues	34,000
	3. Appropriations:	
	a. Personnel	7,600
	b. Equipment - Drug Enforcement	35,000
G.	Housing Rehabilitation Fund:	
	1. Estimated Fund Balance - October 1, 2020	\$ 0
	2. Estimated Revenues	58,000
	3. Appropriations:	
	a. Building Rehabilitation	50,000
	b. Administration	8,000
H.	Community Development Block Grant Fund:	
	1. Estimated Fund Balance – October 1, 2020	\$ 0
	2. Estimated Revenues	0
	3. Appropriations:	
	a. CDBG Projects	0
	b. Administration	0
I.	Urban Development Action Grant Fund:	
	1. Estimated Fund Balance - October 1, 2020	\$ 1,099,947
	2. Estimated Revenues	15,000
	3. Appropriations:	
	a. Capital Outlay	50,000
	b. Administration	15,000
J.	Special Events Fund:	
	1. Estimated Fund Balance - October 1, 2020	\$ 863,652
	2. Estimated Revenues:	
	a. Special Events	71,250
	b. Art Fair	214,000
	3. Appropriations:	
	a. Special Events	27,300
	b. Art Fair	155,000
	c. Holiday Celebrations	14,000
	d. Administration	20,000
K.	Solid Waste Fund:	
	1. Estimated Fund Balance - October 1, 2020	\$ 607,150
	2. Estimated Revenues:	
	a. Rubbish Tags	1,500
	b. Taxes	1,350,348
	c. Dumpster Billings	333,850
	d. Investment Earnings	3,500
	e. Service Fees	300,000
	3. Appropriations:	
	a. Rubbish Collection	1,399,130
	b. Dumping/Compost Fees	322,000
	c. Recycling Fees	1,500
	d. Administration	275,000
	e. Capital Equipment	28,200

L.	Building Authority Improvement Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 807,310
2.	Estimated Revenues:	
a.	Investment Earnings	2,000
3.	Appropriations:	
a.	Administration/Other	20,000
M.	Drain Number Five Operation and Maintenance Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 3,867,687
2.	Estimated Revenues	1,116,034
3.	Appropriations:	
a.	Wayne County Department of Public Works	855,534
b.	Other	36,000
N.	Downtown Development Authority - TIF Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 762,992
2.	Estimated Revenues:	
a.	Tax Capture	596,174
b.	Investment Earnings	2,000
c.	Other	1,500
3.	Appropriations:	
a.	Eureka Viaduct Maintenance	17,000
b.	Streetscape Maintenance	2,000
c.	Third Friday Promotions	30,000
d.	Administration	85,000
e.	Personnel	96,850
f.	Streetscape Contribution	38,840
g.	Beautification Commission	8,000
h.	Business Procurement/Existing Business Stimulus	11,000
i.	Business Assistance Program	644,040
j.	Fort St. Sign/Fountain/Purple Heart	10,000
k.	Farmers Market	14,000
l.	Marketing	9,000
m.	Christmas Lighting/Decorations	40,000
n.	Other	7,650
O.	Tax Increment Finance Authority - Consolidated Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ 7,123,905
2.	Estimated Revenues:	
a.	Tax Capture	2,777,475
b.	Other Operating Revenues	60,000
c.	Investment Earnings	5,000
3.	Appropriations:	
a.	Road Resurfacing	900,000
b.	Land Acquisition Program	675,000
c.	Property Maintenance/Taxes	93,700
d.	Infrastructure Improvements-Recreation	529,000
e.	Roof/Building Repairs-Police/Court	300,000
f.	Tree Maintenance	64,500
g.	Parking Lots	10,000
h.	Administration	275,000
P.	Brownfield Redevelopment Authority Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ (519,804)
2.	Estimated Revenues:	
a.	Tax Capture	222,685

3.	Appropriations:	
a.	Debt Service	69,431
b.	Administrative & Operating	54,266
Q.	Capital Equipment and Replacement Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ (159,223)
2.	Estimated Revenues	
a.	Debt Levy	384,824
b.	Investment Earnings	100
3.	Appropriations	
a.	Vehicles/Equipment - Police	107,500
b.	Vehicles/Equipment - Fire	145,000
c.	Debt Service	15,428
R.	Capital Projects Fund:	
1.	Estimated Fund Balance - October 1, 2020	\$ (2,572,139)
2.	Estimated Revenues	
a.	Debt Levy	300,000
3.	Appropriations	
a.	Debt Service	73,337
<u>SECTION III - ENTERPRISE FUNDS</u>		
S.	Sewage Disposal Fund:	
1.	Estimated Retained Earnings - October 1, 2020	\$15,983,546
2.	Estimated Revenues:	
a.	Customer Service Fees	5,046,441
b.	SAW Grant	154,321
c.	Investment Earnings	10,000
3.	Appropriations:	
a.	Infrastructure Replacement	633,700
b.	Administration	420,000
c.	Sewage Disposal Charges	2,847,298
d.	Depreciation	905,000
e.	Debt Service	1,210,345
f.	Other	137,500
T.	Municipal Golf Course Fund:	
1.	Estimated Retained Earnings - October 1, 2020	\$ (647,222)
2.	Estimated Revenues:	
a.	Green Fees	210,000
b.	Cart Rental	100,000
c.	Other Revenue	50,350
3.	Appropriations:	
a.	Personnel	62,188
b.	Course Maintenance	184,250
c.	Other Expenses	109,360
d.	Depreciation	94,500
U.	Building Rental Fund:	
1.	Estimated Retained Earnings - October 1, 2020	\$ 989,817
2.	Estimated Revenues:	
a.	Rental Income	96,088
b.	Expense Reimbursements	48,000
3.	Appropriations:	
a.	Operation & Maintenance	184,200
b.	Utilities	93,000

c.	Property Taxes	18,000
d.	Depreciation	60,000

SECTION IV - INTERNAL SERVICE FUNDS

V.	Self Insurance/Worker's Compensation Fund:	
1.	Estimated Retained Earnings - October 1, 2020	\$ 5,898,000
2.	Estimated Revenues	100,000
3.	Appropriations:	
a.	Worker's Compensation	193,460
b.	Self Insurance Claims	100,000
c.	Other Expenses	41,877
d.	Operating Transfers	650,000

SECTION V - DEBT FUNDS

W.	Debt Service:	
1.	Estimated Fund Balance - October 1, 2020	\$ 392,670
2.	Estimated Revenues	482,059
3.	Appropriations:	
a.	Debt Service-Police/Court	488,100
b.	Other	500

SECTION VI - CITY TAX RATES

Preliminary City Tax Rates were adopted on July 13, 2020, after the required notices were filed and Public Hearings held. The Rates were calculated in accordance with Michigan Compiled Law Section 211.34E and 211.34D. The calculated City Tax Rates are the minimum required to defray operating expenses for the fiscal year October 1, 2020, through September 30, 2021. The Rates are as follows:

1.	City Operating	\$14.8686/M Taxable Value
2.	Refuse Collection	\$ 2.4827/M Taxable Value
3.	Debt	\$ 2.4827/M Taxable Value
4.	Drain #5 Operation & Maintenance	\$ 2.9160/M Taxable Value

SECTION VII - ADOPTION

This ordinance is necessary for the immediate preservation of the public peace, property, health, safety and for the daily operation of all city departments. This ordinance shall take effect October 1, 2020, which represents the first Thursday in October.

Motion unanimously carried.

2020-283 2020FY BUDGET AMENDMENTS

By Councilperson Calvin, supported by Councilperson Maiani

Resolved by the City Council that Council hereby concurs in the recommendations of the City Administrator and approves the necessary 2020 Fiscal Year budget amendments as outlined in this communication.

Motion carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Maiani, Schultz

NAYS: Councilperson Sabuda

2020-284 OUTDOOR CAFÉ HOURS & CITY ADMIN. EMERGENCY APPROVAL AUTHORITY

By Councilperson Calvin, supported by Councilperson Maiani

Whereas on June 8, 2020, the City Council approved the temporary relaxing of the City Ordinance regarding the Midnight closing of outdoor cafes and that the temporary relaxation of the hours of operation of outdoor cafes be immediately granted and regularly reviewed for compliance in regards to noise for a period not to exceed 120 days (October 8, 2020) and

Further, granted the City Administrator the authority to issue temporary waivers to certain local regulations in order for Wyandotte businesses to maximize the effectiveness of the Governor's relaxation

of the previously imposed COVID-19 restrictions while maintaining the best public health practices)in accordance with Resolution 2020-133 City Administrator Emergency Approval Process) which authority was also granted for 120 days (October 8, 2020) and

Be it resolved that the relaxing of the rules regarding midnight closing of outdoor cafes and the authority granted to the City Administrator in Resolution 2020-133 be extended for an additional 90 days until January 8, 2021.

Motion unanimously carried.

2020-285 FIRST RESPONDER HAZARD PAY PREMIUMS PROGRAM (FRHPPP)

By Councilperson Calvin, supported by Councilperson Maiani

Whereas the City applied for program benefits under the First Responder Hazard Pay Premiums Program (2020 Public Act 123) and were tentatively approved and

Further, the City only planned on paying the hazard pay premiums if awarded the benefits from the program and

Further, the original program rules required that the hazard pay premiums were paid or will be paid to eligible employees no later than September 30, 2020 and

Further, because this is the last City Council meeting prior to the distribution date and without official approval of the award of program benefits the City Administrator is requesting contingent approval of the payment of benefits to eligible first responders employed by City of Wyandotte at a total estimated cost of \$79,999 of which \$78,000 is anticipated to be reimbursed through the State's Program and

Whereas, the City Council approves the payment of these benefits contingent upon receipt of the program benefits and approves the necessary budget amendments in the 2020 Fiscal Year.

Motion unanimously carried.

2020-286 WFD HIRING – T. CUNNINGHAM, PROBATIONARY FIRE FIGHTER

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with recommendation of the Wyandotte Police and Fire Commission and the Fire Chief to extend an offer of employment to Thomas Cunningham of Brownstown, MI for the position of Probationary Fire Fighter with the Wyandotte Fire Department.

Motion unanimously carried.

2020-287 REPLACEMENT OF WFD AMBULANCE CHASSIS

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with the Fire Chief for the replacement of the ambulance chassis by Emergency Vehicles Plus of Holland, MI in the amount of \$84,624.00.

Motion unanimously carried.

2020-288 CITY HALL 2ND FLOOR SECURITY GLASS

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that Council agrees with the recommendation of the City Engineer and hereby awards the contract for the City Hall Second Floor Security Glass to Total Security Solutions, of Fowlerville, Michigan, in the amount of \$68,600.00, which shall be paid for from Account # 530-000-113-010, Building and Building Improvements.

Motion unanimously carried.

2020-289 PURCHASE OF ELGIN STREET SWEEPER

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED by the Mayor Pro Tempore and City Council that Council concurs with the recommendation of the City Engineer to purchase a Elgin Pelican Street Sweeper from Bell Equipment Company utilizing the State of Michigan MiDEAL Contract #071B7700091, in the amount of \$225,685.05, and

further, authorizes the funding to be derived from an interfund loan from the City' self insurance fund, and directs the necessary budget amendments be processed.

Motion unanimously carried.

2020-290 SALE OF FORMER 569 ORANGE

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 569 Orange is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell the property known as former 569 Orange to Katelyn Mills and Kyle Gouth in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Katelyn Mills and Kyle Gouth do not undertake development within six (6) months from time of closing and complete construction within one (1) year it will result in Seller's right to repurchase the property including any improvements for One (\$1.00)

Dollar. A condition will be placed on the Deed that will include this contingency;

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor Pro Tempore and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 569 Orange, between Katelyn Mills and Kyle Gouth and the City of Wyandotte for \$10,000 as presented to Council.

Motion unanimously carried.

2020-291 SALE OF FORMER 405 CHERRY

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 405 Cherry is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell the property known as former 405 Cherry to Mike and Justine Gaydos in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Mike and Justine Gaydos do not undertake development within six (6) months from time of closing and complete construction within one (1) year it will result in Seller's right to repurchase property including any improvements for One (\$1.00) Dollar. A condition will be placed on the Deed that will include this contingency;

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor Pro Tempore and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 405 Cherry, between Mike and Justine Gaydos and the City of Wyandotte for \$10,000 as presented to Council.

Motion unanimously carried.

2020-292 SALE OF CITY OWNED PROPERTY – FORMER 4118 6TH ST.

By Councilperson Calvin, supported by Councilperson Maiani

BE IT RESOLVED BY THE MAYOR PRO TEMPORE AND CITY COUNCIL that Council concurs with the communication from the City Engineer regarding the sale of the former 4118 6th Street; AND

BE IT FURTHER RESOLVED that Council accepts the offer from JO-MI Properties to acquire the former 4118 6th Street for the amount of \$11,750.00, AND

BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor Pro Tempore and Clerk are hereby authorized to sign said Documents.

Motion unanimously carried.

2020-293 NEZ APPLICATION – 567 ORANGE

By Councilperson Calvin, supported by Councilperson Maiani

WHEREAS per a resolution adopted by the Wyandotte City Council on December 7, 1992, it is the policy of the City of Wyandotte to offer 12-year tax abatement's for new single family construction in Neighborhood Enterprise Zones within the City of Wyandotte; and

WHEREAS the former 569 Orange is within the City of Wyandotte's Neighborhood Enterprise Zone #1

adopted on December 7, 1992;

NOW THEREFORE BE IT RESOLVED by the City Council that Council CONCURS with the recommendation of City Engineer as set forth in his communication of September 28, 2020, that the City of Wyandotte will approve a 12-year Neighborhood Enterprise Zone Exemption Certificate for the proposed redevelopment at former 569 Orange, now known as 567 Orange, subject to the proper application materials being submitted to the City and the project's compliance with the Neighborhood Enterprise Zone Act, Act 147 of 1992, as amended; AND

WHEREAS the City Clerk and the City Assessor are hereby authorized to execute said applications for a 12 year Neighborhood Enterprise Zone Certificate.

Motion unanimously carried.

2020-294 REZONING OF PROPERTY AT 2533 AND 2556 BIDDLE AVENUE

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the communication from the Planning Commission regarding the rezoning of the property known as 2533 Biddle Avenue and 2557 Biddle Avenue, Wyandotte is hereby received and placed on file;

ANDBE IT FURTHER RESOLVED that Council approves the rezoning of the property known as 2533 Biddle Avenue and 2557 Biddle Avenue, Wyandotte (Lots 4, 5 and 6 Part 3, Block 27 and the West 1/2 Adj. Vac. Alley Plat of Part of Wyandotte to Plan Development (PD).

NOW THEREFORE BE IT RESOLVED that this request be referred to the Department of Legal Affairs to prepare the proper Ordinance.

Motion unanimously carried.

2020-295 NEZ APPLICATION – 403 CHERRY

By Councilperson Calvin, supported by Councilperson Maiani

WHEREAS per a resolution adopted by the Wyandotte City Council on December 7, 1992, it is the policy of the City of Wyandotte to offer 12-year tax abatement's for new single family construction in Neighborhood Enterprise Zones within the City of Wyandotte; and

WHEREAS the former 405 Cherry is within the City of Wyandotte's Neighborhood Enterprise Zone #1 adopted on December 7, 1992;

NOW THEREFORE BE IT RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer as set forth in his communication of September 28, 2020, that the City of Wyandotte will approve a 12-year Neighborhood Enterprise Zone Exemption Certificate for the proposed redevelopment at former 405 Cherry, now known as 403 Cherry, subject to the proper application materials being submitted to the City and the project's compliance with the Neighborhood Enterprise Zone Act, Act 147 of 1992, as amended; AND

WHEREAS the City Clerk and the City Assessor are hereby authorized to execute said applications for a 12 year Neighborhood Enterprise Zone Certificate.

Motion unanimously carried.

2020-296 PD PLANNED DEV. APP – 136 & 141 GOODELL & 1203 2ND ST.

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the communication from the Planning Commission regarding the Phase I Preliminary Site Plan for the project at 136 Goodell, 141 Goodell and Vacant 1203 2nd Street, Wyandotte is hereby received and placed on file; AND

BE IT RESOLVED that the Council approves the Phase I Preliminary Site Plan as presented.

Motion failed.

YEAS: Councilpersons Alderman, Calvin, Maiani

NAYS: Councilpersons DeSana, Sabuda, Schultz

2020-297 RECONFIGURE MAPLE ST. FROM BIDDLE TO ALLEY EAST OF BIDDLE

By Councilperson Calvin, supported by Councilperson Maiani

At a regular session of the City Council of the City of Wyandotte.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE

That the City Council of the City of Wyandotte deems it advisable and necessary for the public health, safety and welfare of said City and it's inhabitants and it is a necessary public improvement and beneficial to the City of Wyandotte, and it's inhabitants, to reconfigure a public street in the City of Wyandotte, more particularly described as:

Maple Street from Biddle Avenue to the west right of way line of the public alley east of Biddle Avenue, abutting:

Lot 14 and Lot 15, Eureka Iron and Steel Works ReSubdivision of Block 32 in the City of Wyandotte in T. 3 S., R. 11 E., Wayne Co., Michigan as recorded in Liber 22 of Plats, Page 49, Wayne County Records.

RESOLVED FURTHER that the City Engineer, having prepared estimates of the cost and expenses, plats and diagrams of said improvement and of the locality to be improved, the same are available for public examination at the Engineering Department offices: and

RESOLVED FURTHER that there is hereby tentatively designated a special assessment district against which the cost and expenses of said improvements are to be assessed, consisting of lots, parts of lots and parcels of land in the City of Wyandotte, Wayne County, Michigan, more particularly described as: The south ten (10) feet of Lot 9, and Lots 10 thru 14, both inclusive, Eureka Iron and Steel Works ReSubdivision of Block 32 in the City of Wyandotte in T. 3 S., R. 11 E., Wayne Co., Michigan as recorded in Liber 22 of Plats, Page 49, Wayne County Records.

RESOLVED FURTHER that the cost and expenses of re-configuring Maple Street from Biddle Avenue to the public alley east of Biddle Avenue, shall be defrayed by special assessment upon the lots, parts of lots and parcels of land abutting and adjoining said improvement, as well as benefiting therefrom, excepting from said assessment, however, the improvement expense attributable to alley and street intersections, City owned land, owner occupied single family dwellings, owner occupied multi-family rental dwellings will be assessed in that proportion that the property is used for purposes other than that of the owner occupying same in comparison to the total assessable portion of the entire property, and other property not assessable by law, the expense of which, together with any improvement expenses remaining after the aforesaid assessment, shall be defrayed from the general fund of the City.

RESOLVED FURTHER, that said estimates, plats and diagrams of said improvement and of the public street to be improved having been made available at the Engineering Department offices for public examination, said City Clerk shall give notice, according to the City Charter, of the proposed district to be specially assessed for said improvement and of the time and place when this Council will meet to consider said detailed estimate, plats and diagrams, and to hear objections thereto, and notice shall be given by said City Clerk, in writing, of the proposed district to be specially assessed for said improvements and of the time and place when this Council will meet to consider said detailed estimates, plats and diagrams, and to hear objections thereto, to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by mailing by first class mail addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of such hearing. The public hearing is scheduled for Monday, October 26, 2020, at 7:00 p.m. in the Council Chambers of the Wyandotte City Hall.

Motion unanimously carried.

2020-298 FINAL READING #1497: CHAPTER 4 – ANIMAL LODGING & KENNELS

By Councilperson Calvin, supported by Councilperson Maiani

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND CHAPTER 4 OF

THE CODE OF ORDINANCES “DOWNRIVER CENTRAL ANIMAL CONTROL ORDINANCE” BY AMENDING SEC. 4-2 “DEFINITIONS”, BY THE ADOPTION OF SEC. 4-14 “ANIMALS PROHIBITED”, BY AMENDING SEC. 4-23 “LIMITATION ON NUMBER OF ANIMALS” AND SEC. 4-24 “KENNEL AND DOMESTICATED ANIMAL LODGING FACILITY”.

The City of Wyandotte Ordains:

Section 1. Amendment of Sec. 4-2. “Definitions” as follows:

Domesticated companion animal means an animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or has been traditionally kept as a household pet, including but not limited to: dogs, cats, hamsters, gerbils, guinea pigs, ferrets, mice, rabbits, parakeets, parrots, cockatiels, cockatoos, canaries, love birds, finches, and tropical fish.

Kennel means an establishment wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding, or training purposes.

Domesticated companion animal lodging facility means an establishment where domesticated companion animals are kept or confined for the purpose of providing training, breeding, boarding, sale or day care or extended sheltering and includes kennels

Section 2. Adoption of Sec. 4-14. to Article II “Animals Prohibited”.

No person or entity shall own, possess, maintain, keep, board or harbor any wild animal, wild domestic hybrid animal, an animal that would cause a nuisance because of odor, noise, or pose a danger to the public, or any other animal that is not a domesticated companion animal within the City of Wyandotte.

Section 3. Amendment of Sec. 4-23. “Limitation on number of animals”.

(a) It shall be unlawful for any person, family, occupant of any structure in the city to own, keep, or possess, harbor, board or shelter more than:

- i. Two (2) dogs, or
- ii. Four (4) domesticated companion animals in total combination provided that there shall be no more than two (2) dogs in said combination, which are four (4) months of age or older, except as provided in Subsection (b) and (c) below.

(b) The provisions of this section shall not apply to any licensed veterinarian or technician specializing and trained in the medical treatment or medical observation of domesticated companion animals.

(c) The provisions of this section do not apply to a licensed kennel or domesticated companion animal lodging facility.

Section 4. Amendment of Sec. 4-24. “Kennel and Domesticated Animal Lodging Facility”.

(a) No person or entity shall establish or maintain any kennel on any property owned, leased or occupied by him or her in the City of Wyandotte, unless:

- i. The kennel is used by a licensed veterinarian or technician specializing and trained in the medical treatment or medical observation of dogs, or
- ii. A licensed kennel under the laws of the State of Michigan.

(b) A domesticated companion animal lodging facility shall be allowed in conformance with this Sec. 4-24., the City of Wyandotte Zoning Ordinance, and the City of Wyandotte Code of Ordinances.

(c) Any person or entity establishing, maintaining or operating a domesticated companion animal lodging facility and/or kennel shall comply with Sec. 4-5. and Sec. 4-6. of the Code of Ordinances.

(d) A kennel and domesticated companion animal lodging facility are required to have a person on site who is responsible for the care, control and supervision of the animals at all times.

(e) The animal control officer authorized to act in the City of Wyandotte may inspect any kennel or domesticated companion animal lodging facility at all reasonable times.

- (f) No domesticated companion animal lodging facility may be approved for operation until compliance with this ordinance, the Wyandotte Zoning Ordinance and Code of Ordinances as confirmed by the Engineering and Building Department.

Section 5. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Effective Date.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and the Ordinance or its summary shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A copy of this Ordinance may be inspected or obtained at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan.

Motion unanimously carried.

2020-299 FINAL READING #1498: ZONING ORD. – ANIMAL LODGING & KENNELS

By Councilperson Calvin, supported by Councilperson Maiani

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE

ZONING ORDINANCE BY AMENDING

ARTICLE II – DEFINITIONS,

ARTICLE XV – I-1 INDUSTRIAL DISTRICTS

And

ARTICLE XXII – SPECIAL LAND USES

CITY OF WYANDOTTE ORDAINS:

Section 1. Article II. Definitions, shall be amended as follows:

The following definitions shall be added:

Domesticated companion animal. An animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or has been traditionally kept as a household pet, including but not limited to: dogs, cats, hamsters, gerbils, guinea pigs, ferrets, mice, rabbits, parakeets, parrots, cockatiels, cockatoos, canaries, love birds, finches, and tropical fish.

Domesticated companion animal lodging facility. An establishment where domesticated companion animals are kept or confined for the purpose of providing training, boarding, sale or day care or extended sheltering and includes kennels.

The following definition shall be amended to read as follows:

Kennel. An establishment wherein or whereon three (3) or more dogs are confined and kept for sale, boarding, breeding, or training purposes.

Section 2. Article XV. I-1 Industrial Districts, shall be amended as follows:

Sec. 1501. – Special Uses, shall be amended by adding the following:

D. Domesticated companion animal lodging facility.

E. Kennel.

Section 3. Article XXII. – Special Land Uses, shall be amended as follows:

Special Uses-Index of Items Covered, shall be amended by adding the following:

LL Stores that sell alcoholic beverages

MM Murals

NN Public art

OO Domesticated companion animal lodging facility

PP Kennel

Sec. 2202. – Special land use designated, shall be amended by adding the following:

OO. Domesticated companion animal lodging facility.

1. An establishment where domesticated companion animals are kept or confined for the purpose of providing training, boarding, sale or day care or extended sheltering, and includes kennels.
2. A domesticated companion animal lodging facility which includes a dog kennel, shall obtain a kennel license in accordance with the "Dog Law of 1919" as amended, or as may be amended, as currently set forth in MCL 287.270, et seq.
3. The facility shall be brought into compliance with all City of Wyandotte codes and ordinances.
4. Animal care and maintenance shall comply with Code of Ordinance Sec. 4-5. Animal care and Sec. 4-6. Additional violations.
5. The required outdoor area for dog run shall be at least 120 square feet per dog able to be housed at the facility, or individual pens for each dog shall be a minimum 3' wide, 10' long and 6' in height. Dog runs and pens shall include areas shaded from the sun. Dog runs and pens shall be allowed in rear yards only with an obscuring fence or wall on all sides, and shall not encroach into any required side or rear yard setback.
6. The domesticated companion animal facility shall comply with Code of Ordinance Sec. 4-24.
7. A six (6) foot solid wall such as brick, decorative block, or decorative poured concrete must be provided where abutting or adjacent districts are zoned or used as residential. The height of the wall will be measured from the surface of the ground at the rear yard line of the premise.
8. Off street parking shall be provided at one (1) parking space for each employee in the largest working shift and one (1) additional parking space for each four (4) animals able to be housed.
9. All lighting shall be shielded from adjacent residential districts.

PP. Kennel.

1. An establishment where three or more dogs are kept or confined for sale, boarding, breeding or training purposes. A kennel established as an accessory use by a licensed veterinarian or technician specializing and trained in the medical treatment or medical observation of dogs shall be allowed in the Zoning District in which the primary use is allowed for short-term recovery and observation only, and shall not include outdoor dog runs or pens.
2. A dog kennel shall obtain a kennel license in accordance with the "Dog Law of 1919" as amended, or as may be amended, as currently set forth in MCL 287.270, et seq.
3. The facility shall be brought into compliance with all City of Wyandotte codes and ordinances.
4. The kennel shall comply with Code of Ordinance Sec. 4-24.
5. The kennel shall comply with Code of Ordinance Sec. 4-5. Animal care and Sec. 4-6. Additional violations.
6. Outdoor area for dog run shall be at least 120 square feet per dog able to be housed at the facility, or individual pens for each dog shall be a minimum 3' wide, 10' long and 6' in height. Dog runs and pens shall include areas shaded from the sun. Dog runs and pens shall be allowed in rear yards only with an obscuring fence or wall on all sides, and shall not encroach into any required side or rear yard setback.
7. A six (6) foot solid wall such as brick, decorative block, or decorative poured concrete must be provided where abutting or adjacent districts are zoned or used as residential. The height of the wall will be measured from the surface of the ground at the rear yard line of the premise.
8. Off street parking shall be provided at one (1) parking space for each employee for the largest working shift and one (1) additional parking space for each four (4) animals able to be housed.
9. All lighting shall be shielded from adjacent residential districts.

Section 4. Reservation of Rights.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 6. Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 7. 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.

2020-300 BILLS & ACCOUNTS

By Councilperson Calvin, supported by Councilperson Maiani

RESOLVED that the total bills and accounts of \$3,720,755.74 as presented by the Mayor Pro Tempore and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES


Beautification Commission	09/09/2020
Fire Commission	09/08/2020
Planning Commission	08/20/2020
Recreation Commission	09/08/2020
WMS Commission	09/09/2020

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS**ADJOURNMENT****2020-301 ADJOURNMENT**

By Councilperson Alderman, supported by Councilperson Sabuda

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:38 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk