

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 current MDHHS Public Health Orders & PA228 of 2020, using the Zoom Audio platform, on Monday, October 26, 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 Christopher Calvin, Megan Maiani, Leonard Sabuda

ABSENT: Councilpersons Robert Alderman and Donald Schultz

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

PRESENTATIONS

PRESENTATION OF PETITIONS

PUBLIC HEARINGS

- Reconfiguration of Maple Street from Biddle Avenue to Alley East of Biddle Avenue
 - *5 comments received in person; Seven objections received in writing*

UNFINISHED BUSINESS

CALL TO THE PUBLIC

CONSENT AGENDA

2020-319 MINUTES

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the minutes of the meeting held under the dates of October 12, 2020, be approved as recorded, without objection.

Motion unanimously carried.

2020-320 SPECIAL EVENT REQUEST – VINTAGE HOME MARKET, LLC

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that Council Concurs with the recommendation of the Special Events Coordinator, Fire Chief, Police Chief and Recreation Superintendent to approve the use of city streets and property, specifically Sycamore Street from Biddle to First St., for the Vintage Market Home, LLC's "Kickoff to Christmas" event scheduled to be held on November 7th, 2020, from 9AM to 7PM, provided the group add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement, which shall be created by the Department of Legal Affairs.

Motion unanimously carried.

NEW BUSINESS

2020-321 VIRTUAL MEETING PROCEDURES – PA 228 OF 2020

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the policy for electronic meetings of City Council and all City Commissions is hereby approved to take effect immediately:

POLICY FOR ELECTRONIC MEETINGS OF CITY COUNCIL AND ALL CITY COMMISSIONS
 These procedures apply to the City Council and Commission Meetings in the City of Wyandotte.

1. A meeting of the City Council (and all City Commissions) may be held, in whole or in part, electronically by telephonic or video conferencing (“electronic meeting”) in compliance with the provisions of Senate Bill 1108 of 2020 and the Open Meetings Act.
2. Prior to January 1, 2021 and retroactive to March 18, 2020, an electronic meeting may be held under any circumstances.
3. On and after January 1, 2021 through December 31, 2021, an electronic meeting may be held in accordance with the provisions of Senate Bill 1108 and the Open Meetings Act under those circumstances requiring accommodation of a member of the City Council (including Mayor) or of the commission absent due to military duty, a medical condition, or a statewide or local state of emergency or disaster.
4. After December 31, 2021, an electronic meeting may be held in accordance with the provisions of Senate Bill 1108 and the Open Meetings Act only in circumstances requiring accommodation of member(s) of the City Council (including Mayor) or of the commission absent due to military duty.
5. Two-way communication must be used in the electronic meeting so that members of the public body (City Council or Commission) can all hear one another and that public participants can hear members of the public body.
6. During public comment period(s), public participants must be able to hear the members of the City Council or Commission (“public body”) and to be heard by the members of the public body and other participants.
7. The public body may use technology that allows members of the public to submit typed comments that can be shared with all the meeting participants to satisfy the requirement that members of the public must be allowed to address the meeting and be able to be heard by others.
8. A physical place is not required for an electronic meeting.
9. The city must post notices for a meeting as required by the Open Meetings Act. The city must post advance notice of an electronic meeting on its website where the public can access it at least 18 hours before the start of the meeting. The notice for the electronic meeting shall be placed on a portion of the public body’s website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of non-regularly scheduled or electronic public meetings.
10. The public notice must include the following:
 - a. Why the public body is meeting electronically.
 - b. How members of the public can participate in the meeting, including any telephone number or internet address including any required passwords or access code needed to do so.
 - c. How members of the public can contact members of the public body to ask or give input about any business that will come before the public body at the meeting.
 - d. How persons with disabilities can participate.
 - e. The City Clerk’s Office will be responsible to satisfy these requirements for City Council meetings. The Chairman or Secretary of each commission will be responsible to satisfy these requirements for their commission.
11. If the electronic meeting has an agenda, the public body must make the agenda available to the public on the internet at least two (2) hours before the start of the meeting. The agenda may be amended at the meeting.
12. A public body may not require a person to register or provide his or her name or other information as a condition of participating in an electronic meeting, or require a person to otherwise fulfill a condition for attendance, except for mechanisms the public body requires that is necessary to allow a person to participate in a meeting’s public comment period(s). Members of the public shall provide their name and address in order to address the public body.
13. If during an electronic meeting a closed session of the public body were held electronically in compliance with applicable provisions of the Open Meetings Act, members of the public otherwise participating in the meeting would have to be excluded from participating in the closed session.

14. An electronic meeting may allow members of the public body to meet in one place but limit the public participation by electronic means. If the number of public participants exceeds the meeting location's capacity, members of the public who are not able to be in the physical location, may participate electronically. The

public body shall comply with any health declared directive issued by the State of Michigan or Wayne County Health Department concerning social distancing requirements.

15. If a member of the public body is absent due to military duty or a medical condition, that member may participate electronically. Under this circumstance the member must indicate at the start of the meeting what city, county and state the member is located at. A procedure must be established to provide a way to notify the

public of the member's absence and let them know how to contact that member before the meeting to give input to that member where he or she may be contacted.

16. If a member of the public body knows he or she will be absent from the meeting but intends to participate electronically, the member must notify and provide the city clerk's office the necessary information to comply with paragraph (15).

17. The City Clerk's Office after consultation with the Mayor (including Mayor Pro Tempore) may determine whether an electronic meeting is to be put in place. In the case of a commission, the chairman or presiding officer shall make the decision about holding an electronic meeting. A local emergency could include concerns over the public health, snow emergencies as declared by the Mayor (including Mayor Pro Tempore also known as Chairman Pro Tempore), and for any other reason which complies with the Open Meetings Act.

18. These rules are subject to the provisions of the Open Meetings Act, as amended (including Senate Bill 1108 of 2020).

19. Members of the public body shall not send texts, email communications, social media posts or any other type of messaging during the meeting. All deliberations need to be in compliance with the Open Meetings Act.

BE IT FURTHER RESOLVED that a copy of this policy be forwarded to all City Commissions.

Motion unanimously carried.

2020-322 CITIZEN COMMUNICATION – P. HOLT/TRASH COLLECTION FEES

By Councilperson Maiani, supported by Councilperson Calvin

BE IT RESOLVED that the communication from Mr. Paul Holt regarding trash collection fees is hereby referred to the Engineer, Assessor, and WMS for review and report back on November 23, 2020.

BE IT FURTHER RESOLVED that the Engineer consider waiving the fees assessed against Mr. Holt
Motion unanimously carried.

2020-323 CAPITAL IMPROVEMENTS PLAN 2021 FY

By Councilperson Sabuda, supported by Councilperson Calvin

WHEREAS, the MEDC has developed a program for certifying Redevelopment Ready Communities, and the City of Wyandotte desires to achieve that certification by implementing best practices and recommended strategies for redevelopment; and

WHEREAS, the City of Wyandotte has engaged in the MEDC Redevelopment Ready Communities Program, in order receive Redevelopment Ready Communities Certification from the MEDC.

NOW, THEREFORE, BE IT HERBY RESOLVED, by City Council that the Council accepts and approves the City of Wyandotte Capital Improvements Plan for Fiscal Year 2021-2026 as written.

Motion unanimously carried.

2020-324 PURCHASE OF FIRE DEPARTMENT VEHICLE

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with the Fire Chief for the purchase of a 2020 Ford F-150 for the Fire Department from Gorno Ford of Woodhaven, MI in the amount of \$28,228.00.

Motion unanimously carried.

2020-325 PURCHASE OF POLICE VEHICLES

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with the Chief of Police to purchase two (2) 2020 Chevrolet Police Tahoes from Berger Chevrolet of Grand Rapids in the amount of \$70,186.00.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL that these expenditures will be paid from the Capital Improvement Vehicle account of 402-301-850-530.

Motion unanimously carried.

2020-326 WMS REPLACEMENT OF SODIUM HYPOCHLORITE DAY TANK

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that City Council concurs with the Municipal Services Commission, with a majority thereto concurring in the following resolution,

A resolution authorizing the purchase of a Sodium Hypochlorite Day Tank for the Water Filter Plant and waiver of the competitive bidding requirement due to the unique nature of the equipment, in the amount of \$16,228, from Wagner Enterprise, Inc. and approval of a net zero capital budget amendment in the same amount from account # 592-000-970-000-1024WA – Rebuild High/Low Service Pumps, as recommended by WMS management.

Motion unanimously carried.

2020-327 PROFESSIONAL SERVICES FOR WATER SERVICE LINE REPLACEMENT

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED by City Council that Council concurs with the Municipal Services Commission in the following resolution,

A resolution authorizing the General Manager to sign a professional services contract with C.E. Raines Company for service year 2021 for engineering services relative to the proposed Service Line Replacement Program in an amount not to exceed \$32,800.00, as recommended by WMS management.

Motion unanimously carried.

2020-328 BID AWARD: FILE #4793 FIBER OPTIC CIRCUITS/MOBITV

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that City Council concurs with the Municipal Services Commission, a majority thereto concurring, in the following resolution,

RESOLUTION AUTHORIZING THE GENERAL MANAGER to award and execute a contract agreement with Comcast Business Services, the lowest qualified bidder, for the bid amount of \$5,200/month (\$2,600 per circuit) with a 36-month term commencing upon operational delivery of the circuits, as recommended by WMS Management.

Motion unanimously carried.

2020-329 BID AWARD: FILE #4794 LOCAL PROGRAMMING PLAYBACK PROJECT

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED by City Council that Council concurs with the Municipal Services Commission in the following resolution,

RESOLUTION AUTHORIZING THE GENERAL MANAGER to award Bid # 4794 and execute a contract agreement with Advanced Lighting & Sound, the recommended qualified bidder, for the bid amount of: \$35,600, as recommended by WMS Management.

Motion unanimously carried.

2020-330 RECONFIGURE MAPLE STREET FROM BIDDLE TO ALLEY EAST (SAD 946)

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the Council denies the reconfiguration of Maple Street project and creation of SAD 946 for said project.

Motion unanimously carried.

2020-331 SALE OF FORMER 626 CLINTON

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that the sale of former 626 Clinton to Mr. Greene be held in abeyance for 60 days (December 21, 2020).

Motion unanimously carried.

2020-332 SALE OF FORMER 1431-1475 EUREKA

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED BY THE MAYOR PRO TEMPORE AND COUNCIL that the communication from the City Engineer regarding the City owned property located at former 1431 -1475 Eureka is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell said property known as 1431-1475 Eureka to Epic Property Management, LLC Josh Sterling in the amount of \$34,440.00; AND

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 1431-1475 Eureka, between Epic Property Management, LLC and the City of Wyandotte for \$34,440 as presented to Council.

Motion unanimously carried.

2020-333 SALE OF FORMER 4560 & 4624 BIDDLE AVENUE

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED BY THE MAYOR PRO TEMPORE AND COUNCIL that the communication from the City Engineer regarding the City owned property located at Former 4560 Biddle Avenue and the Former 4624 Biddle Avenue 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 4560 Biddle Avenue and Former 4624 Biddle Avenue to Rise Above Ventures in the amount of \$20,000; AND

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 4560 Biddle Avenue and Former 4624 Biddle Avenue, between Rise Above Ventures and the City of Wyandotte as presented to Council.

Motion unanimously carried.

2020-334 DANGEROUS STRUCTURE – 1234 5TH ST.

By Councilperson Sabuda, supported by Councilperson Calvin

WHEREAS, hearings have been held in the Office of the city Engineer in the Department of Engineering and building, 3200 Biddle Avenue, Wyandotte, Michigan on February 4th, 2020, and July 29, 2020, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 1234 5th Street, has not been maintained, repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND

WHEREAS, the Hearing Officer has filed a report of this findings with the Council;

NOW, THEREFORE BE IT RESOLVED, that the Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers at City Hall, 3200 Biddle Avenue, Wyandotte on Monday, November 23, 2020, at 7:00 p.m., at which time all interested parties shall be given the opportunity to show cause why, if any they have, the structure has not been brought up to code or demolished or why the City should not have the structure demolished and removed at 1234 5th Street; AND

BE IT FURTHER RESOLVED that the city Clerk shall give notice of said haring ten (10) days before the hearing by certified mail, return receipt requested, and first-class mail, in accordance with the provisions of Section PM-107.4 of the Property Maintenance Ordinance.

Motion unanimously carried.

2020-335 DANGEROUS STRUCTURE – 1009 ANTOINE

By Councilperson Sabuda, supported by Councilperson Calvin
 WHEREAS, hearings have been held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on July 28, 2020, and September 15, 2020, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 1009 Antoine, has not been maintained, repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND
 WHEREAS, the Hearing Officer has filed a report of this findings with the Council;
 NOW, THEREFORE BE IT RESOLVED, that the Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers at City Hall, 3200 Biddle Avenue, Wyandotte on Monday, November 23, 2020, at 7:00 p.m., at which time all interested parties shall have the opportunity to show cause why, if any they have, the structure has not been brought up to code or demolished or why the City should not have the structure demolished and removed at 1009 Antoine; AND
 BE IT FURTHER RESOLVED that the city Clerk shall give notice of said haring ten (10) days before the hearing by certified mail, return receipt requested, and first-class mail, in accordance with the provisions of Section PM-107.4 of the Property Maintenance Ordinance.
 Motion unanimously carried.

2020-336 DANGEROUS STRUCTURE – 4500 17TH ST.

By Councilperson Sabuda, supported by Councilperson Calvin
 WHEREAS, hearings have been held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on December 10, 2019 and September 22, 2020, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 4500 17th Street, has not been maintained, repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND
 WHEREAS, the Hearing Officer has filed a report of this findings with the Council;
 NOW, THEREFORE BE IT RESOLVED, that the Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers at City Hall, 3200 Biddle Avenue, Wyandotte on Monday, November 23, 2020, at 7:00 p.m., at which time all interested parties shall have the opportunity to show cause why, if any they have, the structure has not been brought up to code or demolished or why the City should not have the structure demolished and removed at 4500 17th Street; AND
 BE IT FURTHER RESOLVED that the city Clerk shall give notice of said haring ten (10) days before the hearing by certified mail, return receipt requested, and first-class mail, in accordance with the provisions of Section PM-107.4 of the Property Maintenance Ordinance.
 Motion unanimously carried.

2020-337 PLANNED DEVELOPMENT FOR 231 OAK ST.

By Councilperson Sabuda, supported by Councilperson Calvin
 RESOLVED BY THE CITY COUNCIL that the request from Michigan Legacy Credit Union regarding the property at 231 Oak Street is hereby received; AND
 BE IT FURTHER RESOLVED that the project for 231 Oak Street meets the requirements of the Zoning Ordinance Section 2004; AND
 NOW BE IT RESOLVED that Council approves the Stage I and Stage II Final Site Plan consists of the following sheets as prepared by Barber-McCalpin Associates, Architects/ Engineers, 1. Boundary/ Topographic Survey; 2, Architect Survey; C500 - Overall Site Plan; C501- Removal Plan; C502 - Site Plan-Detail; C503 - site Grade Plan; L200 - Landscape Plan; AND
 WHEREAS, on October 15, 2020, at a regular meeting of the Planning Commission, the Commission approved the plans as submitted;
 NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL that Council has determined that the Site Plan is in compliance with the requirements set forth in the Zoning Ordinance Section 2000 and that the Site Plan is ACCEPTED and APPROVED
 Motion unanimously carried.

2020-338 SNOW REMOVAL AT CITY HALL

By Councilperson Sabuda, supported by Councilperson Calvin
RESOLVED that Council agrees with the recommendation of the City Engineer and approves the contract extension for the snow removal and salt application at City Hall with Pizzo Development Group. The City Hall snow removal will be budgeted in the amount of \$15,890 from account 530-444-825-220, and snow removal at city parking lots other than City Hall will be budgeted in the amount of \$4,500 from account 101-448-750-220.

Motion unanimously carried.

2020-339 FIRST & FINAL READING #1499: CH. 4 TYPOGRAPHICAL ERRORS

By Councilperson Sabuda, supported by Councilperson Calvin

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND CHAPTER 4 ANIMALS AND FOWL,
ARTICLE I. IN GENERAL SECTION 4-2 DEFINITIONS AND
ARTICLE II. ANIMALS
SECTION 4-15 GENERAL PROHIBITION AGAINST KEEPING
OF THE WYANDOTTE CODE OF ORDINANCE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Purpose and Intent.

It is determined necessary for the health, safety and welfare of the City to adopt this article regulating fowl in the City of Wyandotte.

Section 2. Amendment to Article I. In General, Sec. 4-2 Definitions shall be amended to add the following definition:

Fowl means chickens, roosters, ducks, turkeys, pheasants, goose, quail, grouse, partridge and pigeons but excludes the following indoor birds: parrot, canary, finch, cockatiel, and parakeet.

Section 3. Amendment to Article II. Animals, Sec. 4-15 General Prohibition Against Keeping shall be amended to read the following:

Sec. 4-15 General Prohibition Against Keeping

It shall be unlawful for any person to keep, within five hundred (500) feet of any dwelling, street, alley, or public place any bird or fowl (except parrot, canary, finch, cockatiel and parakeet if kept indoors as commonly kept or housed as household pets). Fowl shall not be considered household pets and are subject to the restrictions of this section.

Section 4. 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 5. Effective Date.

This Ordinance shall take immediate effect. This ordinance is deemed necessary for the immediate preservation of the public peace, property, health, safety and for providing for the usual daily operation of the police department, animal control and the city.

Motion unanimously carried.

2020-340 FIRST READING #1500: REZONING 2533 AND 2557 BIDDLE

By Councilperson Sabuda, supported by Councilperson Calvin

BE IT RESOLVED that a first reading of Ordinance to rezone the property known as 2533 Biddle Avenue and 2557 Biddle Avenue, Wyandotte be held on October 26, 2020.

Motion unanimously carried.

2020-341 BILLS & ACCOUNTS

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED that the total bills and accounts of \$2,584,346.03 as presented by the Mayor Pro Tempore and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

WMS Commission

10/07/2020

Planning Commission

09/17/2020

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS**ADJOURNMENT****2020-342 ADJOURNMENT**

By Councilperson Sabuda, supported by Councilperson Calvin

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:23 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk