

**CITY OF WYANDOTTE**  
**REGULAR CITY COUNCIL MEETING**

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, March 25, 2019, and was called to order at 7:00pm with Honorable Mayor Joseph R. Peterson presiding.

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

---

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

Absent: Councilperson Megan Maiani

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

---

**PRESENTATIONS**

- Welcome Home Vietnam Veterans Day, March 29 – Mayor Joseph R. Peterson
- Recognition of Judge Elizabeth L. DiSanto as First Female Judge – Mayor Joseph R. Peterson

**PRESENTATION OF PETITIONS**

**PUBLIC HEARINGS**

**UNFINISHED BUSINESS**

**CALL TO THE PUBLIC**

**CONSENT AGENDA**

**2019-102 CONSENT AGENDA APPROVALS**

By Councilperson Sabuda, supported by Councilperson Alderman

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

1. Approval of Council Meeting Minutes – March 11, 2019
2. Knights of Columbus #1802 Tootsie Roll Drive
3. Item #3 pulled from the consent agenda and placed at top of new business.
4. Composting Agreement – Regulated Resource Recovery, Inc.

Motion unanimously carried.

**2019-103 MINUTES**

By Councilperson Sabuda, supported by Councilperson Alderman

RESOLVED that the minutes of the meeting held under the date of February 25, 2019, be approved as recorded, without objection.

Motion unanimously carried.

**2019-104 KNIGHTS OF COLUMBUS #1802 TOOTSIE ROLL DRIVE**

By Councilperson Sabuda, supported by Councilperson Alderman

WHEREAS, the Wyandotte Knights of Columbus Council #1802 is requesting permission to solicit donations in the annual "Mentally Impaired Drive", also known as the "Tootsie Roll Drive", on March April 12-14, 2019.

WHEREAS, the fundraising event will consist of soliciting donations from motorists stopped at traffic signals at the intersections of Eureka & Fort and Fort & Ford Ave. by persons wearing vests that clearly identify the Knights of Columbus.

BE IT RESOLVED that Council permits the Knights of Columbus Council #1802 to solicit donations as part of the "Tootsie Roll Drive", provided the organization complies with all regulations set forth in PA

112 of 2017, including the submission of a Liability Insurance Certificate in the amount of \$500,000, and signs a Hold Harmless Agreement as prepared by the Department of Legal Affairs  
Motion unanimously carried.

**2019-105 COMPOSTING AGREEMENT – REGULATED RESOURCE RECOVERY**

By Councilperson Sabuda, supported by Councilperson Alderman  
BE IT RESOLVED that Council approves the Composting Agreement with Regulated Resource Recovery, Inc. as presented to Council on March 25, 2019; AND  
BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute said Composting Agreement.  
Motion unanimously carried.

**NEW BUSINESS**

**2019-106 CONTRACT EXTENSION – ASPHALT RESURFACING (BID FILE #4707)**

**\*\*PULLED FROM CONSENT AGENDA FOR DISCUSSION\*\***

By Councilperson Schultz, supported by Councilperson Alderman  
BE IT RESOLVED that Council agrees with the recommendation of the City Engineer and approves the contract extension for bid file #4707 with Al's Asphalt of Taylor, Michigan, in the amount of \$1,273,900 paid from the following accounts: \$235,083 from account #202-440-825-460, \$526,315 from account #203-440-825-460, and \$512,502 from account #492-200-825-460, provided the word "increase" is removed from Line 3 of the contract and a revised contract is presented to Mayor and City Clerk for signature.

BE IT FURTHER RESOLVED the Finance Director shall process a budget amendment to secure \$306,326 from the existing fund balance of account 203-440-825-460.

Motion carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Schultz

NAYS: Councilperson Sabuda

**2019-107 APPOINTMENT OF CITY ENGINEER – G. MAYHEW**

By Councilperson Sabuda, supported by Councilperson Alderman  
BE IT RESOLVED that the City Council hereby CONCURS in the recommendation of Mayor Joseph R. Peterson as set in his communication dated March 25, 2019, to appoint Gregory J. Mayhew as the City Engineer; AND  
BE IT FURTHER RESOLVED that the Council recognizes and approves the Employment Agreement commencing on April 15, 2019 through April 17, 2021; AND  
BE IT FURTHER RESOLVED, Council authorizes the Mayor and City Clerk to sign said agreement directs the City Attorney to prepare the appropriate ordinance.

Motion unanimously carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Maiani, Sabuda, Schultz, and Mayor Peterson

NAYS: None

**2019-108 ENGINEERING DEPARTMENT REORGANIZATION**

By Councilperson Sabuda, supported by Councilperson Alderman  
BE IT RESOLVED that the City Council hereby concurs in the recommendation of Mayor Joseph R. Peterson as set in his communication dated March 25, 2019, regarding reorganizations within the Engineering and Building Department; AND  
BE IT FURTHER RESOLVED that the Council approves the creation of the position of Neighborhood Services and Development Coordinator and concurs with the recommendation to fill this position with Kelly Roberts at the job classification level of 39E commencing on April 15, 2019; AND  
BE IT FURTHER RESOLVED, Council approves the reclassification of the Jesus Plasencia, Assistant City Engineer, to job classification level 45E commencing on April 15, 2019  
Motion unanimously carried.

**2019-109 WPD PURCHASE OF PATROL VEHICLE**

By Councilperson Sabuda, supported by Councilperson Alderman

BE IT RESOLVED that the Council concurs with the Chief of Police for the replacement purchase of one Chevrolet Tahoe police package patrol vehicle from Berger Chevrolet in the amount of \$35,682.00. BE IT FURTHER RESOLVED that the remaining expenditure of \$477.00, after insurance monies are applied to this purchase, will be paid from Police Equipment Maintenance account of 101-301-825-430. Motion unanimously carried.

**2019-110 DISTRIBUTOR AND DEVICE FEES – REPLY TO RES. #2019-42**

By Councilperson Sabuda, supported by Councilperson Alderman

BE IT RESOLVED that the City Council concurs with the recommendation of the Mayor, City Clerk, and City Attorney to require payment of delinquent fees by Kelly Nelson for mechanical amusement devices operated within City of Wyandotte businesses, in accordance with Chapter 3, Article IV of the City of Wyandotte Code of Ordinances.

BE IT FURTHER RESOLVED that all fees, totaling \$4915.00 will be paid no later than September 30, 2019, in a payment plan to be negotiated by the City Clerk and Mr. Nelson.

Motion unanimously carried.

**2019-111 DEMOLITION OF 1234 WALNUT STREET GARAGE**

By Councilperson Sabuda, supported by Councilperson Alderman

RESOLVED that Council agrees with the recommendation of the City Engineer and approves the award to Pro Excavation of Wyandotte, MI, for the demolition of the 1234 Walnut Street Garage in the amount of \$4,500.00 and authorizes the Mayor and City Clerk to proceed with the execution of this contract; AND

BE IT FURTHER RESOLVED that the project will be funded from account 492-000-041-040 in the amount of \$4,500.00.

Motion unanimously carried.

**2019-112 SCHEDULE SHOW CAUSE HEARING – 1515 SYCAMORE ST.**

By Councilperson Sabuda, supported by Councilperson Alderman

WHEREAS, a hearing has been held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on August 15, 2018; October 4, 2018; and January 15, 2019, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 1515 Sycamore Street, has not been repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND WHEREAS, the City Engineer has filed a report of his findings with this 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 on the Wyandotte City Hall, 3200 Biddle Avenue, Wyandotte on Monday, April 8, 2019, at 7:00 p.m. at which time all interested parties shall cause, if any they have, why the structure has not been demolished or why the City should not have the structure demolished and removed at 1515 Sycamore Street; AND

BE IT FURTHER RESOLVED that the City Clerk shall give notice of said hearing ten (10) days before the hearing by certified mail, return receipt requested, and first-class mail, in accordance with the provision of Section PM-107.4 of the Property Maintenance Ordinance the following interested parties:

Guardian Care Inc.

ATTN: Joseph DeHelian

26615 Greenfield Road

Southfield MI 48076

Wayne County Treasurer

Eric Sabree

400 Monroe Street 5<sup>th</sup> Floor

Detroit MI 48226

Stephen Borowski

PO Box 11

Lincoln Park MI 48146

Motion unanimously carried.

**2019-113 SCHEDULE SHOW CAUSE HEARING – 3227 4<sup>TH</sup> ST.**

By Councilperson Sabuda, supported by Councilperson Alderman

WHEREAS, hearings were held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on November 27, 2018 and January 17, 2018, and the property owner (s) or other interested parties have been given opportunity to show cause, if any they had, why the structure at 3227 4<sup>th</sup> Street, has not been repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND

WHEREAS, the City Engineer has filed a report of his findings with this 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 on the Wyandotte City Hall, 3200 Biddle Avenue, Wyandotte on Monday, April 8, 2019, at 7:00 p.m. at which time all interested parties shall cause, if any they have, why the structure has not been demolished or why the City should not have the structure demolished and removed at 3227 4<sup>th</sup> Street; AND

BE IT FURTHER RESOLVED that the City Clerk shall give notice of said hearing ten (10) days before the hearing by certified mail, return receipt requested, and first-class mail, in accordance with the provision of Section PM-107.4 of the Property Maintenance Ordinance the following interested parties:

MSHDA	MSHDA	Stephanie Gates & Gerald Currie
735 E. Michigan Avenue	16900 W. Capitol Dr.	3637 Sentera Way
Lansing, MI 48909	Brookfield, WI 53005	Virginia Beach, VA 23452

Motion unanimously carried.

**2019-114 BID FILE #4755: AWARD TO GV CEMENT – 2019 SANITARY SEWER REPAIRS**

By Councilperson Sabuda, supported by Councilperson Alderman

RESOLVED that Council agrees with the recommendation of the City Engineer and APPROVES the award to GV Cement, Brownstown MI, for the 2019 Sanitary Sewer Repairs (Bid File #4755) in the amount of \$673,207.00 from account 590-200-926-310; AND

BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the execution of this contract.

Motion unanimously carried.

**2019-115 RFP – SALE OF CITY OWNED PROPERTY – MCKINLEY-RR/CLARK-HUDSON**

By Councilperson Sabuda, supported by Councilperson Alderman

BE IT RESOLVED that the communication from the City Engineer regarding the Request for Proposals (RFP) for the Sale of Vacant Property between McKinley to Railroad and Clark to Hudson, Wyandotte is received and placed on file; AND

BE IT FURTHER RESOLVED that Council authorizes the City Engineer to place the RFP on MITN, Re/Max, LoopNet, the City's Website and place a "For Sale" on the property.

Motion unanimously carried.

**2019-116 FINAL READING #1473: VARIOUS AMENDMENTS TO CH. 31 - RENTALS**

By Councilperson Sabuda, supported by Councilperson Alderman

**AN ORDINANCE ENTITLED**

An Ordinance to amend Article I "Registration" of Chapter 31.1 "Rental Dwellings and Rental Units" by amending Section 31.1-1 "Definitions" and by adopting Section 31.1-5a "Notification to Tenant by Owner"; and amend Article II "Certificate of Compliance" by amending Section 31.1-11 "Certificate of Compliance Required" and adopting Section 31.1-12(b) "Certificate of Compliance Application Form and Fee" and adopting Section 31.1-12(c) "Certificate of Compliance Application Form and Fee for Renewal" of the Wyandotte Code of Ordinances.

**THE CITY OF WYANDOTTE ORDAINS:**

Section 1. Amendment to Article I. Registration, Section 31.1-1 entitled "Definitions" by amending the definition for the following terms only. All other terms not listed below shall remain as currently defined.

**Certificate of Compliance.** A certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Wyandotte for all rental dwelling and rental units. A certificate of compliance is valid for a period of five (5) years for 1 family and 2 family dwellings and four (4) years for multiple dwellings from its date of issuance if issued within six (6) months of the date of the inspection report, provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred.

**Family.** A domestic family, that is, one (1) or more persons living together and related by the bonds of consanguinity, marriage or adoption, together with servants of the principal occupants and not more than one (1) additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling unit.

**Multiple dwelling.** Dwelling occupied otherwise than as a 1 family dwelling or 2 family dwelling.

**One (1) Family Dwelling.** Dwelling occupied by 1 family, and so designed and arranged as to provide cooking and kitchen accommodations for 1 family only.

**Rental Unit.** Any one area, room, structure, flat, apartment, or facility of a rental dwelling including a 1 family or 2 family dwelling that is being leased or rented to only one (1) tenant, group of tenants, or family under one (1) lease and is not owner occupied.

**Two (2) Family Dwelling.** Dwelling occupied by 2 families, and so designed and arranged to provide cooking and kitchen accommodations for 2 families only.

Section 2. Amending Article I. "Registration", by adding Section 31.1-5a entitled "Notification to Lessee by Owner".

Sec. 31.1-5a Notification to Lessee by Owner

- a) The owner of a leasehold shall notify the lessee of the City's request to inspect a leasehold, shall make a good-faith effort to obtain the lessee's consent for an inspection, and, if the owner obtains the lessee's consent for an inspection, shall arrange for the inspection by the City.
- b) The Owner of a leasehold shall provide the City access to the leasehold for an inspection during reasonable hours if any of the following apply:
  - i. The lease authorizes City inspector to enter the leasehold for an inspection.
  - ii. The lessee has made a complaint to the City.
  - iii. The leasehold is vacant.
  - iv. The City serves an administrative warrant ordering the owner to provide access.
  - v. The lessee has consented to an inspection. If a lessee is not present during the inspection, the City may rely on the owner's representation to the City that the lessee has consented to the City's inspection.
- c) The lessee shall provide the City access to the leasehold for an inspection during reasonable hours if any of the following apply:
  - i. The lease authorizes the City inspector to enter the leasehold for an inspection.
  - ii. The lessee has made a complaint to the City.

- iii. The City serves an administrative warrant ordering the lessee to provide access.
- iv. The lessee has given consent.
- d) If a lessee who refused an inspection by the City vacates a leasehold before an inspection by the City, the owner of the leasehold shall notify the City within 10 days after the leasehold is vacated.
- e) Before entering a leasehold regulated by this ordinance, the owner of the leasehold shall request and obtain permission to enter the leasehold. However, in the case of an emergency, including, but not limited to fire, flood, or other threat of serious injury or death, the owner may enter at any time.

Section 3. Amendment to Article II. Certificate of Compliance, Section 31.1-11 entitled “Certificate of Compliance required”.

Section 31.1-11 Certificate of Compliance Required

- (a) No person shall lease, rent or cause to be occupied a rental dwelling or rental unit unless there is a valid certificate of compliance issued by the department of engineering and building in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The certificate shall be displayed in a conspicuous place in each rental dwelling and rental unit at all times or in a common area shared by all occupants of a rental dwelling and rental unit. The certificate shall be issued after making application with the building department and an inspection by the code enforcement inspector to determine that each rental dwelling and rental unit complies with the provisions of the codes and ordinances of the City of Wyandotte. An inspection report shall be completed by the inspectors after completing the inspection of the property. The report shall note all violations found in the dwelling.
- (b) Before a certificate of compliance is issued, either (a) all violations must be corrected and approved by the City or (b) the amount of money estimated by the City to correct said violations must be placed in escrow with the department of engineering and building together with a signed Escrow Agreement, provided there are no dangerous conditions as determined by the City existing on the premises. If all of the said violations are not corrected within six (6) months of issuance of the Certificate of Compliance, the City may revoke the Certificate of compliance. The escrow funds will be released only after all violations are corrected.
- (c) A certificate of compliance is valid for a period of five (5) years for 1 family and 2 family dwellings and four (4) years for multiple dwellings from its date of issuance if issued within six (6) months of the date of the initial inspection report, provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred. If the violations are corrected more than six (6) months of the date of the initial inspection report, then the certificate of compliance will be valid for a period of five (5) years and six (6) months for 1 family and 2 family dwellings and four (4) years and six (6) months for multiple dwellings from the date of the inspection report. For a new rental dwelling a certificate of compliance shall be issued simultaneously with the certificate of occupancy, and shall remain valid for five (5) years for 1 family and 2 family dwellings and four (4) years for multiple dwellings provided that the rental dwelling and rental units remain in compliance with all the applicable codes and ordinances and are not sold or transferred. When the rental dwelling or rental units are going to be sold or transferred, a new inspection and new certificate of compliance shall be required. The inspection fees will follow the same guidelines as stated in section 31.1-12(b).

The city engineer may revoke a certificate of compliance for a violation of and code, ordinance or rule or regulation of the city. The certificate of compliance must be renewed every five (5) years for 1 family and 2 family dwellings and four (4) years for multiple dwellings at the department of engineering and building. Any existing certificate of compliance that contains an expiration date prior to the adoption of this section shall remain in effect until the expiration date provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances, are not sold or transferred with five (5)

years for 1 family and 2 family dwellings and four (4) years for multiple dwellings of the expiration date of the current certificate of compliance, and provided that the property is not vacant or subject to foreclosure proceedings, or is the subject of a police report regarding vandalism, breaking and entering or open structure, or is determined to be a dangerous building by the engineer in accordance with the City of Wyandotte Property Maintenance Code.

Section 4. Amendment to Article II. "Certificate of Compliance", by amending subparagraph (b) of Section 31.1-12 entitled "Certificate of Compliance application Form and Fee".

Section 31.1-12 (b) Certificate of Compliance Application Form and Fee.

- (b) The inspection fee for a certificate of compliance shall be one hundred ninety dollars (\$190.00) for each rental dwelling and ninety-five dollars (\$95.00) for each additional rental unit contained within said rental dwelling. Future fees shall be determined by resolution of City Council. Fee to be paid prior to inspection of unit(s).

Section 5. Amendment to Article II. "Certificate of Compliance", by amending subparagraph (c) of Section 31.1-12 entitled "Certificate of Compliance application Form and Fee for renewal".

Section 31.1-12 (c) Certificate of Compliance Application Form and Fee for renewal

- (c) The renewal inspection fee every four (4) years for multiple dwelling and every five (5) years for 1 family and 2 family dwelling shall be one hundred ninety dollars (\$190.00) for each rental dwelling and ninety-five dollars (\$95.00) for each additional rental unit contained within said rental dwelling. Future fees shall be determined by resolution of City Council. Fee to be paid prior to inspection of unit(s).

Section 6. Amendment to Article II. "Certificate of Compliance", by amending subparagraph (d) of Section 31.1-12 entitled "Multiple dwellings".

Section 31.1-12 Multiple Dwellings

- (d) Multiple dwelling with more than twenty-five (25) units shall pay a minimum fee of two thousand four hundred seventy dollars (\$2,470.00) provided the city inspection does not exceed twenty-six (26) hours for the team of inspectors. Additional hours beyond twenty-six (26) shall be charged at the rate of one hundred twenty dollars (\$120.00) per hour. Future fees shall be determined by resolution of City Council. Fee to be paid prior to inspection of unit(s).

Section 7. Interpretation.

Nothing in this Ordinance 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 8. 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 9. Conflicting Ordinance.

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 10. Effective

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 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.

Motion unanimously carried.

**BILLS & ACCOUNTS**

**2019-117 BILLS & ACCOUNTS**

By Councilperson Sabuda, supported by Councilperson Alderman

RESOLVED that the total bills and accounts of \$0 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

**REPORTS & MINUTES**

Beautification Commission	February 13 & March 13, 2019
BRDA/TIFA	December 18, 2018 & March 19, 2019
Building Code Board of Appeals	March 4, 2019
Cultural & Historical Commission	February 14, 2019
Daily Cash Receipts	March 1 & 18, 2019
Downtown Development Authority	February 12, 2019
Retirement Commission	February 15, 2019
Zoning Board of Appeals& Adjustment	March 6, 2019

**REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS**

None


**ADJOURNMENT**

**2019-118 ADJOURNMENT**

By Councilperson Sabuda, supported by Councilperson Alderman

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:34 p.m.

Motion unanimously carried.




---

Lawrence S. Stec, City Clerk