

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, April 29, 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, 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

- V.F.W. Post 1136 Poppy Presentation

PRESENTATION OF PETITIONS

PUBLIC HEARINGS

UNFINISHED BUSINESS

CALL TO THE PUBLIC

CONSENT AGENDA

2019-155 CONSENT AGENDA APPROVALS

By Councilperson Alderman, supported by Councilperson Calvin

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

1. Approval of Council Meeting Minutes – April 8, 2019
2. V.F.W. Post 1136 Charitable Contribution Campaign Application
3. Traffic Control Order #2019-06: Stop Sign/RHS Alley
4. DDA & TIFA Status Report
5. Special Events:
 - a. Application – Walk MS Wyandotte
 - b. WSAF 2019 Entertainment Contracts
 - c. WSAF/City of Wyandotte Marketing Contract
 - d. WSAF 2019 Parking Lot Contract

Motion unanimously carried.

2019-156 MINUTES

By Councilperson Alderman, supported by Councilperson Calvin

RESOLVED that the minutes of the meeting held under the date of April 8, 2019, be approved as recorded, without objection.

Motion unanimously carried.

2019-157 V.F.W. 1136 CHARITABLE CONTRIBUTION APP. – TOOTSIE ROLL DRIVE

By Councilperson Alderman, supported by Councilperson Calvin

WHEREAS Albert Starzec has requested on behalf of VFW Post 1136 for permission to hold their annual poppy sale on May 9-11, 2019, to raise funds to continue their work of providing for needy veterans in the City of Wyandotte and State of Michigan.

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

BE IT RESOLVED that Council permits the VFW Post 1136 to solicit donations as part of the Poppy Sale, 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.

2019-158 TRAFFIC CONTROL ORDER #2019-06: STOP SIGN/RHS

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that Council concurs with the recommendation of Deputy Chief Hamilton as set forth in Traffic Control Order 2019-06 for the installation of a “Stop” sign in the alley running along the northern side of 540 Eureka (Roosevelt High School), Wyandotte, MI 48192.

BE IT FURTHER RESOLVED that the Department of Public Service be directed to install said signs and the City Clerk be authorized to sign said order.

Motion unanimously carried.

2019-159 DDA & TIFA STATUS REPORT

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED THAT CITY COUNCIL acknowledges receipt of the 2017/2018 Annual Report on the Status of Tax Increment Financing for the Tax Increment Finance Authority (TIFA) and Downtown Development Authority (DDA) and receives it and places it on file; AND

FURTHER, instructs the City Clerk’s Office to publish the 2017/2018 Annual Report on the Status of Tax Increment Financing for the DDA in a newspaper of general circulation in the municipality.

Motion unanimously carried.

2019-160 SPECIAL EVENT APPLICATION: WALK MS WYANDOTTE

By Councilperson Alderman, supported by Councilperson Calvin

WHEREAS the Michigan Chapter of the National Multiple Sclerosis Society has submitted an event application to the Special Events office requesting permission to hold the 2019 Walk MS: Wyandotte on Saturday, May 4, 2019, with set-up starting at 6:00AM, registration starting at 9:00AM, walk start time at 10:00AM, and completion by approximately 2:00PM.

WHEREAS the proposed walk route will start and finish at the Yack Arena and utilize various city sidewalks between Eureka and Ford Avenue, and Third St. and the boardwalk of Bishop Park.

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator, Fire Chief, Police Chief, and Recreation Superintendent to approve the use of city sidewalks, the use of the Yack Arena, and parking lots for the Walk MS event on May 4, 2019; AND

BE IT FURTHER RESOLVED that the organization is required to sign a hold harmless agreement as prepared by the Department of Legal Affairs, as well as add the City of Wyandotte as an additional insured.

Motion unanimously carried.

2019-161 WSAF 2019 ENTERTAINMENT CONTRACTS

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that Council concurs with the Special Event Coordinator to approve the entertainment agreements for various artists listed below to provide musical entertainment during the 2019 Wyandotte Street Art Fair, with funds to be paid from account #285-225-925-730-860, for the following dates, times, and costs:

Performer	Date	Time	Cost
Eva Under Fire	Saturday, July 13, 2019	6:30 – 8:30PM	\$2,000
Crazy Babies	Wednesday, July 10, 2019	6:30 – 8:30PM	\$2,500
Category 5	Thursday, July 11 & Friday, July 12, 2019	6:15 – 8:15PM daily	\$1,400 (\$700/nt)

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

Motion unanimously carried.

2019-162 WSAF 2019/CITY OF WYANDOTTE MARKETING CONTRACT

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator to approve the contract for \$1,500 per event between the City of Wyandotte and 360 Event Productions and Integrated Works for marketing of the 2019 Wyandotte Street Art Fair and \$1,500 per month for the various events and social media pages at no charge.

WSAF Expense Account – 285-225-925-730-860

\$1,500

Various City Expense Accounts throughout the year

\$1,500 per event if chosen

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.

2019-163 WSAF 2019 PARKING LOT CONTRACT / MARCHING BAND

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the agreement between the City of Wyandotte and the Roosevelt High School/Marching Band for the rental and operation of city parking lot #11 located off of Oak Street and between First & Third Streets during the 2019 Wyandotte Street Art Fair from July 10-13, 2019; AND

BE IT FURTHER RESOLVED that the Wyandotte Department of Public Service will provide barricades by 7:30AM on Wednesday, July 10, 2019; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to execute said Parking Concession Agreement on behalf of the City of Wyandotte, provided the organization adds the City of Wyandotte to their insurance policy as an additional insured and signs a hold harmless agreement as prepared by the Department of Legal Affairs.

Motion unanimously carried.

NEW BUSINESS**2019-164 DEDICATION OF CUSTOMER SERVICE CENTER**

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED by the City Council that based on Andrew A. Swiecki's many years of dedicated public service to the City of Wyandotte, Council hereby concurs in the recommendation of Mayor Peterson to dedicate the Customer Service and Payment Center in honor of Andrew A. Swiecki.

AND BE IT FURTHER RESOLVED that the Special Events Office will coordinate sign installation and a date and time for the naming ceremony.

Motion unanimously carried.

2019-165 HIRING OF DDA DIRECTOR – J. GRUBER

By Councilperson Alderman, supported by Councilperson Calvin
 BE IT RESOLVED that Council acknowledges receipt of the communication from the City Administrator regarding the hiring for the Director of the Downtown Development Authority; AND FURTHER, approves the recommendation to hire Joseph K. Gruber for this position at salary level 33E subject to the successful completion of a physical and drug screen examination.
 Motion unanimously carried.

2019-166 SALE OF FORMER 3024 4TH ST.

By Councilperson Alderman, supported by Councilperson Calvin
 BE IT RESOLVED that Council concurs with the communication from the City Administrator regarding the sale of Former 3024 4th Street, Wyandotte; AND
 BE IT FURTHER RESOLVED that Council accepts the offer from Alfonso Avila to acquire the Former 3024 4th Street in the amount of \$1,147.00; AND
 BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said Documents.
 Motion unanimously carried.

2019-167 FIRST AMENDMENT TO PA – 1851-1857 & 1865-1869 MCKINLEY

By Councilperson Alderman, supported by Councilperson Calvin
 RESOLVED that the communication from the City Administrator regarding the City owned property located at Former 1851-1857 McKinley and Former 1865-1869 McKinley, Wyandotte is hereby received and placed on file; AND
 BE IT FURTHER RESOLVED that Council with concurs with the recommendation of the City Administrator and hereby authorized Mayor and City Clerk to execute the First Amendments to Purchase Agreements between the City of Wyandotte and Pizzo Development Group, LLC for the Former 1851-1857 McKinley and Former 1865-1869 McKinley.
 Motion unanimously carried.

2019-168 WAYNE COUNTY TAX FORECLOSED PROPERTIES

By Councilperson Alderman, supported by Councilperson Calvin
 BE IT RESOLVED that Council concurs with the recommendation of the City Administrator to allow Realty Transition to rehab the home at 634 Lincoln; AND
 BE IT FURTHER RESOLVED that Council authorizes the solicitation of proposals for the sale of 2019 tax reverted properties offered to the City of Wyandotte by the County of Wayne.
 Motion unanimously carried.

2019-169 BUILDING AND ENGINEERING DEPT. VEHICLE PURCHASE

By Councilperson Alderman, supported by Councilperson Calvin
 BE IT RESOLVED that Council concurs with the recommendation of the City Administrator to purchase one (1) 2019 Ford F-150 XL 4x4 Crew Cab Pickup 5.5” bed from Gorno Ford under the State of Michigan MiDeal program (contract #071B7700181) in the amount of \$30,993 from account number 101-000-202-000.
 Motion carried.

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

NAYS: None

ABSTAIN: Councilperson Alderman

2019-170 HIRING OF 3 POLICE OFFICERS – K. WILSON, M. POWERS, A. WORLEY

By Councilperson Alderman, supported by Councilperson Calvin
 BE IT RESOLVED that Council Concurs with the determination that vacancies exist for these positions of police officer and the Council authorizes the filling of such vacancies; AND

BE IT FURTHER RESOLVED that subsequent to a written examination, physical agility test, background investigation, and interview panel conducted by the police department, candidates Kristofer Wilson, Michael Powers, and Aaron Worley be offered employment as probationary police officers contingent upon their successful completion of a physical, drug screen, and psychological examination. Motion unanimously carried.

2019-171 FIRE DEPARTMENT – FIRE PUP PROGRAM

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that Council approves the request of the Wyandotte Fire Chief to reinstitute the National Fire Safety Council’s “Fire Pup” program, in an effort to provide fire safety and education to the community.

Motion unanimously carried.

2019-172 WMS VEHICLE PURCHASE

By Councilperson Alderman, supported by Councilperson Calvin

RESOLVED that Council hereby concurs with the approval by the Municipal Services Commission authorizing the purchase of a 2019 Ford F150 Pickup Truck VIN #1FTEW1E57KFA37092 from Gorno Ford by the Electric Department for an amount not to exceed \$34,190.00. as secured through the State of Michigan MiDEAL vehicle bid contract #071B7700181 and as recommended by WMS management.

Motion carried.

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

NAYS: None

ABSTAIN: Councilperson Alderman

2019-173 AMENDMENT TO APPROVED PD PLAN – 1 JAMES DESANA DRIVE

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that the communication from the Planning Commission regarding a change to the approved PD Plan at 1 James DeSana Drive is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council concurs with the request and hereby approves the Seasonal Tent covering the outdoor patio area from April to October located at 1 James DeSana Drive.

Motion unanimously carried.

2019-174 EUREKA VIADUCT LANDSCAPING & LANDSCAPING MAINTENANCE

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that Council approves the proposals from P & P Landscaping to perform landscaping and maintenance activities at the Eureka Viaducts in the amount of \$109,506.58, with work to be funded from Account #499-200-850-520 (Viaduct Maintenance).

Motion unanimously carried.

2019-175 ARCHITECT SERVICES – CENTRAL FIRE STATION RENOVATIONS

By Councilperson Alderman, supported by Councilperson Calvin

BE IT RESOLVED that the communication from City Engineer is received and Council concurs with the additional services memo with Thomas Roberts Architect, LLC in the amount of \$4,960.00 be approved from account no. 400-336-825-340 and the City Engineer be authorized to sign same.

Motion unanimously carried.

2019-176 FINAL READING #1474: CITY ENGINEER SALARY

By Councilperson Alderman, supported by Councilperson Calvin

**AN ORDINANCE ENTITLED AN ORDINANCE DETERMINING
THE SALARY FOR THE CITY OF WYANDOTTE ENGINEER**

The City of Wyandotte Ordains:

Section 1. City Engineer.

Commencing April 15, 2019 and expiring on April 17, 2021, the City Engineer shall receive an annual salary in the sum of \$98,000.00.

In addition, the following apply to the City Engineer:

1. The City Engineer will not be enrolled in the City's defined contribution plan.
2. The City Engineer may elect to participate in the City's Section 457 Deferred Compensation Plan and/or Section 125 Cafeteria Plan, at any time during his employment.
3. The City Engineer, his spouse and dependents shall not be eligible for the same insurance benefits or other benefits and services (as outlined in Article II of the Personnel Policy Handbook) as other City non-union administrative employees.
4. City Engineer will be entitled to the same paid holidays as City non-union administrative employees.
5. City Engineer shall earn one (1) sick day per month worked. Vacation time shall be earned monthly in accordance with the same schedule of benefits available to other City non-union administrative employees at the twenty-one (21) year level.
6. City Engineer shall be eligible for three (3) personal days per calendar year (pro-rated for calendar year 2019).
7. City Engineer shall receive any accrued, unused vacation at the end of his employment with the City shall not be entitled to compensatory time off.

The City Engineer shall execute and be subject to the employment agreement with the City of Wyandotte which terms are incorporated herein by reference.

Section 2. Repeal.

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

Section 3. Effective Date.

This Ordinance takes effect fifteen (15) days from the date of its passage and a summary shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

Motion unanimously carried.

2019-177 FINAL READING #1475: FIREWORKS

By Councilperson Alderman, supported by Councilperson Calvin

AN ORDINANCE ENTITLED

**AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 11
ENTITLED "FIREWORKS"**

THE CITY OF WYANDOTTE ORDAINS:

**Section 1. Amendment of Chapter 11, Article III "Firework Safety Standards"
Fireworks Safety Standards**

Sec. 11-51. Definitions.

The terms used in this article, whether capitalized or not will have the following meaning:
Act means the Michigan Fireworks Safety Act, Act 256 of 2011, and any amendments to the Act which may be from time to time adopted.

APA standard 87-1 means 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American Pyrotechnics Association of Bethesda, Maryland.

Articles pyrotechnic means the pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks, but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 C.F.R. 172.101.

Consumer Fireworks means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission

under 16 CFR parts 1500 and 1507, and that are listed in the APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low impact fireworks.

Display Fireworks means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation as provided in 27 CFR 555.11, 49 CFR 172, and APA Standard 87-1, 4.1.

Firework or Fireworks means any composition or device, except for a starting pistol, a flare gun, or a flare, of non-toxic or non-explosive emissions, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks, as used in this Article, shall include consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.

Low Impact Fireworks means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8 and 3.5.

Minor means an individual who is less than 18 years of age.

Novelties means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

- (i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap;
- (ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion;
- (iii) Filter sparklers in paper tubes not exceeding 1/8 inch in diameter;
- (iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and quantity contained in each box are printed on the box;
- (v) Toy smoke devices; and

Person means any individual, agent, legal representative, association, charitable organization, church, non-profit organization, unincorporated organization, labor organization, partnership, limited liability company, corporation, or any legal entity or commercial organization. An individual shall include a Minor as defined in this article.

Sky lantern means any device such as the placement of a candle in the bottom of a small bag which then causes the device to go into the air (similar to a hot air balloon) or any other similar type of device.

Except as otherwise provided, other terms used in this Article shall have the meaning ascribed to them in the Act, or, if not defined in the Act, under the APA standards.

Sec.11-52. Prohibited Fireworks and Devices.

(a) Consumer Fireworks.

A Person shall not ignite, discharge or use consumer fireworks except on the following days after 11 a.m.:

1. December 31 until 1 a.m. on January 1.
2. The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
3. June 29 to July 4 until 11:45 p.m. on each of those days.
4. July 5, if that date is a Friday or Saturday, until 11:45 p.m.
5. The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.
6. A fine of one thousand (\$1,000.00) dollars shall be imposed for each violation of Sec. 11-52(a). The remitting of five hundred (\$500.00) dollars of the fine collected under Sec. 11-52(a) to the Wyandotte Police Department.

- (b) **Low Impact Fireworks.**
Low Impact Fireworks may not be used, ignited or discharged during the hours of 11:00 p.m. and 9:00 a.m., and may not otherwise be discharged in violation of the Act, this ordinance, or in such a manner that it violates any other ordinance of the City of Wyandotte.
- (c) **Illegal Fireworks.**
Any use, possession or discharge of any Fireworks that is prohibited and/or not approved by the State of Michigan or the State Fire Marshall, or that which contains a prohibited chemical, component, compound or composition under the APA 87-1 Standard, or any federal or state law or regulation, is prohibited at all times and places, regardless of how it is labeled.
- (d) **Sky Lanterns.**
A sky lantern may not be used or released within the City of Wyandotte and are prohibited by federal regulations within 30 miles of any international airport.

Sec.11-53. Minors.

- (a) A Minor shall not use, discharge or ignite any Consumer Fireworks, at any time, nor on any day, including National Holidays, the day before and the day after a National Holiday.
- (b) A Minor shall not use, discharge, or ignite any low impact fireworks unless under the supervision of a parent or legal guardian, and the use, discharge and ignition is within permitted hours, and does not violate the provisions of the Act, this ordinance or in such a manner that it violates any other ordinance of the City of Wyandotte.

Sec.11-54. Public Property.

- (a) No person shall at any time or on any day, use, discharge or ignite any Fireworks, including Consumer Fireworks, and Low Impact Fireworks in public parks.
- (b) No Fireworks, including consumer Fireworks, and Low Impact Fireworks shall be discharged, used, or ignited on any public property, including public streets, schools, sidewalks, easements and rights-of-way.

Sec.11-55. Private Property.

A Person shall not ignite, discharge or use any Fireworks, including Consumer Fireworks on church property or the property of another person without that organization's or person's express permission to use those Fireworks on those premises. The Person using the Fireworks bears the burden of proof of showing he or she received express permission to use the Fireworks at that location and must be able to present such proof to any peace officer upon request.

Sec. 11-56. Other Ordinances.

Any person who ignites, discharges, or uses any fireworks, including consumer fireworks must do so in such a manner that it will not result in the violation of any other ordinance of the City of Wyandotte. Nothing in this ordinance shall preclude the enforcement of City ordinances or other laws of the State of Michigan at any time or on any day regardless of whether the conduct or offense is incidental to the use, discharge or ignition of the fireworks.

Sec. 11-57. Cost Recovery.

Any costs the City of Wyandotte incurs to respond and/or remediate any damage to public or private property or injury to another person shall be paid by any person responsible for the damage or injury. The City may pursue any legal remedies to collect such costs.

Sec. 11-58. Prohibited Use.

No person shall use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance. As used in this subsection:

- a) "Alcoholic liquor" means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.
- b) "Controlled Substance" means that term as defined in section 8b of the Michigan vehicle code, 1949 PA 300, MCL 257.8b.

Sec. 11-59. Permits for fireworks display.

- (a) The chief of the fire department shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by organizations authorized by the City council. Every such display shall be handled by a competent operator approved by the chief of police and the chief of the fire department, and shall be of such a character, and so located, discharged or fired, as in the opinion of the chief of the fire department or his authorized agent, after proper inspection so that it will not be hazardous to property or endanger any person.
- (b) Applications for permits shall be made in writing at least twenty-one (21) days in advance of that date of the display. After such privilege shall have been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

Sec. 11-60. Bond for fireworks display.

The permittee shall furnish a bond or liability insurance which includes the City of Wyandotte as an additional insured in an amount deemed adequate by the city council for the payment of all damages which may be caused either to a person or to a property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors.

Sec. 11-61. Disposal of unfired fireworks.

Any fireworks that remain unfired after the display is concluded shall be immediately disposed in a way safe for the particular type of fireworks remaining.

Sec. 11-62. Manufacture prohibited.

The manufacture of fireworks is prohibited within the city.

Sec. 11-63. Dangerous Condition.

- a. Subject to subsection (d) if the state fire marshal or the commanding officer of the Wyandotte Fire Department, or a fire fighter in uniform acting under the orders and directions of the commanding officer determines a dangerous condition exists, the state fire marshal, the commanding officer of the Wyandotte Fire Department, or the fire fighter in uniform acting under the orders and direction of the commanding officer upon finding an emergency condition dangerous to persons or property, may take all necessary steps and prescribe all necessary restrictions and requirements to protect persons and property until the dangerous condition is abated.
- b. Subject to subsection (d), the state fire marshal, the commanding officer of the Wyandotte Fire Department, or a fire fighter in uniform acting under the orders and directions of the commanding officer, responding to a fire or emergency call, who, upon arriving at the scene of a fire or emergency, finds a condition dangerous to persons or property, may take all necessary steps and requirements to protect persons and property until the dangerous condition is abated.
- c. The state fire marshal or the commanding officer of the Wyandotte Fire Department, or a fire fighter in uniform acting under the orders and direction of the commanding officer may investigate causes and effects related to dangerous conditions.
- d. If the environmental concerns based on the department of natural resources fire division criteria are elevated to extreme fire conditions or if the environmental concerns based on the department of natural resources fire division criteria are elevated to very high for 72 consecutive hours, the commanding officer of the Wyandotte Fire Department, in consultation with the department of natural resources, has the authority to enforce a no burning restriction that includes a ban on the ignition, discharge, and use of consumer fireworks within the City of Wyandotte. If a no burning restriction is instituted under this subsection, the commanding officer of the Wyandotte Fire Department enforcing the restriction shall ensure that adequate notice of the restriction is provided to the public.
- e. Not more than 24 hours after the fire condition is downgraded from extreme or very high fire condition, the commanding officer of the Wyandotte Fire Department that enforced a no burning restriction that included a ban on the ignition, discharge, and use of consumer

fireworks shall lift the restriction and inform the public that the restriction has been lifted in the same manner that the restriction was announced or made known to the public.

Sec. 11-64. Violation.

Any person who violates any section of this ordinance is responsible for a municipal civil infraction.

Section 2. Severability

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

Section 3. 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.

2019-178 BILLS & ACCOUNTS

By Councilperson Alderman, supported by Councilperson Calvin

RESOLVED that the total bills and accounts of \$1,556,979.70 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

Beautification Commission	March 13, 2019
Board of Review	March 2019
Building Code Board of Appeals	April 1, 2019
Cultural & Historical Commission	March 14, 2019
Daily Cash Receipts	April 10, 2019
Downtown Development Authority	April 9, 2019
Fire Commission	March 26, 2019
Municipal Services Commission	April 3 & April 17, 2019
Planning Commission	March 21, 2019
Police Commission	March 26 & April 9, 2019
Zoning Board of Appeals & Adjustment	April 5, 2019

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

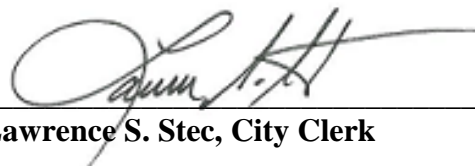
ADJOURNMENT

2019-179 ADJOURNMENT

By Councilperson Alderman, supported by Councilperson Calvin

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:01 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk