

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, November 4, 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: None

Also, Present: Theodore Galeski, City Assessor; 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

2019-424 MINUTES

By Councilperson DeSana, supported by Councilperson Maiani

RESOLVED that the minutes of the meeting held under the date of October 21, 2019, be approved as recorded, without objection.

Motion unanimously carried.

2019-425 NEW SDM LICENSE & SUNDAY SALES PERMIT (AM) – 165 MAPLE

By Councilperson DeSana, supported by Councilperson Maiani

WHEREAS Family Dollar Stores of Michigan, LLC at 165 Maple St. has applied for a New SDM (Specially Designated Merchant) with a New Sunday Sales Permit (AM) with the Michigan Liquor Control Commission.

BE IT RESOLVED that Council has taken into consideration the opinions of local residents and appropriate department heads and supports the issuance of the requested license to the applicant, pending a Certificate of Occupancy and Commercial Inspection are scheduled, completed, and obtained prior to using this license for the sale of alcohol.

BE IT FURTHER RESOLVED that, under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee.

BE IT FURTHER RESOLVED that the licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcohol.

Motion unanimously carried.

2019-426 SPECIAL ASSESSMENT PLACEMENTS – DELINQUENT WATER/SEWER

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that the Wyandotte City Council hereby concurs with the WMS Commission recommendation regarding the list of Water and Sewer charges billed by the Department of Municipal Services in the amount of \$ 25,105.84 for the period 10/1/2016 through 4/15/2019, AND

BE IT FURTHER RESOLVED that the Council directs the City Treasurer to spread said charges on the 2019 Winter Tax Roll.

Motion unanimously carried.

2019-427 SPECIAL EVENTS – WOW 360 EVENTS UPDATE

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Events Coordinator to approve the use of city sidewalks, streets and property for the events held on the below dates in addition to the previously approved events/dates from the WOW 360 Event Hosting Agreement 2019-2021:

- St. Patrick's Party & Leprechaun Crawl (March 15,16,17 2019, March 13, 14 & 17, 2020, March 12, 13 & 17, 2021 or other mutually agreed upon dates)
- Swiggin' Pig - (Mutually agreed upon dates) May 22 – 25, 2020, May 21-24, 2021)
- 80's vs 90's - (Saturday – June or July 2019, 2020, 2021)
- Wine Crawl (August 21 2019, August 21 2020, August 20, 2021)
- Fire & Flannel – (Sept 27-29, 2019, Sept 25-27, 2020, Sept 24-26, 2021)
- Cocktail Showdown / Dave & Chuck .5k (Nov 1-2, 2019, Nov -6-7, 2020, Nov 5-6, 2021)

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

- That any costs, overtime or otherwise, for any city staff/material/property for said event will be the responsibility of WOW 360 Events to be paid no later than 30 days following the event.
- Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- WOW 360 Events will be responsible for clean up (glass, spills, broken items, etc.) before, during, and after the event.
- WOW 360 Event Productions must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement as prepared by the Department of Legal Affairs.
- Any requests made after this event is reviewed and approved by Council will be evaluated by the Special Events Coordinator and necessary Department Heads for consideration of approval.

Motion unanimously carried.

2019-428 SPECIAL EVENT APPLICATION – 2020 WSAF LEMONADE AGREEMENT

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator to approve the contract between the City of Wyandotte and Lori's Festive Catering to provide & supply five lemonade stands for the Wyandotte Street Art Fair, July 8th – 11th, 2020.

BE IT FURTHER RESOLVED that the vendor's certificate of insurance and hold harmless will be submitted by June 1, 2020, pending approval of this contract.

Motion unanimously carried.

2019-429 TULIP PLANTING ON BIDDLE AVENUE MEDIAN

By Councilperson DeSana, supported by Councilperson Maiani

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE, that in consideration of the Wayne County Department of Public Services Permits Office issuing a construction permit under the City of Wyandotte's Annual Special Events Permit A-19160 to plant tulips in the Wayne County Right of Way, more particularly described as planting of tulips around the perimeter of the Biddle Avenue median from Plum Street to Grove Street, the City of Wyandotte hereby assumes all responsibility for the planting, cultivation and maintenance of said tulips.

Motion unanimously carried.

NEW BUSINESS

2019-430 APPOINTMENT OF ASSISTANT FIRE CHIEF – T. LYON

By Councilperson DeSana, supported by Councilperson Maiani

Concur with the recommendation of the Mayor and Police and Fire Commission to appoint Captain

Thomas Lyon to the position of Assistant Fire Chief.
Motion unanimously carried.

2019-431 FIRE DEPARTMENT – INTERNAL PROMOTIONS FOR LT. AND CAPT.

By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED that the Council concurs with the recommendation of the Fire Chief and Police and Fire Commission to approve the promotions of Lieutenant Gregory Kmita to Captain and Sergeant Jeremy Moline to Lieutenant, effective as of November 4, 2019.
Motion unanimously carried.

2019-432 WAYNE COUNTY EMERGENCY SUPPORT PLAN

By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with the adoption of the Support Emergency Operation Plan of Wayne County.
Motion unanimously carried.

2019-433 CABLE SYSTEM – AMENDED REVENUE BOND ORDINANCE

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED by the City of Wyandotte City Council that Council concurs with the Wyandotte Municipal Services Commission and approves the Ordinance to Amend the Cable System Revenue Bond Ordinance, as recommended by WMS management, as follows,

City of Wyandotte
County of Wayne, State of Michigan
AN ORDINANCE TO AMEND THE
CABLE SYSTEM REVENUE BOND ORDINANCE
CERTIFIED RESOLUTION 2019-342.

WHEREAS, on September 9, 2019 the City Council of the City of Wyandotte (the “City”) enacted the Cable System Revenue Bond Ordinance, Certified Resolution 2019-342 (the “Ordinance”) to authorize and provide for the issuance of City of Wyandotte Cable System Revenue Bonds; and

WHEREAS, the City has not yet issued Bonds pursuant to the Ordinance; and

WHEREAS, the City has been advised by its Municipal Advisor that adding an additional covenant to the Ordinance will allow the Commission to sell the Bonds at a more favorable interest rate; and

WHEREAS, the City wishes to enact this amendatory ordinance for the purpose of adding to the covenants and agreements of the City contained in the Ordinance.

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Definitions. All terms not defined herein shall have the meanings set forth in the Ordinance except when otherwise indicated by the context.

Section 2. Amendment to Ordinance. Section 20 of the Ordinance is hereby amended to add the following additional covenant as a new subsection (f):

(f) Bond Reserve Account Deficiency. If at any time the amount on deposit in the Bond Reserve Account is less than the Bond Reserve Requirement due to a draw for the payment of the principal of and interest on the Bonds as to which there would otherwise be a default, the President of the Commission shall certify to the City Administrator the amount necessary to restore the balance of the Bond Reserve Account to an amount equal to the Bond Reserve Requirement, and the City Administrator shall include an appropriation to the System for the Bond Reserve Account in the amount certified by the President of the Commission in the annual budget submitted to the City Council for the next fiscal year of the City.

Section 3. Repeal. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are repealed.

Section 4. Severability and Paragraph Headings. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this

Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 5. Publication and Recordation. This Ordinance shall be published in full in *The News-Herald*, a newspaper of general circulation in the City qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the Mayor and the Clerk.

Section 6. Effective Date. As provided in Act 94, this Ordinance shall be effective immediately upon its adoption.

Motion unanimously carried.

2019-434 ACQUISITION OF PROPERTY AT 321 SYCAMORE

By Councilperson DeSana, supported by Councilperson Maiani

RESOLVED BY THE CITY COUNCIL that Council concurs with the recommendation of the City Engineer to acquire the property at 321 Sycamore in the amount of \$25,000.00 to be appropriated from TIFA Area Funds Account No. 492-200-850-519; AND

BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary closing documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement.

BE IT FURTHER RESOLVED that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

Motion unanimously carried.

2019-435 PRESENTATIONS TO COUNCIL

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk to move the "presentations" section of the regularly scheduled council meetings to 6:30 p.m.

And that presentations be continued to be made through the Mayor's office, limited to two per evening, limited to ten minutes, and scheduled on a first come, first served basis.

Motion carried.

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

NAYS: Councilperson Sabuda

2019-436 SALE OF 504 POPLAR & FORMER 2434 5TH TO WCA

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding the sale of the property known as 504 Poplar and the former 2434 5th Street to the Wyandotte Community Alliance (WCA) in the amount of \$1.00.

Motion unanimously carried.

2019-437 SALE OF FORMER 400 HIGHLAND

By Councilperson DeSana, supported by Councilperson Maiani

RESOLVED BY THE MAYOR AND COUNCIL that the communication from the City Engineer regarding the City owned property located at former 400 Highland 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 400 Highland to Peter and Kerry Fraley in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Peter and Kerry Fraley do not undertake development within six (6) months from time of closing and complete construction within one (1) year 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, also, the Purchasers shall be responsible for removing the concrete between the sidewalk and curb and installing grass in that area, and replacing any existing unused drop curb with full height curb;

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 400 Highland, between Peter and Kerry Fraley and the City of Wyandotte for \$10,000 as presented to Council. Motion unanimously carried.

2019-438 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2019-2024

By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED that Council hereby approves the Sub-Recipient Agreement for the Community Development Block Grant (CDBG) 2019-2024 and authorizes the Mayor and City Clerk to execute same. Motion unanimously carried.

2019-439 REZONING OF BOAT HOUSE PROPERTIES ON WALNUT

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission regarding the rezoning of the properties known as 3, 5, 5.5, 7, 7.5, 9.5, 11, 11.5, 13, 13.5, 15, 15.5, 17, 17.5, 19, and 19.5 Walnut, Wyandotte, Michigan (Lots 5 to 15 and Lots 17 to 21 River Park Subdivision) , Wyandotte is hereby received and placed on file; AND
BE IT FURTHER RESOLVED that Council denies the request for rezoning to Single Family Residential District (RA). Motion unanimously carried.

2019-440 FIRST READING #1483: ZONING ORDINANCE AMENDMENT TO RM-3

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission regarding changes to the City of Wyandotte Zoning Ordinance regarding Section RM-3 Multiple-Family Residential District is hereby received and placed on file; AND
BE IT FURTHER RESOLVED that said 1st reading of the Ordinance be held at tonight's meeting. Motion unanimously carried.

2019-441 CITY HALL HVAC MAINTENANCE

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED by the City Council that Council agrees with the recommendation of the City Engineer and AUTHORIZES the Engineer to execute the City Hall HVAC service agreement with Expert Mechanical Services in the amount of \$7,510 from account 530-444-825-220. Motion unanimously carried.

2019-442 ROADSIDE GIVING CAMPAIGN APPLICATION – REMAX POPPY SALES

By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED that Remax on the Boulevard is permitted to hand out poppies for the VFW Post 1136 in the intersection of 12th and Northline on November 15, 2019 from 11AM to 4PM.
BE IT FURTHER RESOLVED that Remax works with the City Clerk's Office to obtain the correct paperwork and Hold Harmless agreement. Motion unanimously carried.

2019-443 BILLS & ACCOUNTS

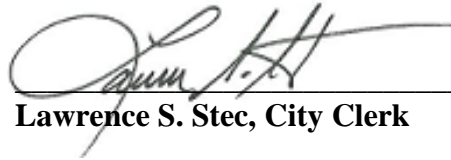
By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED that the total bills and accounts of \$1,447,036.36 as presented by the Mayor and City Clerk are hereby APPROVED for payment. Motion unanimously carried.

REPORTS & MINUTES

DDA	October 8, 2019
Fire Commission	October 8, 2019
Planning Commission	September 19, 2019
Police Commission	October 8, 2019
Recreation Commission	October 8, 2019
Retirement Commission	September 20, 2019
WMS Commission	October 16, 2019
Zoning Board	October 2, 2019

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS**ADJOURNMENT****2019-444 ADJOURNMENT**

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:50 p.m.
Motion unanimously carried.



Lawrence S. Stec, City Clerk