

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

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, April 9, 2018, 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.

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Present: Councilpersons Robert Alderman, Christopher Calvin, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz & Mayor Joseph R. Peterson

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

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**PRESENTATIONS**

**PRESENTATION OF PETITIONS**

**APPROVAL OF AGENDA**

**PUBLIC HEARINGS**

- Show Cause Hearing – Demolition of Garage at 4500 17<sup>th</sup> Street
  - No objections

**2018-125 ORDER TO DEMOLISH GARAGE/4500 17<sup>TH</sup> STREET**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS a hearing was held on 9<sup>th</sup> day of April, 2018, where all parties were given an opportunity to show cause, if any they had, why the garage at 4500 17<sup>th</sup> Street, Wyandotte should not be demolished, removed or otherwise made safe; AND

WHEREAS the Council considered all reports, communications and recommendations received by the City Council from the City Engineering's Office and all other facts and considerations were brought to their attention at said hearing held Council meetings.

BE IT RESOLVED that the City Council hereby directs that said garage located at 4500 17<sup>th</sup> Street, Wyandotte should be demolished and that the cost be assessed against the property in question as a lien; AND

BE IT FURTHER RESOLVED that the parties of interest shall be forwarded a copy of this resolution forthwith so that they may appeal this decision to the Circuit Court within twenty-one (21) days of the date of this resolution if they so desire.

Motion unanimously carried.

**UNFINISHED BUSINESS**

**CALL TO THE PUBLIC**

- John Darin, 851 Orchard, announced Spring Clean-up at 1<sup>st</sup> & Elm, Spring Dig-in on May 19<sup>th</sup>, and spoke in opposition of unsolicited delivery of coupons/publications.

**CONSENT AGENDA**

**2018-126 CONSENT AGENDA APPROVALS**

By Councilperson Calvin, supported by Councilperson Alderman

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

2. Approval of Council Meeting Minutes – March 26, 2018
3. TIFA & DDA Status Report
4. Business License Ordinance Review
5. Council Meeting Protocol Update
6. Payment Processing Agreement – FORTE
7. Special Event Applications:

- a. Washington Elementary 2018 Literacy Walk
  - b. Our Lady of the Scapular Parish Mary the Blessed Mother Procession
8. Downtown Markets Event Approval
  9. Independence Day Parade Carriage Contract
  10. Wyandotte Street Art Fair 2018:
    - a. Entertainment Contracts
    - b. City Hall Parking Lot Contract
    - c. Rentals
    - d. Beverage Area Manager Contract
    - e. Marketing Contracts

Motion unanimously carried.

#### **2018-127 MINUTES**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the minutes of the meeting held under the date of March 26, 2018, be approved as recorded, without objection.

Motion unanimously carried.

#### **2018-128 TIFA & DDA Report**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council acknowledges receipt of the 2016/2017 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

BE IT FURTHER RESOLVED that Council instructs the City Clerk's Office to publish the 2016/2017 Annual Report on the Status of Tax Increment Financing for the DDA in a newspaper of general circulation in the municipality.

Motion unanimously carried.

#### **2018-129 BUSINESS LICENSE ORDINANCE REVIEW**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that the City Council concur with the recommendation of the City Clerk to continue issuing business licenses for the 2018-2019 licensing cycle as it has been done in the past, and that the Clerk and City Attorney continue with the modernization of the business license system; AND

BE IT FURTHER RESOLVED THAT the Clerk report back to Council upon completion of the modernization process with a final implementation date when determined.

Motion unanimously carried.

#### **2018-130 COUNCIL MEETING PROTOCOL UPDATE**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that effective immediately, persons may address the City Council under the following rules:

1. Any person may submit a communication in writing to the Mayor and City Council. One may do so by submitting a single original document addressed to the Honorable Mayor and Council to the Office of the City Clerk no later than 4:30pm the Thursday prior to the Council Meeting at which they wish to appear or have their communication read. The submitted item will appear on the agenda in New Business. All communications, records, or any other information submitted to the City Clerk's Office to be placed on the City Council agenda will be treated as a public record and will be placed upon the city website.
2. Any person may address the Mayor and Council during the Call to the Public portion of the meeting.
3. Any person may address the Mayor and Council at the conclusion of Council discussion of each agenda item and when public comment is requested by the Mayor or a member of the Council.
4. Each person who wishes to address the Council shall approach the podium and state his or her

name and address.

5. The total time that a person may address the City Council is three (3) minutes unless the City Council, by majority vote, suspends this rule.
6. When the time limit expires, the Mayor shall so notify the speaker and permit him or her to complete their address within thirty (30) seconds.
7. If the speaker has not finished at the end of thirty (30) seconds, the Mayor or other presiding official shall strike the gavel and direct the speaker to cease their address immediately.
8. Personal attacks directed toward any officer, employee, or City Council member will not be tolerated. Offensive, threatening, or abusive language shall not be used when addressing the City Council. Comments shall be spoken to the Mayor, and communication between the speaker and audience will not be permitted.
9. Individuals not complying with directives to remain orderly shall be asked to leave the Council Chambers, or be removed by the proper authorities as directed by the Mayor.

Motion unanimously carried.

### **2018-131 PAYMENT AGREEMENT WITH FORTE**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the Superintendent of Recreation to enter into an agreement with Forte Payment Systems, Inc (FORTE) to provide payment processing and related services including but not limited to Automated Clearing House, Credit and Debit Card Processing, account verification, and customer identification, etc.; AND

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor and City Clerk to sign the agreement with FORTE for Payment Processing.

Motion unanimously carried.

### **2018-132 WASHINGTON ELEMENTARY 2018 LITERACY WALK**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks and property, for the Washington Elementary School Literacy Walk event to be held on Monday, April 23, 2018, with approval to include closure of Superior Blvd., between 14<sup>th</sup> and 15<sup>th</sup> Streets, between the hours 8:45am & 10:30am on the date of the event.

BE IT FURTHER RESOLVED that the organization will complete and submit a hold harmless agreement, to be prepared by the Department of Legal Affairs, prior to the event date.

Motion unanimously carried.

### **2018-133 OUR LADY OF THE SCAPULAR PARISH**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS the Our Lady of the Scapular Parish has submitted an event application to the Special Events office requesting permission to hold a procession to honor Mary the Blessed Mother of God and patroness of their parish.

WHEREAS the procession is to be held on May 7, 2018, and will begin at 7:00PM with the route to start in front of the elementary school building on 10<sup>th</sup> Street, proceed to Superior Boulevard (Pope John Paul II Ave), to 12<sup>th</sup> Street around the median, back to 10<sup>th</sup> street, and into the front door of the church.

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 parks and property for use by Our Lady of the Scapular Parish for said event, to include traffic control measures as coordinated by the Special Events Coordinator with appropriate departments.

BE IT FURTHER RESOLVED that the organization is required to sign a hold harmless agreement as prepared by the Department of Legal Affairs.

Motion unanimously carried.

### **2018-134 DOWNTOWN MARKETS EVENT APPROVAL**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS the Special Event Coordinator is requesting Council to permit the use of property and parking spots for the City of Wyandotte Downtown Markets, scheduled every First Friday of the month and the Vintage Market, scheduled for every Third Friday of the month from June to October, 2018. BE IT RESOLVED that the Council permits use of property and parking spots for said events at the following locations on the following dates:

The Wyandotte Farmers and Artisan Food Markets:

Dates: June 1<sup>st</sup>, July 6<sup>th</sup>, August 3<sup>rd</sup>, September 7<sup>th</sup> and October 5<sup>th</sup> 2018

Times: 12 to 7 pm

Locations to be used: Set up to start at 11 am each first Friday

- Sycamore and Biddle Avenue – Area near City Hall
- Sycamore Street from Biddle to the parking lot near Coastal Thai
- First Street west side of street from end of parking lot to Elm Street
- South side row of parking spots in Parking Lot #11, located next to the grassy lot
- No parking signs to be placed in necessary areas prior to event
- Elm Street to be closed from Alley by CVS to First Street for First and Third Fridays only

The Vintage Market:

Dates: June 15<sup>th</sup>, July 20<sup>th</sup>, August 17<sup>th</sup>, September 21<sup>st</sup> and October 19<sup>th</sup> 2018

Times: 3 pm to 10 pm

Locations to be used: Set up to start at 9 am to 2:30 pm each Third Friday

- First Street west side of street from end of parking lot to Elm Street
- South side row of parking spots in Parking Lot #11, located next to the grassy lot
- No parking signs to be placed in necessary areas prior to event
- Elm Street to be closed from Alley by CVS to First Street for First and Third Fridays only

BE IT FURTHER RESOLVED that all vendors will sign hold harmless agreements, be required to add the City as additional insured to their policy if they carry one and the Vintage Market, LLC will also sign a hold harmless agreement and add the city to their insurance policy for their and their vendors use of city property.

Motion unanimously carried.

### **2018-135 INDEPENDENCE DAY PARADE CARRIAGE CONTRACT**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS the Special Events Coordinator has requested to contract the services of Ann Arbor Carriage, as part of the Wyandotte Independence Day Parade on Wednesday, July 4<sup>th</sup>, 2018.

WHEREAS said services will consist of the following event, time and cost:

One horse-drawn carriage 9:45 am – end of parade \$495

BE IT RESOLVED that Council concurs with the Special Events Coordinator to approve the contract for Ann Arbor Carriage for the 2017 Independence Day Parade with funds to be paid from the Independence Day Parade Account 285-225-925-826, AND

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

Motion unanimously carried.

### **2018-136 WSAF ENTERTAINMENT CONTRACTS**

By Councilperson Calvin, supported by Councilperson Alderman

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 2018 Wyandotte Street Art Fair, with funds to be paid from account #285-225-925-730-860, for the following dates, times, and costs:

<b>Performer</b>	<b>Date</b>	<b>Time</b>	<b>Cost</b>
<b>Eva Under Fire</b>	Thursday, July 12, 2018	6PM – 7:30PM	\$500

<b>Terry Jacoby &amp; Rummler</b>	Saturday, July 14, 2018	4:00PM – 5:00PM	\$500
<b>Category 5</b>	Saturday, July 14, 2018	6:30PM-8:30PM	\$550
<b>The Phoenix Theory</b>	Wednesday, July 11, 2018	8:00PM – 11:00PM	\$2500
<b>Downriver Dan</b>	Friday, July 13, 2018	4PM-6PM (set up @3:30PM)	\$900

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.

#### **2018-137 WSAF CITY HALL PARKING LOT CONTRACT**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the contract between the City of Wyandotte and the Wyandotte Goodfellows and the Old Time Ballplayers for the use of the City Hall/Chase Bank Parking Lot during the 2017 Wyandotte Street Art Fair from July 11-14, 2018; AND

BE IT FURTHER RESOLVED that the Wyandotte Department of Public Service will provide barricades by 7:30AM on Wednesday, July 11, 2018; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte, provided both organizations sign a hold harmless agreement for the City of Wyandotte as prepared by the Department of Legal Affairs, prior to the event.

Motion unanimously carried.

#### **2018-138 WSAF RENTALS**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS Symon Rental will provide various tents, tables, and other items for the 2018 Wyandotte Street Art Fair to be held July 11<sup>th</sup>-14<sup>th</sup>, 2018.

BE IT RESOLVED that Council approves the contract between the City of Wyandotte and Symon Rental to provide rentals for the 2018 Wyandotte Street Art Fair in the amount of \$2,846.00 to be paid from account #285-225-925-730-860.

BE IT FURTHER RESOLVED that Council authorizes the Mayor and City Clerk to sign said contract. Motion unanimously carried.

#### **2018-139 WSAF BEVERAGE AREA MANAGER CONTRACT**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the 2018 Beer Area Agreement between the City of Wyandotte and the Wyandotte Jaycees for the oversight and management of the Riverfront Entertainment Area and the additional beverage area in the vicinity of Maple and Biddle Avenue during the 2018 Wyandotte Street Art Fair from July 11-14, 2018, with set up on July 10, 2018, at a time yet to be determined.

BE IT FURTHER RESOLVED that the Wyandotte Jaycees organization will be responsible for distributing beer and other beverages to the public for the four days of the fair, accepting and disposing of tickets, opening and closing beer areas, set up of both areas before the fair, participating in training offered by the beer distributor, applying for the Liquor License, working with a volunteer group that will be responsible for ticket taking during the fair, coordinating with the Wyandotte Street Art Fair Committee and Staff before/during and after the fair, and any and all other duties/payments/costs outlined in the 2018 Beer Area Agreement.

BE IT FURTHER RESOLVED that the Beer Area Agreement includes a Hold Harmless agreement to be signed by the President or other authorized official of the group and that Mayor and City Clerk are authorized to execute said agreement upon acceptance and signature of the Wyandotte Jaycees representative.

Motion unanimously carried.

### **2018-140 WSAF MARKETING CONTRACTS**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the contract for \$3,500 between the City of Wyandotte and Matt Lee/Drumbeaters for marketing of the 2018 Wyandotte Street Art Fair to be paid from WSAF Expense Account, #285-225-925-730-860.

BE IT FURTHER RESOLVED that Council also concurs with the recommendation of the Special Event Coordinator to approve the contract for \$1,500 per month between the City of Wyandotte and Matt Lee/Drumbeaters for marketing of various 2018 events and Downtown happenings to be paid from various DDA and City Expense Accounts throughout the year.

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.

### **NEW BUSINESS**

#### **2018-141 REAPPOINTMENT/DEPARTMENT OF LEGAL AFFAIRS**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council hereby re-appoints the firm of Look Makowski and Look, P.C. as the Department of Legal Affairs for the City of Wyandotte for a two-year term effective April 16, 2018 to April 19, 2020 with a salary of \$80,000 per year.

Motion unanimously carried.

#### **2018-142 FIRST READING #1462/SALARY FOR DEPT. OF LEGAL AFFAIRS**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that the first reading of Ordinance Amendment #1462 regarding setting the salary for the Department of Legal Affairs will be held at the April 9, 2018 meeting of the City Council.

Motion unanimously carried.

#### **2018-143 2018 POVERTY TAX RELIEF GUIDELINES**

By Councilperson Calvin, supported by Councilperson Alderman

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Wyandotte, Wayne County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) Produce a valid driver's license or other form of identification if requested
- 3) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested
- 4) Meet the federal poverty income guidelines for the year of application as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body, providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 5) File an Application for Poverty Exemption in its entirety with all requested documentation with the Assessor or Board of Review. It must be accompanied by federal and state income tax returns for all persons residing in the principal residence,

- including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 6) Report in the application the combined assets of all persons residing in the home, not including the primary residence. Combined assets cannot exceed \$25,000. Assets include but are not limited to, real estate other than the principal residence, personal property (jewelry, art, collections etc.), motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. Statements must be complete with no missing pages.
  - 7) Income included as household income shall be from any and all sources by all persons whether living in the household or not, and shall include but not limited to gifts and contributions, state or federal aid, alimony, pension, insurance benefits, return on investments, and any other forms of compensation received for purposes of establishing exemption eligibility. Statements must be complete with no missing pages.
  - 8) Proof of income/assets from the Social Security Administration, Veterans Administration, College/University scholarships, for all persons residing in the home.
  - 9) The Board of Review is only allowed to deviate from the established guidelines if there are substantial and compelling reasons. It is required that all "substantial and compelling" reasons be documented.
  - 10) If the applicant qualifies for Poverty Exemption, the Board of Review may grant a complete exemption from property taxes, a partial reduction in property taxes, or no reduction as set forth in these guidelines. Approval of the application does not automatically warrant a complete exemption from property taxes. Under no circumstances shall the Board of Review reduce the taxable value lower than that which produces an annual tax equal to 3.5% of an applicant's income plus any property tax credit refund payable by the State of Michigan (1040CR) so as not to reduce applicant's following year income tax refund.
  - 11) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.
  - 12) If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
  - 13) A person who files a claim for Poverty exemption is not prohibited from also appealing the assessment on the property to the Board of Review in the same year.
  - 14) Any willful misstatements or misrepresentations made on the application may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

The following is the current **2018** federal poverty income guidelines which will be updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

### **2018 Federal Poverty Guidelines Used in the Determination of Poverty Exemptions**

<b>Size of Family Unit</b>	<b>2018 Poverty Guidelines</b>
1	\$ 12,060
2	\$ 16,240
3	\$ 20,420
4	\$ 24,600
5	\$ 28,780
6	\$ 32,960
7	\$ 37,140
8	\$ 41,320

For each additional person	\$ 4,180

*The City of Wyandotte Poverty Exemption Guidelines and Application will be updated annually with the current year Poverty Income Guidelines as established by the United States Department of Health and Human Services without further resolutions. If alternative guidelines are adopted by this governing body a new resolution will be required.*

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing from/to the claimant.

Motion unanimously carried.

#### **2018-144 HIRING OF CIVIL ENGINEER II-J. JENKINS**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Civil Engineer II for the Engineering and Building Department; AND BE IT FURTHER RESOLVED that the Council approves the hiring of Joseph Jenkins as a Civil Engineer II for the Engineering and Building Department.

Motion unanimously carried.

#### **2018-145 HIRING OF CLERK TYPIST I – D. EICHLER**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Clerk Typist I for the Engineering and Building Department; AND BE IT FURTHER RESOLVED that the Council approves the hiring of Danielle Eichler as a Clerk Typist I at the Engineering and Building Department.

Motion unanimously carried.

#### **2018-146 MUSIC AT THE MUSEUM PROGRAM**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council has reviewed information and agreements submitted by the Museum director relative to the new Music at the Museum program and approves all documents to be implemented.

BE IT FURTHER RESOLVED the Mayor and City Clerk are directed to execute the agreement with Bruce Sininger.

Motion unanimously carried.

#### **2018-147 PURCHASE AGREEMENT/558 BONDIE**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 558 Bondie now known as 560 Bondie 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 558 Bondie to Rodney Tressler in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Rodney Tressler does 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 Eight Thousand (\$8,000.00) Dollars. A condition will be placed on the Deed that will include this contingency; AND

BE IT FURTHER RESOLVED that Purchaser(s) agrees to sell the home to an owner occupant for a minimum of five (5) consecutive years from the date of closing. A condition will be placed on the Deed that will include this contingency;



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 558 Bondie, between Rodney Tressler and the City of Wyandotte for \$10,000 as presented to Council.  
Motion unanimously carried.

#### **2018-148 PURCHASE AGREEMENT/603 LINCOLN**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 603 Lincoln now known as 605 Lincoln 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 603 Lincoln to Rodney Tressler in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Rodney Tressler does 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 Eight Thousand (\$8,000.00) Dollars. A condition will be placed on the Deed that will include this contingency; AND BE IT FURTHER RESOLVED that Purchaser(s) agrees to sell the home to an owner occupant for a minimum of five (5) consecutive years from the date of closing. A condition will be placed on the Deed that will include this contingency;

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 603 Lincoln, between Rodney Tressler and the City of Wyandotte for \$10,000 as presented to Council.

Motion unanimously carried.

#### **2018-149 PURCHASE AGREEMENT/1201 CHESTNUT**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 1201 Chestnut 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 1201 Chestnut now known as 1203 Chestnut to Julie Lilienthal Mackenzie and Grant Mackenzie in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchasers, Julie Lilienthal Mackenzie and Grant Mackenzie 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) Dollars. A condition will be placed on the Deed that will include this contingency;

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 1201 Chestnut now known as 1203 Chestnut, between Julie Lilienthal Mackenzie and Grant Mackenzie and the City of Wyandotte for \$10,000 as presented to Council.

Motion unanimously carried.

#### **2018-150 PURCHASE AGREEMENT/FORMER 516 PLUM**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the communication from the City Engineer and City Assessor regarding the City owned property located at former 516 Plum 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 516 Plum to Christina and Kurt Hunter in the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchaser(s), Christina and Kurt Hunter 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;

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 516 Plum, between Christina and Kurt Hunter and the City of Wyandotte for \$10,000 as presented to Council. Motion unanimously carried.

**2018-151 NEZ APPLICATION/518 PLUM**

By Councilperson Calvin, supported by Councilperson Alderman

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

WHEREAS the former 516 Plum is within the City of Wyandotte's Neighborhood Enterprise Zone #1 adopted on December 7, 1992;

NOW THEREFORE BE IT RESOLVED that Council concurs with the recommendation of City Engineer as set forth in his communication of July 10, 2017, that the City of Wyandotte will approve a 12-year Neighborhood Enterprise Zone Exemption Certificate for the proposed redevelopment at former 516 Plum now known as 518 Plum, subject to the proper application materials being submitted to the City and the project's compliance with the Neighborhood Enterprise Zone Act, Act 147 of 1992, as amended; AND

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

Motion unanimously carried.

**2018-152 PURCHASE AGREEMENT/849 SUPERIOR**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the communication from the City Engineer regarding the sale of Former 849 Superior, Wyandotte; AND

BE IT FURTHER RESOLVED that Council accepts the offer from Justin Baily and Monique Fekin to acquire the Former 849 Superior in the amount of \$525.00; 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.

**2018-153 PURCHASE AGREEMENT/3391 13<sup>TH</sup>**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the communication from the City Engineer regarding the sale of Former 3391 13<sup>th</sup> Street, Wyandotte; AND

BE IT FURTHER RESOLVED that Council accepts the offer from Ronald Mendenhall Jr., to acquire the Former 3391 13<sup>th</sup> Street in the amount of \$750.00; 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.

**2018-154 CITY PURCHASE/2726 9<sup>TH</sup> ST.**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at 2726 9<sup>th</sup> Street in the amount of \$58,500.00 to be appropriated from TIFA Area Funds; 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; AND

BE IT 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.

**2018-155 PROPERTY LEASE/OUTDOOR CAFÉ 2910 VAN ALSTYNE**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer and Department of Legal Affairs regarding the lease of City owned property known as part of Parking Lot No. #1 to Wine Dotte Bisto, 2910 Van Alstyne for their Outdoor Café; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized to execute the Lease of said property at presented to the Council on April 9, 2018.

Motion unanimously carried.

**2018-156 PROPERTY LEASE/OUTDOOR CAFÉ 2817 VAN ALSTYNE**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that Council concurs with the recommendation of the Planning Commission to grant the request of American Legion Post #217, 2817 Van Alstyne, for an outdoor café with said club and the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café on public property in the Central Business District (CBD) Zoning District, Section 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan submitted by Owner/Applicant dated February 26, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight from March 15 thru November 15 with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
8. Occupancy is limited to 36 persons.
9. Fence to be black decorative metal.
10. Table detail to be black metal with matching chairs.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby approves the use of the City-Owned property for an outdoor café.

Motion unanimously carried.

**2018-157 EXTEND CONTRACT/2018 CONCRETE STREET REPAIRS (#4672)**

By Councilperson Calvin, supported by Councilperson Alderman

BE IT RESOLVED that Council hereby concurs in the recommendation of the City Engineer to amend the 2015 Concrete Street Reconstruction and Alley Repair, File #4672, contract with G.V. Cement Contracting Company to include the 2018 Concrete Street Repairs as set forth in the Amendment To Contract for this work, and further, authorizes the Mayor and City Clerk to sign said amendment;

FURTHER, this recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of the infrastructure.

FURTHER RESOLVED THAT the work will be funded from the 2018 budget year Major Street Fund account #202-440-825-460 (\$145,700) and Local Street Fund account 203-440-825-460 (\$111,325), with the available fund balances in each account to cover any anticipated overtures.

FURTHER RESOLVED THAT the Finance Director shall process the necessary budget amendments from the fund balances of Major Street Fund #202-440-825-460 (\$105,600) and Local Street Fund #203-440-825-460 (\$77,312).

Motion unanimously carried.

**2018-158 AWARD CONTRACT/2017 CDBG ASPHALT RESURFACING PROGRAM**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that Council agrees with the recommendation of the City Engineer and APPROVES the award to Best Asphalt for the 2017 CDBG Asphalt Resurfacing Program in the amount of \$168,730 subject to a Notice To Proceed from Wayne County.

FURTHER RESOLVED the project will be funded from accounts 283-200-875-684 (\$41,342) and 203-440-875-731 (\$127,388).

FURTHER, a copy of this resolution be forwarded to Terry Carroll, CDBG Program Manager Wayne County, requesting the Notice To Proceed for this project as well as three housing rehabilitation projects with a copy to Wyandotte's County representative, Joseph Palamara.

Motion unanimously carried.

**2018-159 PHASE I PRELIMINARY SITE PLAN/785 FOREST**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the communications from the Planning Commission and the City Engineer dated April 2, 2018, is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council approves the Phase I Preliminary Site Plan Option #1 for the property at 785 Forest, including the requirement to execute a Grant of License/Hold Harmless Agreement and agree to maintain the public property utilized for parking along 8<sup>th</sup> Street with their Final P.D. Plan submittal.

Motion carried.

NAY: Councilpersons Calvin and Sabuda

**2018-160 FINAL READING #1461 RODENTPROOFING MEASURES**

By Councilperson Calvin, supported by Councilperson Alderman

AN ORDINANCE ENTITLED

AN ORDINANCE TO

ADOPT APPENDIX F RODENTPROOFING  
OF THE 2015 MICHIGAN BUILDING CODE

THE CITY OF WYANDOTTE ORDAINS:

Section 1.

That a certain document, one (1) copy of which is on file in the Office of the City Clerk of the City of Wyandotte, 3200 Biddle Avenue, Wyandotte, Michigan 48192 being marked and designated as Appendix F Rodentproofing from the 2015 Michigan Building Code is hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance.

Section 2.

The purpose of Appendix F is to eradicate vermin infestation by requiring certain construction measures for foundation wall ventilation openings, foundation and exterior wall sealing, door clearance, windows and other openings clearances and pier and wood construction.

Section 3.

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

Section 4.

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 5.

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 6. Effective Date.**

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

Motion unanimously carried.

**BILLS & ACCOUNTS**

**2018-161 BILLS & ACCOUNTS**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED that the total bills and accounts of \$928,481.94 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

**REPORTS & MINUTES**

Daily Cash Receipts	April 3, 2018
Municipal Services Commission	March 21, 2018
Recreation Commission	March 14, 2018

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

Mayor Peterson: No meeting on April 2, 2018 due to Easter holiday.

**ADJOURNMENT**

**2017-162 ADJOURNMENT**

By Councilperson Calvin, supported by Councilperson Alderman

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:51 p.m.

Motion unanimously carried.



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Lawrence S. Stec, City Clerk