



AGENDA

REGULAR SESSION

MONDAY, MARCH 5, 2018 7: 00 PM

PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON

CHAIRPERSON OF THE EVENING: THE HONORABLE LEONARD SABUDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Peterson, Alderman, Calvin, DeSana, Maiani, Sabuda, Schultz

PRESENTATIONS

PRESENTATION OF PETITIONS

APPROVAL OF AGENDA

PUBLIC HEARINGS

CALL TO THE PUBLIC

At this time, any persons having matters of immediate importance which they were unable to place in writing prior to the agenda deadline may approach the podium to address Mayor and Council.

CONSENT AGENDA

All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Council member so requests, in which event the items will be removed from the Consent Agenda and added to the regular agenda in New Business.

1. Approval of Council Meeting Minutes – February 26, 2018
2. March 2018 Third Friday Property Use
3. Citizen Property Use Request – T. Caperton

NEW BUSINESS

4. Wow 360 Charity Event Application
5. Restaurant Week 2018
6. Hiring Building Inspector – M. Turinsky
7. Outdoor Café Request – 2903 Biddle Avenue
8. 2840 Biddle Property Use/Grant of License
9. Contract Extension for Asphalt Resurfacing Program
10. DCC Grant, Brownfields Revolving Loan Fund – 1213 Grove St.

BILLS & ACCOUNTS

REPORTS & MINUTES

Municipal Service Commission

February 21, 2018

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

ADJOURNMENT

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

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

1. Approval of Council Meeting Minutes – February 26, 2018
2. March 2018 Third Friday Property Use
3. Citizen Property Use Request – T. Caperton

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

NAYS

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, February 26, 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.

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

Absent: Councilperson Robert DeSana

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

PRESENTATIONS

PRESENTATION OF PETITIONS

APPROVAL OF AGENDA

PUBLIC HEARINGS

- Public Hearing – Brownfield Plan Site No. 19 – Amendment #1
 - *No comments received.*

2018-63 BROWNFIELD SITE PLAN NO. 19 – AMENDMENT #1

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the Wyandotte City Council is authorized by the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended (the “Act”), to create a brownfield redevelopment authority; and

WHEREAS, on August 25, 1997, the City Council adopted a resolution to create such an authority; and

WHEREAS, the Wyandotte Brownfield Redevelopment Authority (the “Authority”), pursuant to and in accordance with the Act, adopted a resolution approving Brownfield Redevelopment Plan for Site No. 19 on October 18, 2011, and the Wyandotte City Council adopted a resolution approving the Plan for Site No. 19 on November 14, 2011 (also known as MJC Templin - Phase I, 2070 Biddle Avenue, Brownfield Plan Site No. 19); and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 and Section 14 of the Act, has completed a review of Brownfield Plan Site No. 19 – Amendment No. 1 (the “Plan Amendment”) for the site commonly known as “MJC Templin Phase I,” including eligible property with the following address and Parcel Identification Number: 2070 Biddle – 82-57-010-01-0001-001, to be carried out within property located in the City of Wyandotte; and

WHEREAS, on January 16, 2018, in accordance with the requirements of the Act, the Authority adopted a resolution approving the Plan Amendment, subject to passage of an approval resolution by the Wyandotte City Council; and

WHEREAS, the Authority has now submitted the Plan Amendment for review and approval by the Wyandotte City Council; and

WHEREAS, the Plan Amendment requests to remove a small portion of property (the East 16 feet of Lot 2, Block 61, of Tax Parcel 82-57-010-01-0001-001) and include that portion of property in a new Brownfield Plan Site No. 21 for "MJC Templin - Phase II" Project; and

WHEREAS, this Plan Amendment is necessary to allow for the new Brownfield Plan Site No. 21 for "MJC Templin - Phase II" Project to be considered for adoption by the Authority and the Wyandotte City Council; and

WHEREAS, this Plan Amendment will not negatively impact or change the validity of the Brownfield Redevelopment Plan for Site No. 19 in any way as adopted by the Wyandotte City Council on November 14, 2011; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan Amendment was considered for approval, provided notice of the public hearing to the taxing jurisdictions that levy taxes subject to capture under the Act, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan Amendment was considered for approval, provided notice of the public hearing to the Michigan Department of Environmental Quality (MDEQ) and the Michigan Strategic Fund (MSF), or its designee (the Michigan Economic Development Corporation [MEDC]), because the Plan Amendment involves the use of taxes levied for school operating purposes to pay for eligible activities, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, at the time set for the hearing on the Plan Amendment, the Wyandotte City Council provided an opportunity for any interested persons or an official from a taxing jurisdiction with a millage that would be subject to capture under the Act, to be heard and for written communications referencing the Plan Amendment to be received and considered, pursuant to and in accordance with Sections 14(3) and 14(4) of the Act; and

WHEREAS, the Wyandotte City Council hereby makes the following determinations and findings:

- A. The Plan Amendment No. 1 for Site No. 19 constitutes a public purpose of the Act;
- B. The Plan Amendment meets all of the requirements for a Brownfield Plan amendment set forth in Section 13 and Section 14 of the Act;
- C. The proposed method of financing the costs of the eligible activities as described in the originally adopted Plan were recognized as feasible and have not changed at the time of this Plan Amendment;
- D. The costs of the eligible activities proposed by the Plan Amendment have not changed and are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated by the original Plan for Site No. 19 have not changed from the Plan Amendment and are reasonable.

WHEREAS, as a result of its review of the Plan Amendment and upon consideration of the views and recommendations of the Brownfield Redevelopment Authority of the City of Wyandotte and the taxing jurisdictions, the City Council desires to proceed with approval of the Plan Amendment for implementation by the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Amendment Approved. Pursuant to the authority vested in the Wyandotte City Council by the Act, and pursuant to and in accordance with the provisions of Section 13 and 14 of the Act, Brownfield Plan Site No. 19 - Amendment No. 1 is hereby approved.
2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion unanimously carried.

- Public Hearing – Brownfield Site Plan No. 21
 - *No comments received.*

2018-64 BROWNFIELD SITE PLAN NO. 21

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the Wyandotte City Council is authorized by the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended (the “Act”), to create a brownfield redevelopment authority; and

WHEREAS, on August 25, 1997, the City Council adopted a resolution to create such an authority; and

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Wyandotte, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has completed a review of the Brownfield Plan for Site No. 21 (the “Plan”) for the site commonly known as “MJC Templin Phase II” (the “Project”), including eligible property with the following addresses and Parcel Identification Numbers: 155 Ford – 82-57-010-02-0002-001; 163 Ford – 82-57-010-02-0001-001; 2035 Second St. – 82-57-010-02-0001-002; 146 Spruce – 82-57-010-02-0013-001; 150 Spruce – 82-57-010-02-0013-002; 166 Spruce – 82-57-010-02-0014-001; and 2070 Biddle – 82-57-010-01-0001-001 (West Portion), pursuant to and in accordance with Sections 13 and 13b of the Act, to be carried out within property located in the City of Wyandotte; and

WHEREAS, on January 16, 2018, in accordance with the requirements of the Act, the Authority adopted a resolution approving the Plan for the proposed Project, subject to passage of an approval resolution by the Wyandotte City Council; and

WHEREAS, the Authority has now submitted the Plan for review and approval by the Wyandotte City Council; and

WHEREAS, the Authority’s Resolution dated January 16, 2018, provides for reimbursing various expenses that require an exception to guidelines specified in the Authority’s “Developer Reimbursement Policy for Brownfield Redevelopment Plans,” adopted by the Authority on November 15, 2005; and

WHEREAS, the Authority may make an exception to the guidelines by stating the specific reasons for the exceptions in their adoption of a resolution approving a project and subject to further approval of the Mayor and City Council when adopting the Plan; and

WHEREAS, for this particular project, approving the exceptions necessary to reimburse the costs as provided in the Plan are considered to be in the City’s best interest, and reimbursement allowed as requested, subject to the capped amount specified in the Plan; and

WHEREAS, on January 16, 2018, the Wyandotte Consolidated Tax Increment Finance Authority (TIFA) adopted a resolution supporting the transfer of tax capture for Site No. 21 that would otherwise be captured by the TIFA to the Authority to reimburse eligible Activities and other expenses identified in the Plan, all in accordance with the Interlocal Agreement between the TIFA and the Authority, which was approved by the TIFA on August 17, 2004, and the Authority on August 17, 2004; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan was considered for approval, provided notice of the public hearing to the taxing jurisdictions that levy taxes subject to capture under the Act, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan was considered for approval, provided notice of the public hearing to the Michigan Department of Environmental Quality (MDEQ) and the Michigan Strategic Fund (MSF), or its designee (the Michigan Economic Development Corporation [MEDC]), because the Plan involves the use of taxes levied for school operating purposes to pay for eligible activities, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, at the time set for the hearing on the Plan, the Wyandotte City Council provided an opportunity for any interested persons or an official from a taxing jurisdiction with a millage that would be subject to capture under the Act, to be heard and for written communications referencing the Plan to be received and considered, pursuant to and in accordance with Sections 14(3) and 14(4) of the Act; and

WHEREAS, the Wyandotte City Council hereby makes the following determinations and findings:

- A. The Plan for the site constitutes a public purpose of the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Sections 13 and 13b of the Act;
- C. The proposed method of financing the costs of the eligible activities as described in the Plan, are feasible;

D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;

E. The amount of captured taxable value estimated by the Plan for the site is reasonable.

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Brownfield Redevelopment Authority of the City of Wyandotte and the taxing jurisdictions, the City Council desires to proceed with approval of the Plan for implementation by the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the Wyandotte City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved contingent on the following: Reimbursement to the Developer shall be capped at an amount of \$1,300,000, inclusive of eligible activity costs and 5% simple interest.

2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion unanimously carried.

2018-65 BROWNFIELD SITE PLAN NO. 21 – DEV. & REIMBURSEMENT AGREEMENT

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED by the City Council of the City of Wyandotte that Council hereby approves the Brownfield Development and Reimbursement Agreement for Brownfield Plan Site No. 21, MJC Phase II, Wyandotte, Michigan, and authorizes the authorized personnel to execute said Agreement on behalf of the City.

Motion unanimously carried.

OLD BUSINESS

CALL TO THE PUBLIC

None

CONSENT AGENDA

2018-66 CONSENT AGENDA APPROVALS

By Councilperson Maiani, supported by Councilperson Schultz

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

3. Approval of Council Meeting Minutes – February 12, 2018
4. Knights of Columbus 1802 “Tootsie Roll Drive”
5. 2018 Wyandotte Shred Day
6. 2018 Wyandotte Jaycees Easter Egg Hunt
7. 2018 Whiskeys on the Water Taco Hop
8. 2018 Wyandotte Boat Club Regattas

Motion unanimously carried.

2018-67 MINUTES

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the minutes of the meeting held under the date of February 12, 2018, be approved as recorded, without objection.

Motion unanimously carried.

2018-68 KNIGHTS OF COLUMBUS 1802 TOOTSIE ROLL DRIVE

By Councilperson Maiani, supported by Councilperson Schultz

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 23-25, 2018.

WHEREAS, the fundraising event will consist of soliciting donations from motorists stopped at traffic signals at the intersections of Eureka and Fort, Fort and Northline, and the Eureka turnarounds 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.

2018-69 2018 WYANDOTTE SHRED DAY

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council Concurs with the Wyandotte Municipal Services Commission in support for hosting a city wide shred day on April 28, 2018 from 9 AM – Noon in the City Hall parking lot utilizing EO Administration funding not to exceed \$650.00; AND

BE IT RESOLVED, the Wyandotte City Council grants permission to use the City Hall west parking lot at 3200 Biddle to host the city wide shred day from 9 AM to Noon on April 28, 2018 to promote and educate environmentally responsible recycling of paper through safe and secure shredding as recommended by WMS management.

BE IT FURTHER RESOLVED that the Department of Public Service has reviewed the event and shall place the necessary signs and barricades in the approved parking lot for said event.

Motion unanimously carried.

2018-70 2018 WYANDOTTE JAYCEES EASTER EGG HUNT

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the Wyandotte Jaycees have requested permission to use Bishop Park and any surrounding city sidewalks, streets, and/or property necessary, with permission to include bounce houses and a food vendor placed on site, for the Wyandotte Jaycees Easter Egg Hunt event to be held on March 31, 2018, from 10AM – 1PM.

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of Bishop Park for the Wyandotte Jaycees Easter Egg Hunt.

BE IT FURTHER RESOLVED that the Wyandotte Jaycees 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 the Wyandotte Jaycees with fees payable 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.
- The Wyandotte Jaycees will be responsible for clean up (glass, spills, broken items, etc.) before, during, and after the event.
- Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial.

BE IT FURTHER RESOLVED that the Wyandotte Jaycees 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.

Motion unanimously carried.

2018-71 2018 WHISKEYS ON THE WATER DOWNRIVER TACO HOP

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets, and property for the 2018 Downriver Taco Hop event to take place on October 6, 2018, from 3:00PM to 10:00PM, subject to the terms of the Taco Hop Fundraiser Hosting Agreement.

BE IT FURTHER RESOLVED that Event set up will include the closing of City Parking Lot #1 as well as the partial closing of Elm St. between Biddle Ave. and the entrance to City Parking Lot #1.

Motion unanimously carried.

2018-72 2018 WYANDOTTE BOAT CLUB REGATTAS

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council hereby concurs with the recommendation of the Special Events Coordinator, Chief of Police, Fire Chief, and Superintendent of the Department of Public Service and approves the request of Fred Mekolon Jr., WBC Regatta Chair, to utilize BASF Waterfront Park for the following events:

<u>EVENT</u>	<u>DATE</u>	<u>TIME</u>
54 th Annual Hebda Cup Rowing Regatta	Saturday, April 28, 2018	6AM – 5PM
Wy-Hi Regatta	Saturday, May 5, 2018	6AM – 6PM

(in the case of inclement weather, the regattas would plan to run on the following day)

BE IT FURTHER RESOLVED that the organization must complete a Hold Harmless Agreement as prepared by the Department of Legal Affairs, as well as add the City of Wyandotte as additional insured; AND

BE IT FURTHER RESOLVED that the Chief of Police is hereby designated and authorized to sign said street closing permit documents to close Biddle Avenue from Pine to Plum Street and that the City of Wyandotte hereby holds harmless the County of Wayne for the closure of said street with responsibilities for all damage claims that may arise from said street closing to be assumed by the City of Wyandotte.

Motion unanimously carried.

NEW BUSINESS**2018-73 CITIZEN PROPERTY USE REQUEST – T. CAPERTON**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council refers Tammy Caperton of 144 Ford Avenue to contact the property owner of Rite Aid for the set up of tents, tables, and chairs for a graduation party on Sunday, July 15, 2018.

Motion unanimously carried.

2018-74 MARCH 2018 COUNCIL MEETING CANCELLATION

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk and Deputy City Clerk will be in attendance of a mandatory training conference from March 11 to March 16, 2018.

BE IT RESOLVED that the City Council meeting on Monday, March 12, 2018, is hereby cancelled due to the absence of the City Clerk and Deputy City Clerk.

Motion unanimously carried.

2018-75 HIRING OF ARENA FOREMAN – M. DILLON

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the Council concurs with the recommendation of the Superintendent of Recreation to fill the vacant Yack Arena Foreman position; AND

BE IT FURTHER RESOLVED that the City hire Matt Dillon to fill said vacancy at a Classification Level 34C, pending the successful completion of a work physical and drug screen by the candidate.

Motion unanimously carried.

2018-76 BISHOP PARK 2018 CONCESSION STAND LEASE EXTENSION

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council hereby CONCURS in the recommendation of the Superintendent of Recreation and the Recreation Commission to award a one-year extension to operate the Bishop Park Concession Stand for 2018 to Saif Alghathie, in the amount of \$2,000 provided the proper insurance is placed on file in the City Clerk's Office and all stipulations are adhered to as outlined in said lease; AND BE IT FURTHER RESOLVED that the Council authorizes the Mayor and City Clerk to sign said lease agreement on behalf of the City of Wyandotte.

Motion unanimously carried.

2018-77 MAPLE LEAF AMUSEMENTS SPECIAL EVENT APPLICATION

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS Maple Leaf Amusements has applied to use city property, including use of the Yack Arena Parking Lot (both sides), and to close the drive to the Yack Arena from Sycamore to Maple Street in conjunction with their event to be held on the following dates and times:

May 24-25, 2018 5PM-10PM

May 26-27, 2018 1PM-10PM

May 28, 2018 1PM-6PM

BE IT RESOLVED that Council approves the application of Maple Leaf Amusements and the aforementioned property use for the said dates and times.

BE IT FURTHER RESOLVED that the Maple Leaf Amusements 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 the Maple Leaf Amusements with fees payable no later than 14 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.
- The Wyandotte Jaycees will be responsible for clean up (glass, spills, broken items, etc.) before, during, and after the event.
- Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial.

BE IT FURTHER RESOLVED that the Maple Leaf Amusements 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.

Motion unanimously carried.

2018-78 RAT CONTROL CONTRACT RENEWAL

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to extend the contract with Advantage Pest Control in the amount of \$ 40,192.88 to be paid from account no. 590-200-926-310; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the necessary Amendment to the existing Rat Control Contract (Bid File #4653) as presented to City Council.

Motion unanimously carried.

2018-79 PD PLANNED DEVELOPMENT APPLICATION – 785 FOREST

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the PD Planned Development District Application submitted by Jesus Moreno for 785 Forest is hereby referred to the Planning Commission for the proper public hearing.

Motion unanimously carried.

2018-80 DEMOLITION BIDS FOR VARIOUS STRUCTURES

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer in the acceptance of the proposal from Pro Excavation located in Wyandotte, Michigan in the amount of \$58,300.00 for the demolition of the six structures located at 1331 Walnut, 710 Grove, 522/524 Plum, 608 5th Street, 1147 Lindbergh, and 227 Walnut, to be paid from account #492-200-850-519; the amount of \$9,800.00 for demolition of the structure at 834 Superior to be paid from account #701-000-278-000; and the amount of \$9,000.00 for the demolition of 1768 4th Street to be paid from the account #492-000-041-040.

Motion unanimously carried.

BILLS & ACCOUNTS

2018-81 BILLS & ACCOUNTS

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the total bills and accounts of \$2,912,024.75 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

Beautification Commission	January 10, 2018 & February 14, 2018
Daily Cash Receipts	February 14 & 22, 2018
Fire Commission	January 23, 2018
Planning Commission	January 18, 2018
Police Commission	January 23 & February 13, 2018
Retirement Commission	January 18, 2018
Zoning Board of Appeals & Adjustment	February 7, 2018

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

None


ADJOURNMENT

2017-62 ADJOURNMENT

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:26 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

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

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 6th 2018

AGENDA ITEM # **2**

ITEM: Special Events Office – Third Friday Event – March

PRESENTER: Heather A. Thiede, Special Events Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Events Coordinator

BACKGROUND: Below please find the requested dates for streets/property we would like to utilize for the 2018 Wyandotte Third Friday event in March. We are asking permission for the following items:

March 16th 2018

- **Street Closures/Property Use:**
 - Sidewalks and property within the DDA district
 - Grassy Lot at Elm and First Street
 - All parking spaces from First Street to the Alley on Elm Street – to be signed no parking Friday from 4 to 10 pm

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: It is requested the City Council concur with the support of the Special Event Coordinator, Police Chief, Recreation Superintendent, Fire Chief and Department of Public Service Superintendent and support the use of city streets, sidewalks and property for their events held:

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Chief of Police, Department of Public Service, Recreation, Fire Department and Special Events Coordinator.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *SDunsdale*

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: *J.P.*

LIST OF ATTACHMENTS: None

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 6th 2018

RESOLUTION by Councilman_____

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets and property for the events held

March 16th 2018

- Street Closures/Property Use:
 - Sidewalks and property within the DDA district
 - Grassy Lot at Elm and First Street
 - All parking spaces from First Street to the Alley on Elm Street – to be signed no parking Friday from 4 to 10 pm

I move the adoption of the foregoing resolution.

MOTION by Councilmen_____

Supported by Councilman_____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of the following city sidewalks, streets, and property for the Third Friday events to be held on March 16, 2018:

- Sidewalks and property within the DDA district
- Grassy Lot at Elm and First Street
- All parking spaces from First Street to the Alley on Elm Street – to be signed no parking Friday from 4 to 10 pm

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5, 2018

AGENDA ITEM # **3**

ITEM: Regarding communication from Tammy Caperton, 144 Ford Avenue, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer 

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The attached request was denied last week. Enclosed is a map indicating what property is owned by the City and what property is owned by Rite Aid west of the Rite Aid's wall.

Therefore, I recommend this request be approved provided a Hold Harmless Agreement is executed by Ms. Caperton.

STRATEGIC PLAN/GOALS: This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the commitment to enhancing the community's quality of life.

ACTION REQUESTED: Concur with the recommendation to approve this request.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Inform property owner to that the request has been approved and to execute the Hold Harmless Agreement.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: Communication from Tammy Caperton and map of property

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: March 5, 2018

RESOLUTION by Councilperson_____

BE IT RESOLVED that Council grants permission to Tammy Caperton of 144 Ford Avenue to use the City-owned vacant property between the requestor's residence and Rite Aid's property line for the set up of tents, tables, and chairs for a graduation party on Sunday, July 15, 2018. The property owned by the city is 45' x 109.48'.

BE IT FURTHER RESOLVED that Tammy Caperton shall sign a hold harmless agreement, as prepared by the Department of Legal Affairs, to the City Clerk's Office no later than Friday, July `13, 2018.

I move the adoption of the foregoing resolution.

Honorable Mayor and
City Counsel
Wyandotte, MI 48192

February 14, 2018

From: Tammy Caperton, 144 Ford Ave, Wyandotte, MI

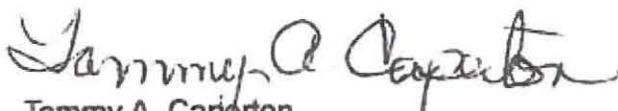
Subject: Use of City Owned Lot

I have a lot next to my house which is owned by the City of Wyandotte. My daughter is a senior at Roosevelt H.S. , of which I would like to give her an open house for graduation. Since my yard is too small, I am request the use of the lot between 144 Ford Ave and Rite Aid.

It would be used to put up a couple of tents, tables and chairs for guest to visit, eat and relax. We are choosing not to rent a hall because we do not have a large family and I am not sure who would come.

I am tentatively requesting to use the lot on Sunday, July 15, 2018, all day.

Please let me know so I can proceed with plans.



Tammy A. Caperton
144 Ford Ave.
Wyandotte, MI 48192
734-407-7008 H
313-586-2386 C



144 Ford - LOT 441 [ASSESSOR'S WYANDOTTE PLAT NO. 13 T3S R11E L71 P25 WCR] ALSO THE NORTH - SOUTH ALLEY 12FT WIDE ADJ TO THE W LINE OF LOT 61 [BIDDLE SUB T3S R11E L17 P39 WCR] ALSO THE EAST - WEST ALLEY 19.76FT WIDE ADJ TO THE N LINE OF SAID LOT 61 [BIDDLE SUB T3S R11E L17 P39 WCR] K 55.63 Lot Size 47' x 109.48'

--- Rite Aid Wall

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council grants permission to Tammy Caperton of 144 Ford Avenue to use the City-owned vacant property between the requestor's residence and Rite Aid's property line for the set up of tents, tables, and chairs for a graduation party on Sunday, July 15, 2018. The property owned by the city is 45' x 109.48'.

BE IT FURTHER RESOLVED that Tammy Caperton shall sign a hold harmless agreement, as prepared by the Department of Legal Affairs, and submit said agreement to the City Clerk's Office no later than Friday, July 13, 2018.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5th 2018

AGENDA ITEM # **4**

ITEM: Special Event Application – Detroit Tigers Charity Foundation

PRESENTER: Heather A. Thiede, Special Events Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Events Coordinator

BACKGROUND: Below please find the requested dates for property WOW 360 would like to utilize on June 3rd 2108 for an event to benefit the Mikie Mahtook Foundation, which is a non-profit organization dedicated to the education and prevention of heart disease. See a detailed event request attached.

Event Details:

June 3rd – 12 pm to 12 am

- Street Closure: Close Oak Street from Biddle to Van Alstyne
- Close on Saturday, June 2nd at 8 am until Monday at 8 am
- Will not block Van Alstyne, through traffic can still access Parking Lot #1
- WOW 360 will communicate via email and letter to all businesses and residents in the area of Oak Street and Van Alstyne regarding the closing. A copy of the communication will be sent for approval and file
- WOW 360 will pay a fee of \$250 for the use of the street for the June 3rd 2018 event
- A deposit for any city fees of \$500 will be given to the Special Events Coordinator to hold until after the event. It will be deposited as needed and returned if the fees are less than the deposit amount
- Any truck deliveries for businesses will be coordinated with the Wyandotte Police Department and WOW 360 with the local businesses owners for that area

If there are any costs for any city staff/material/property for said event, WOW 360 will be responsible for those fees no later than 14 days after said event date. Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse. Clean up before/during and after the event must be done by the WOW 360. This means any glass, spills; broken items will need to be cleaned during the event. WOW 360 must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement. Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial (Please see the attached applications).

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: It is requested the City Council concur with the support of the Special Event Coordinator, Police Chief, Recreation Superintendent, Fire Chief and Department of Public Service Superintendent and support the use of city streets, sidewalks and property for their events held:

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Chief

of Police, Department of Public Service, Recreation, Fire Department and Special Events Coordinator.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

SD Ryssdal

LEGAL COUNSEL'S RECOMMENDATION:

Approval - on file

MAYOR'S RECOMMENDATION:

JEP

LIST OF ATTACHMENTS

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: March 5th 2108

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets and property for the event on June 3rd 2018 from WOW 360:

Event Details:

June 3rd – 12 pm to 12 am

- Street Closure: Close Oak Street from Biddle to Van Alstyne
- Close on Saturday, June 2nd at 8 am until Monday at 8 am
- Will not block Van Alstyne, through traffic can still access Parking Lot #1
- WOW 360 will communicate via email and letter to all businesses and residents in the area of Oak Street and Van Alstyne regarding the closing. A copy of the communication will be sent for approval and file
- WOW 360 will pay a fee of \$250 for the use of the street for the June 3rd 2018 event
- A deposit for any city fees of \$500 will be given to the Special Events Coordinator to hold until after the event. It will be deposited as needed and returned if the fees are less than the deposit amount
- Any truck deliveries for businesses will be coordinated with the Wyandotte Police Department and WOW 360 with the local businesses owners for that area

If there are any costs for any city staff/material/property for said event, WOW 360 will be responsible for those fees no later than 14 days after said event date. Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse. Clean up before/during and after the event must be done by the WOW 360. This means any glass, spills; broken items will need to be cleaned during the event. WOW 360 must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement. Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial (Please see the attached applications).

I move the adoption of the foregoing resolution.

MOTION by Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

CITY REQUEST

Mikie Mahtook Foundation Charity Fundraising Event June 3, 2018

Contact Info:

- WOW 360
- Julie Law & Josh Cade

Event Overview:

Mikie Mahtook from the Detroit Tigers, along with his teammates will be hosting a celebrity bartending event at Whiskeys on the Water (2903 Biddle Avenue, Wyandotte, MI). The event will benefit The Mikie Mahtook Foundation, which is a nonprofit organization dedicated to the education and prevention of heart disease. Whiskeys on the Water will host the event inside and outside their restaurant. Baseball Players along with other local celebrities will serve guests for tips. This event will be ticketed with 100% of the proceeds benefiting Mikie Mahtook Foundation. Other fundraising activities will be taking place including raffles and silent auctions. Baseball fans will be invited to watch the game at Whiskeys on the Water and wait for the arrival of the Players. This event is anticipated to have a huge media presence and is another great way to highlight the City of Wyandotte.

Event Times:

June 3, 2018 – 12 noon til 12 mid

Oak Street Closure:

- Access Oak Street (Biddle to Van Alstyne)
- Close on Saturday, June 2 at 8 a.m. til Monday 8 a.m.
- Will not block Van Alstyne, through traffic can still access Parking Lot #1

City Requests:

- Requesting 4' chain link fence and / or freestanding green fencing to go around the event space. DPW can drop off at Whiskeys on Friday. Estimated space size 220' x 40'. Fencing can be picked up on Monday.
- "No Parking on Friday signs to be placed out on Friday June 1, 2018.
- Electrical is needed (more details to follow)
- Trash Cans – Eight (8) lined trashcans to be dropped off on Friday and picked up on Monday.

Other Set up:

- Port a Johns
- Signage place throughout to visibly mark Event Areas, No Alcohol Beyond Points, Event Rules & Policies
- Security will be on site checking IDs at the gate.
- Tent to cover bar on Oak. (estimated size 40 x 80) Tables and chairs on Oak.

Tear Down:

- Event areas will be cleaned and trash removed by Monday

Detroit Tigers Charity Event
June 3, 2018



4ft. interlocking metal fence and / or green rack surrounding event area



Bar



Entrances



Security

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of the following city sidewalks, streets, and property and event details for the WOW 360 Mikie Mahtook Charity Event to be held on June 3rd, 2018 from 12PM-12AM:

- Street Closure: Close Oak Street from Biddle to Van Alstyne
- Close on Saturday, June 2nd at 8 am until Monday at 8 am
- Will not block Van Alstyne, through traffic can still access Parking Lot #1
- WOW 360 will communicate via email and letter to all businesses and residents in the area of Oak Street and Van Alstyne regarding the closing. A copy of the communication will be sent for approval and file
- WOW 360 will pay a fee of \$250 for the use of the street for the June 3rd 2018 event
- A deposit for any city fees of \$500 will be given to the Special Events Coordinator to hold until after the event. It will be deposited as needed and returned if the fees are less than the deposit amount
- Any truck deliveries for businesses will be coordinated with the Wyandotte Police Department and WOW 360 with the local businesses owners for that area

BE IT FURTHER RESOLVED that WOW 360 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 the WOW 360 with fees payable no later than 14 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 will be responsible for clean up (glass, spills, broken items, etc.) before, during, and after the event.
- Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial.

BE IT FURTHER RESOLVED that the Wyandotte Jaycees 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.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5th 2018

AGENDA ITEM # **5**

ITEM: Restaurant Week in Wyandotte 2018

PRESENTER: Heather A. Thiede, Special Event Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Events Coordinator

BACKGROUND: In an effort to bring awareness about our many fine restaurants, bars and "sweets" shops in Wyandotte, the Downtown Development Authority and Special Events Office will once again host Restaurant Week in Wyandotte from April 7th to 14th 2018. We will actively market this event and offer a variety of restaurant giveaways to visitors during this week. We will be profiling participating restaurants through E-Newsletters, press releases and social media avenues. The event is an effort to raise awareness about the vast array of dining choices available in the City of Wyandotte.

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: It is requested the City Council receive information regarding Restaurant Week in Wyandotte and place on file

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *SDrysdale*

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: *ALT*

LIST OF ATTACHMENTS: 2018 Poster

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 5th 2018

RESOLUTION by Councilman _____

Resolved by City Council to approve the request of the Special Event Coordinator to place the communication relative to the Restaurant Week in Wyandotte from April 7th – 14th 2018 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Mayor and Council hereby APPROVE Restaurant Week in the City of Wyandotte and encourages all citizens to take part in same.

I move the adoption of the foregoing resolution.

MOTION by Councilmen_____

Supported by Councilman_____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

WHEREAS the Special Event Coordinator has sent communication to Council announcing the dates of Restaurant Week in Wyandotte to be April 7th – 14th, 2018.

BE IT RESOLVED that Mayor and Council hereby approve Restaurant Week in the City of Wyandotte and encourage all citizens to take part in same.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5, 2018

AGENDA ITEM # **6**

ITEM: Hiring – Department of Engineering and Building - Building Inspector

PRESENTER: Mark A. Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The Building Inspector, Claude Marcoux, will be retiring as of April 2, 2018, from the Engineering and Building Department. Based on a review of the City's current resources, organizational structure, and staffing expectations, the filling of this position appears necessary to provide effective services to the citizens of the City of Wyandotte.

This opening was posted and Michael Turinsky possesses the qualifications and is recommended for hire.

STRATEGIC PLAN/GOALS: This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the commitment to providing the finest services and quality of life.

ACTION REQUESTED: Recommend approval of the hiring of Mr. Turinsky

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The budgeted compensation package for the previous Building Inspector was \$145,595 which included \$56,773 for the defined benefit retirement system. The compensation budgeted for the replacement position in the 2018FY budget is \$93,355 with \$6,080 included for the defined contribution (new) retirement system. This results in a savings of \$52,240.

IMPLEMENTATION PLAN: The City's Administrative Office will coordinate the hiring.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:



LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS: Application for Employment; Resume; Job Description; Employment Offer

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date:

RESOLUTION by Councilperson _____

BE IT RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Building Inspector at the Department of Engineering and Building;
AND

FURTHER, RESOLVED BY THE CITY COUNCIL that the Council approves the hiring of Michael Turinsky as the Building Inspector of the Department of Engineering and Building Department at Class Code 39D, contingent on the successful completion of a physical and drug screen examination.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz



City of Wyandotte, Michigan 48192

APPLICATION FOR EMPLOYMENT

(Please Print Clearly)

The Civil Rights Act of 1964 prohibits discrimination in employment practice because of race, color, religion, sex or national origin. The Age Discrimination in Employment Act prohibits discrimination on the basis of age with respect to individuals who are at least 40 years of age. The laws of Michigan also prohibit all of the above types of discrimination, as well as discrimination based on height, weight, marital status or disability.

EMPLOYMENT DESIRED

Position applied for Building Inspector

Have you read the description of this job? ☒ Yes ☐ No Are you qualified to perform these duties? ☒ Yes ☐ No

Other position you would consider _____

Type of employment desired: ☒ Full-Time ☐ Part-Time ☐ Temporary

Date you can start 2 week notice (min.) Wage expected \$53,000 - \$63,000

PERSONAL INFORMATION

Name Turinsky Michael L.

Address Southgate, MI 48195

Phone Number _____ Email _____

Other last names used while working, if any _____

Are you a U.S. Citizen? ☒ Yes ☐ No

If no, specify type of entry document and work authorization _____

Have you ever been convicted of a crime? ☐ Yes ☒ No

If yes, please give specifics _____

Are there any felony charges pending against you? No

If yes, please give specifics _____

EDUCATION

Identify any special skills, training or licenses you have which are related to the position you are applying for.

Building Inspector, Plan Reviewer, Building Official, Licensed Residential Builder, Building Instructor, Master Finish Carpenter.

	Name of School	City/State	Degree	Major
High School	Caborn	Atlanta, Ga.	High School Diploma	College Bound
College	Wayne State Bachelor	Detroit, MI	Science Education	Science Math
Other	Wayne State Master	Detroit, MI	Master Education	Administrational Leadership

EMPLOYMENT HISTORY

(Begin with most recent and use additional sheet, if necessary)

(See Resume)

Company Name Fremont Township Employed from 1-27-16 to Present

Address 2744 Vivian Monroe MI 48162

Street City State Zip
Type of Business Government Name of Supervisor Mr. Joe Lehmann

Phone Number (7) 242-5900 Starting Salary \$25⁰⁰ Final Salary \$25⁷⁵

Position Building Inspector, Plan Reviewer Reason for leaving Want a leadership role / Increase Salary
Duties Performed Enforcing codes and ordinances

If presently employed, may we contact your supervisor? ☒ Yes ☐ No

Company Name Mans Lumber Millwork Employed from 2-15 to 2-16

Address 3300 W. Jefferson Trenton MI 48195

Street City State Zip
Type of Business _____ Name of Supervisor Mr. Jim Mans

Phone Number (7) 676-3000 Starting Salary 16⁰⁰ Final Salary 16⁰⁰

Position Inside Sales Reason for leaving Career change / New Goal

Duties Performed Estimating, take offs on blue prints, Quotes on lumber, Residential/Commercial Projects
Have you ever been suspended or discharged from employment? ☐ Yes ☒ No

If yes, please explain _____

Have you ever served in the U.S. Military? ☐ Yes ☒ No If yes, indicate branch _____

Dates of duty: From _____ / _____ / _____ To _____ / _____ / _____ Type of Discharge _____
Month Date Year Month Date Year

Do you have a reliable means of transportation to enable you to get to work in a timely manner? ☒ Yes ☐ No

If you are applying for a position requiring ☐ use of an automobile or other motor vehicle, do you have a driver's license and a motor vehicle available for your use? ☒ Yes ☐ No

Are you licensed to drive a motor vehicle other than an automobile? ☐ Yes ☒ No

If yes, what type of license do you hold? _____

Have you ever been employed by the City of Wyandotte? ☐ Yes ☒ No If yes, when? _____

Have any of your relatives ever been, or currently are, employed by the City of Wyandotte (including elected officials)?

☐ Yes ☒ No If yes, indicate names and dates: _____

Are you a smoker? ☐ Yes ☒ No If yes, will you abide by the City's smoking policy? ☐ Yes ☐ No

Have you used, possessed or sold any illegal drugs in the past five years? ☐ Yes ☒ No

If yes, state which drugs and explain if you used, possessed or sold them

Have you ever been bonded on a job? ☐ Yes ☒ No If yes, when? _____

IN CASE OF AN ACCIDENT OR EMERGENCY, PLEASE NOTIFY

Name Lori Twinsky - wife - Phone Number (716) 481-95
Address Southgate City Mt State 48195 Zip

PERSONAL REFERENCES

(Not former employers or relatives)

(See Resume)

Name and Occupation	Address	Phone Number
M. David Deyss Engineer	Southgate, Mt	
Dr. Sharon Braccio Chiropractor	Allen Park, Mt	
M. David Focht Manager	Southfield, Mt	

The facts set forth are true and complete. I hereby authorize investigation of all statements contained in this application and full disclosure of my present and prior work record. I grant permission to the City of Wyandotte ("City") to obtain information concerning my general reputation, character, conduct and work quality and authorize any person or organization contacted to furnish information and opinions concerning my qualifications for employment, whether same is a matter of record or not, including personal evaluation of my honesty, reliability, carefulness and ability to take orders from my supervisor. I understand that this may include a record of disciplinary action assessed by previous employers. I hereby release any such person or organization from any and all liability which may result in furnishing such information or opinion. I hereby release the City and any person, organization or prior employer from any obligation to provide me with written notification of such disclosure. I hereby authorize the City of Wyandotte to perform a background investigation which may include address verification, criminal history, employment history, driving record and credit history. I understand employment is contingent upon this investigation and, if employed, false statements in this application shall be considered sufficient cause for dismissal. I understand and agree if, in the opinion of the City, the results of the investigation are unsatisfactory, an offer of employment that has been made may be withdrawn or my employment with the City may be terminated. I understand that the City requires residency within twenty (20) miles of a City boundary for all employees and that if I do not satisfy this requirement at the time of hire that I will have six (6) months to establish and maintain compliance.

I further understand the City may require a medical examination by a City-designated physician (1) after I have received an offer of employment and prior to my commencement of employment duties; and, (2) during the course of my employment as required by business necessity or for job-related purposes. I hereby consent to such examination and recognize that employment is contingent upon receipt of satisfactory medical evaluation. I further understand and agree that prior to commencing employment or after I am employed, I may be requested to submit to tests to determine the presence of alcohol or illegal drugs, and agree to the release of such test results to appropriate personnel, and agree that if I refuse such tests before commencing employment, my offer of employment will be revoked, or if I refuse such test after being employed, my employment will be terminated.

APPLICANTS FOR UNION POSITIONS

I recognize that if I am employed by the City in the position for which I have applied, I will be subject to the provisions of a labor agreement between the City and Union. I further recognize that I have no contract for employment other than the above referenced labor agreement and that no documents, statement, or other communication in any way constitutes an agreement between the City and me and that the Labor agreement will be the only agreement between me and the City and I must abide by that agreement and all City published rules and regulations.

I HAVE READ AND FULLY UNDERSTAND THE ABOVE STATEMENT AND CONDITIONS OF EMPLOYMENT

Dated: 1/17/2018 Signature: Michael T. King

APPLICANTS FOR NON-UNION POSITIONS

I agree this application is not an offer of employment. I agree that if I am employed by the City (1) my employment is at will and may be terminated at any time, with or without cause, at the option of either the City or myself; (2) I will receive wages and be subject to the rules and regulations of the Personnel Policy Handbook and such wages, benefits, rules and regulations are subject to change by the City at any time; (3) that my assigned work hours may be modified by the City, and if requested, I will be required to work overtime; (4) and that this constitutes the entire agreement between the City and myself and all prior agreements are null and void, and nothing in any documents published by the City either before or after this agreement, shall in any way modify the above terms; (5) this agreement cannot be modified by any oral or written representation made by anyone employed by the City, either before or after this agreement, except by a written document directed exclusively by me and signed by the Mayor and City Clerk.

I HAVE READ AND FULLY UNDERSTAND THE ABOVE STATEMENT AND CONDITIONS OF EMPLOYMENT

Dated: 1/17/2018 Signature: Michael T. King

Michael L. Turinsky

Date: January 17, 2018

Attention: Anne Goudy Human Resource Specialist

Job Opening: Building Inspector

My knowledge, experience and background as a Building Inspector and Plan Reviewer make me a perfect fit for the job opening. I have inspected residential, commercial, and public buildings, both new and remodeled for compliance. I am familiar in using local and state government regulations in the form of building codes and zoning ordinances. I have a keen eye for finding defects, flaws and imperfections. I have a wealth of construction and building knowledge.

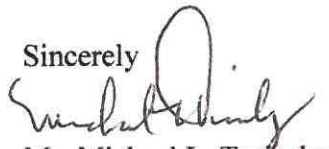
The following is a brief summary of my work history, experience and leadership roles that would benefit the department:

- I have been licensed as a Residential Builder in the industry for over 34 years and I am currently certified as a Building Inspector and Plan Reviewer in the State of Michigan. (Entering my 3rd year). I have Zoning Code Enforcement experience as well. I have completed the eligibility period for Building Official.
- I currently make field inspections and monitor the progress of the construction projects start to finish. I complete inspection histories with detailed documentation. I use the BS&A software program in the building department at my current position.
- I was a proprietor and co-owner of a construction business. I was responsible for overseeing residential and commercial projects on a daily basis, auditing, maintaining records, reports, documenting and had supervisory and administrative roles.
- I have experience in recommending solutions to problems and using logic and the team approach to resolve it. I have exceptional communication skills in spreading the message. I have excellent organizational skills, the ability to lead large and small groups, and address complaints/concerns from the most ornery clients.
- As a school board member I was involved with school renovations and construction projects throughout a \$47 million bond project. My knowledge and background were helpful in keeping the budget and expenditures "in line", and ensuring the taxpayers money was spent wisely.

- My experience with technology has been diverse, which has made me a fast and flexible learner. Training and learning as an open minded teacher have enabled me to catch on quickly to any new work environment.
- Leadership roles include the following:
 - Licensed builder, proprietor, self employed of a construction company specializing in custom homes, remodeling and commercial projects.
 - Various leadership roles on committees as an elected school board member.
 - Varsity high school coach.
 - Teacher in charge due to extended absences of principal.

I am easy to get along with, yet know that any organization needs a strong presence when working in this field. I feel that my personality would be a perfect fit for the City of Wyandotte.

Sincerely



Mr. Michael L. Turinsky

Michael L. Turinsky

WORK HISTORY

Construction

Jan. 2015-present, **Building Inspector, Plan Reviewer and Zoning Code Enforcement Officer**, Frenchtown Charter Township, Monroe County. Responsible for enforcing codes and ordinances, and completing plan reviews. #006035

Feb 2015-2016 **Inside Sales**, Mans Lumber & Millwork, Assisting customers with building needs and estimates/quotes for commercial and residential projects. Completing material takeoffs on blueprints and drawings

May 2012-2015 **Project Sales Specialist/Contractor Sales**, Banas Lumber and Hardware. Assisting customers with building needs and estimates/quotes for residential projects.

Nov. 1988-1993, **Counter Sales**, Church's Lumber Yards. Responsible for material estimates from existing blueprints and plans; working with builders and homeowners to complete commercial and residential projects.

June 1980-2012, **Licensed Builder and Proprietor**, Three Jay's Building Co. Inc. Responsible for running residential and commercial projects daily. Maintaining all records and files of a business. Fulfilling supervisory and administrative roles.

June 1983-present, **Finish Carpenter**, Three Jay's Building Co. Inc. and self-employed. Competent in all aspects of both commercial and residential construction.

Mar. 1989-1991, 2001-2002, **Building Instructor**, N.C.I. Associates., LTD. Responsible for preparing students to take the Michigan Builders License State Exam.

Mar 2006-2008, **Building Instructor**, Oakland Builders Institute, Responsible for preparing students to take the Michigan Builders License State Exam.

WORK HISTORY

Education

Sept. 2011-2012, **Elementary Science Teacher**, Stewart Learning Academy. Responsible for K-1-2-3-4-5 science curriculum. Implementing and running a hands-on science classroom.

Jan. 1994-2011, **Elementary Science Teacher**, Glazer Elementary, Responsible for K-1-2-3-4-5 science curriculum. Implementing and running a hands-on classroom.

Jan. 1994-2011, **Elementary Reading Teacher**, Glazer Elementary, Responsible for 4th and 5th curriculum.

Jan. 1994-2011, **Elementary Math Teacher**, Glazer Elementary, Responsible for 4th and 5th curriculum.

Sept. 2002-2007, **Teacher In-charge**, Glazer Elementary, Responsible for daily operation in absence of the principal

Feb. 2005-June 2005, **Building Coordinator /Administrator**, Glazer Elementary, Responsible for after-school tutoring program.

LICENSURE

Residential Builder License, State of Michigan, Department of Consumer & Industry Services, Oct. 1984. #2101069568

Building Inspector and Plan Reviewer, State of Michigan, Department of Licensing and Regulatory, Bureau of Construction Codes, Registered Code Official and Inspector, Jan. 2016. #006035

CERTIFICATION

Professional Education Certificate, June 2002, State of Michigan.
Elementary K-5 All Subj, (K-8 Self CC), Mathematics (EX) 6-8, Science (DX) 6-8

School Administration Certificate, May 2012, State of Michigan. Elementary and Secondary Certificate. K-12(ES).

EDUCATION

Huron Valley Area Code Official(HuVACO) member, Continuing education and ongoing training code classes for building officials, inspectors and plan reviewers to keep abreast of the latest changes in the construction field. Pursuant to Public Acts 54 and 207. Jan. 2016-present

Master of Education, Wayne State University, Detroit, MI.
Major- Administrative Leadership. Dec. 2000.

Bachelor of Science in Education, Wayne State University, Detroit, MI.
Major-science, Minor-mathematics. Magna cum Laude. Dec. 1993.

Driver Education, Wayne State University, Detroit, MI.
DE5730, DE5740, DE5750, DE 5760 ongoing

Currently taking classes for ICC certification.

COMMUNITY INVOLVEMENT

Finance Committee Member, Gabriel Richard High School, 2007-2013.

School Board Member, (elected), Vice-President, Secretary, Treasurer and Trustee of Southgate Community School District, 1998-2004.

Basketball Coach, 5th through 8th graders, Glazer Elementary, Cabrini Elementary, Good Shepherd Elementary. 1983-2007.

Tennis Coach, 9th-12th graders, Gabriel Richard High School, Boys Varsity Head Coach 2009-2012, Boys Junior Varsity Head Coach 2007-2009, Girls Junior Varsity Head Coach 2009-2012.

Soccer Coach, 5th through 8th graders, Good Shepherd Elementary, Southgate Parks and Recreation. 2000-2006.

School Board Member (appointed), Treasure and Board of Director of Taylor Exemplar Academy, 2007-2009.

School Board Member, (elected) Vice-President and Parent Rep. of Christ the Good Shepherd Elementary School, 2000-2002

TECHNOLOGY

Microsoft Word, Microsoft Excel, Windows Desktop, Smart Board, Fax, Epicor POS, ECS Pro, Maestro, BS&A software.

SCHOOL INVOLVEMENT

Glazer Elementary Teacher of the Year,

Site Based Manager Facilitator

School Improvement Team

Buildings and Ground Committee

Academic Fairs Committee

Positive School Action Committee

Cooperating/Mentor Teacher Served 9 student teachers.

Science Fair Coordinator

REFERENCE

Mr. Hank Banas, Owner Banas Lumber & Hardware,

Mr. David Peden, Retired Superintendent Mona Shores Public Schools

Mr. David Focht, Data Center Manager- R.L. Polk

Dr. Sharon M. Bianco, Hofmann Chiropractic

Mr. Charles Breidenstein, Owner, N.C.I., Chuck

Mr. David Dezsi, Retired Engineer,

BUILDING INSPECTOR

General Statement of Duties: Perform plan review and inspection services to maintain health and safety through enforcement of applicable codes and ordinances; complete related work as required.

Distinguishing Features of the Class: The Building Inspector is responsible for seeing that plans, specifications and buildings in the process of construction meet all requirements. An employee in this class must regularly exercise technical judgment and discretion based on familiarity with the various ordinances and code regulations for which he is responsible for enforcing. Work is supervised by the City Engineer through conferences and review of reports.

Examples of Work: (Illustrative Only)

- Reviews plans for buildings for compliance with regulations and issues building permits;
- Performs field inspections during residential construction: sewer taps, footings, backfill, framing, brick flashing, insulation, concrete formwork, site grading, and final acceptance for compliance with applicable codes and ordinances;
- Checks and approves blueprints and site plans of commercial buildings for egress requirements, barrier free compliance, fire separation, penetrations, and parking requirements; works closely with the Fire Chief;
- Receives and processes applications for Certificate of Occupancy for the use of buildings and/or use of land for compliance with the requirements of the Wyandotte Zoning Ordinance;
- Advises builders and homeowners how to mitigate building and housing concerns;
- Performs rental and upon sale inspections;
- Composes inspection reports, documents violations, and maintains records utilizing City's computer operating system, BS&A;
- Manage capital improvement projects including design, bidding oversight, and contractor management;
- Advise developers on zoning and building regulations regarding proposed new projects.

Required Knowledge, Skills and Abilities: Thorough knowledge of building construction materials and practices; ability to detect structural and other faults and to recommend their correction; superior knowledge of applicable building, housing and zoning ordinances; ability to read and interpret plans, specifications and blueprints accurately and to compare them with construction in process; ability to maintain effective working relationships with building owners and contractors, often in difficult work situations; good judgment; good physical condition.

Acceptable Experience and Training: Considerable responsible experience in building construction work as a journeyman or master level and completion of a standard high school or vocational school course, preferable supplemented by additional courses in civil engineering or

structural engineering; or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.

Requirements:

- Bachelor degree in architecture or building construction management with 5 years of experience or related acceptable experience and training.
- Registered as Building Inspector/Plan Reviewer with the State of Michigan or ability to become registered within six months.
- Proficient in Microsoft Office (Word and Excel) and familiarity with AutoCAD.

Recommended:

- Builders License (Michigan).
- Familiar with BS&A (City computer system).

01/11/18

Michael Turinsky
Employment Offer *

<u>Status:</u>	Hired as a permanent, full-time, at-will employee of the City of Wyandotte
<u>Salary Classification:</u>	Class Code 39D of the City of Wyandotte Non-Union Classification System Salary Range: \$52,288.91 – 63,591.22 Starting Salary: \$60,797.15 <i>Employee will be eligible for any general increases granted to non-union administrative employees.</i>
<u>Retirement Benefits:</u>	Defined Contribution Plan (401A) through ICMA Retirement Corporation - Employer contribution – 10% - Employee contribution – 5%
<u>Health Insurance:</u>	Two Options (Includes Dental & Vision Coverage) 1. BC/BS Community Blue PPO Plan III (\$15/\$30 drug rider) 2. Blue Care Network HMO (\$15/\$30 drug rider) <i>Employee 20% co-payment of premiums required. Payment-in-lieu of health insurance coverage of \$400/month (reduced by actual cost of dental/vision if selected).</i>
<u>Retiree Health Insurance:</u>	Health Savings Plan - Employer contribution - \$50/per pay period - Employee contribution - \$50/per pay period
<u>Long-Term Disability Insurance:</u>	Benefit level of 50% of salary covered by the City
<u>Life Insurance:</u>	\$40,000 coverage (premiums paid by City)
<u>Sick Time Earned:</u>	One (1) sick day per month worked
<u>Vacation Time Earned:</u>	0 through 5 years of service - 12 days 6 through 10 years of service - 15 days 11 through 15 years of service - 18 days 16 through 20 years of service - 21 days 21 through 25 years of service - 24 days 26 years + years of service - 24 days plus an additional 1/2 day per year for each year of continuous service over 25 years.
<u>Personal Leave Days:</u>	Three (3) days per year
<u>Eligible immediately for:</u>	Section 457 deferred compensation program Section 125 Cafeteria Plan

* Contingent upon the approval of the Mayor and City Council and successful background check and physical and drug screen examinations

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Building Inspector at the Department of Engineering and Building; AND

BE IT FURTHER RESOLVED that Council approves the hiring of Michael Turinsky as the Building Inspector of the Department of Engineering and Building Department at Class Code 39D, contingent on the successful completion of a physical and drug screen examination.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5, 2018

AGENDA ITEM # **7**

ITEM: Request for Outdoor Café at 2903 Biddle Avenue

PRESENTER: Stan Pasko, Chairperson Stan Pasko

INDIVIDUALS IN ATTENDANCE: Mark Kowalewski and Stan Pasko

BACKGROUND: The City received a request from Whiskeys on the Water, 2903 Biddle Avenue, to renew the use of the south parking lane and the Oak Street right-of-way adjacent to their property for an outdoor café. The Planning Commission reviewed the renewal application on February 15, 2018, wherein the outdoor café layout was reviewed. The Planning Commission received comments from the Police Chief, Fire Chief, and City Engineer. The Planning Commission has approved this use contingent upon City Council approval for usage of the right-of-way. Please see the attached adopted Resolution.

Further, the Owner and Tenant have executed a Grant of License and Hold Harmless Agreement to utilize the Right-of Way.

STRATEGIC PLAN/GOALS: This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the commitment to making the downtown a destination of choice for residents throughout Southeast Michigan by encouraging existing businesses to expand.

ACTION REQUESTED: Approve request as submitted.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Once approve, issue permit and inspect for compliance.

COMMISSION RECOMMENDATION: Recommended by Planning Commission at February 15, 2018, meeting.

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: Approved as to form. W. Look

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: Renewal Application, Site Plan and Resolution from the Planning Commission

PROPOSED RESOLUTION

Date: March 5, 2018

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the recommendation of the Planning Commission to grant the request of Whiskeys on the Water, 2903 Biddle Avenue for an outdoor café in conjunction with said business at 2903 Biddle Avenue with the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café in the Central Business District (CBD) Zoning District, Special Land Uses, 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 and lane marking plan submitted by Owner indicated as drawings by Badrak Design Group, Inc., dated February 1, 2017, and elevations #1 thru #5.
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 attached. Planter boxes to be approved by the City Engineer.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight with extended hours to 2:00 a.m. on 3rd Fridays, Street Art Fair and events approved by Resolution by City Council from March 15 through November 15.
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. Fence to be black decorative metal.
9. Table detail to be black metal or plastic with matching chairs.
10. Clearance to underside of trellis to be a minimum of seven (7) feet.
11. Building Permit shall be obtained for temporary construction of deck and trellis.
12. Applicant to pay all costs to the City of Wyandotte, Department of Public Services for providing and removing temporary lane marking as indicated on plans.
13. Flowers to be utilized in planter boxes to receive prior written approval of Planning Consultant and Chairman of the Planning Commission.
14. No music after 10:30 p.m.
15. Must be renewed annually.
16. Maximum Occupancy of 65 people.

AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Grant of License.



**City of Wyandotte
Outdoor Café
Annual Renewal Application**

Engineering and Building
3200 Biddle Avenue
Wyandotte, Michigan

Date: _____

REQUIRED INFORMATION:

Address of Outdoor Café: 2903 Biddle

Name of Business: Whiskey on the Water

Property Owner: Jessica CADE

Address: 2903 Biddle City: Wyandotte State MI Zip Code 48192

Phone Number: (734) 426-7713 Fax: () _____ Email: whiskeyontheater@gmail.com

Applicant: Jessica CADE

Address: _____ City: _____ State _____ Zip Code _____

Phone Number: () _____ Fax: () _____ Email: _____

Zoning of property CBD Outdoor Café Location: ☒ Public Property ☒ Private Property

Hours of occupancy for Outdoor Café: 11 AM AM thru 12:59 PM

(Sec. 2202.S.17:00 a.m. to 12 midnight Monday thru Sunday with extended hours to 2:00 a.m. on 3rd Fridays, Street Art Fair and events approved by Resolution by City Council.)

Dates of occupancy for Outdoor Café: From: 3/15 to 11/15
(Sec. 2202.S. 1 - Dates Allowed 3/15 to 11/15)

Area of occupancy in square feet: 935 ~~975~~ sq ft; dimensions 55 ~~57~~ $\frac{3}{8}$ x 17

Capacity of existing establishment: 215 ~~100~~ people (with seating) _____ people (without seating)

Capacity of proposed outdoor café: 160 ^{60 permitted} people (total number of seats)

Will alcoholic beverages be served at the outdoor café: ☒ Yes ☐ No

Any changes to the approved plan _____ Yes ☒ No

INSURANCE FOR OUTDOOR CAFES ON PUBLIC PROPERTY:

Attach updated Certificate of Insurance ☒ Yes

CERTIFICATION:

Applicant covenants and agrees to strictly comply with all terms and conditions of the Outdoor Café Ordinance, all other ordinances and requirements of State and Federal laws, and further understands and agrees that the Planning Commission in its sole and absolute discretion, may approve, deny or set any conditions or limitations on any outdoor café which may be approved.

FEE:

Dated this 29TH day of January, 2018

Applicant's Signature: [Signature]

Joshua Cade owner
Print Name and Title

Office Use Only	
FEE: <u>Pd</u>	\$150 with no alcohol served
	<u>\$600 with alcohol served</u>
Police Department Approval: <u>Police</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u>2/6</u> , 20 <u>18</u>	Notes: <u>Approved</u>
Fire Department Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u>2/6</u> , 20 <u>18</u>	<u>Approved as submitted</u>
Eng/Bldg. Department Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u>2/1</u> , 20 <u>18</u>	
Insurance Certification on File: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u> </u> , 20 <u> </u>	
Hold Harmless Agreement Executed: <input type="checkbox"/> Yes <input type="checkbox"/> No Date: <u> </u> , 20 <u> </u>	
Grant of License Issued: <input type="checkbox"/> Yes <input type="checkbox"/> No Date: <u> </u> , 20 <u> </u>	

OFFICIALS

Theodore H. Galeski
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER



MAYOR
Joseph R. Peterson

COUNCIL
Robert Alderman
Chris Calvin
Robert A. DeSana
Megan Maiani
Leonard T. Sabuda
Donald Schultz Jr.

MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

February 1, 2018

Stan Pasko, Chairperson
Planning Commission
City of Wyandotte
3200 Biddle Avenue
Wyandotte, MI 48192

RE: Outdoor Café Application at 2903 Biddle Ave.
Whiskey's on the Water

Dear Mr. Pasko:

The undersigned has reviewed the renewal application for the outdoor café at 2903 Biddle Avenue. The plans meet the requirements of the City of Wyandotte Zoning Ordinance. The occupancy limit for the outdoor café is 65 persons. The enclosed outdoor café plans are enclosed for your review and recommendation to City Council. Note there is no proposed change in layout and the outdoor café is on public property requiring a lease agreement, grant of license, and hold harmless agreement upon approval of City Council.

If you have any questions you may contact the undersigned at (734) 324 – 4554.

Sincerely,

Mark Kowalewski
City Engineer

RESOLUTION
FEBRUARY 15, 2018

RESOLUTION BY COMMISSIONER LUPO

SUPPORTED BY COMMISSIONER BENSON

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 2903 Biddle Avenue as requested by Whiskeys on the Water (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at 2903 Biddle Avenue, Wyandotte, is hereby approved with compliance of all ordinance requirements and the conditions below prior to use as an outdoor café:

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 1, 2017.
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 with extended hours to 2:00 a.m. on 3rd Fridays, Street Art Fair and events approved by Resolution by the City Council from March 15 through November 15.
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 65 persons.
9. Approval by the Wyandotte City Council.

I move adoption of the foregoing resolution.

<u>Yeas</u>	<u>Members</u>	<u>Nays</u>
	Adamczyk (Absent)	
X	Benson	
X	Duran	
X	Lupo	
X	Mayhew	
X	Parker	
X	Pasko	
X	Rutkowski	
X	Sarnacki	

MOTION PASSED

GRANT OF LICENSE

CITY OF WYANDOTTE, a Michigan Municipal corporation, and its successors, hereinafter called the GRANTOR, and A & J Realty, LLC, 2903 Biddle Avenue, Wyandotte, Michigan, and its successors, hereinafter called the LICENSEE, enter into this Agreement on the _____ day of _____ 2018, subject to the following conditions:

1. The GRANTOR owns the real estate north of 2903 Biddle Avenue, more particularly described as: the 80-foot wide public street respectively, abutting North 17 ft of Lot 1 Corrected Plat of Block 19,20,30 and 31, Block 31 T3SR11E, L1P297 WCR. The outdoor café will occupy the area north of 2903 Biddle Avenue, as shown on the attached site plan Exhibit A which includes portions of sidewalk and southern portion of Oak Street Right-of-Way from Biddle Avenue to alley east of Biddle Avenue. The LICENSEE owns the real property at 2903 Biddle Avenue, Wyandotte. Tax Id No. 57-011-03-0001-001
2. The GRANTOR grants to the LICENSEE, and it assigns, the right to construct, operate and maintain an outdoor café on the south 80 foot wide public street right-of-way and in conjunction with 2903 Biddle Avenue, Wyandotte, and the LICENSEE is required to maintain and keep in good repair said area and in accordance with all requirements of Grantor's Zoning Ordinance and all conditions of the Special Land Use Approval of the Grantor's Planning Commission. The LICENSEE shall use methods in constructing, operating and maintaining the outdoor café that will not cause any damage to the premises and the premises described above shall be maintained by LICENSEE so that it will promote and protect the public health, safety, general welfare, and appearance of the premises and insure the premises will be reasonably safe and convenient for public travel and for Licensee's patrons. The LICENSEE'S café will consist of tables, chairs, decking, railings and other related furniture, fixtures and improvements and be in accordance with the outdoor café plan approved by the Planning Commission on February 15, 2018.
3. LICENSEE'S outdoor café shall only occupy that part of the above described property.
4. Tables, chairs, umbrellas and any other objects provided with the café shall be of quality design, materials, and workmanship both to insure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. When the associated establishment and the sidewalk café are not open for daily use, all furnishings and fixtures shall be removed from public property or stored in a manner approved by GRANTOR. All apparatuses for the outdoor café shall be removed by the expiration date of November 15, 2018, and the sidewalk and Right-of-Way will be restored to the condition that existed prior to the placement of the outdoor café. The outdoor café may be utilized from March 15 to November 15, in accordance with the City of Wyandotte Zoning Ordinance, Article XXII, Section 2202.S. 1-11.
5. The Grant of License only pertains to the city of Wyandotte's easement. If any other entity or agency has an easement, it is Licensee's responsibility to seek and obtain permission from those entities. The Grantor has no authority to grant a license that may affect any other entity's easement. The Grantor reserves the right for an easement on, over, under, across, and within said property described above for the purpose of construction, operating, maintaining, and repairing existing and future public utilities, sewers, water mains, gas mains and drains.
6. In consideration of the GRANTOR providing their Grant of License, the LICENSEE agrees to execute a Hold Harmless Agreement indemnifying the GRANTOR from all liability arising out of their Grant of License and GRANTOR shall be named as an additional insured party on LICENSEE'S premises liability insurance and Liquor Liability Coverage.
7. If the GRANTOR directs LICENSEE to make any modifications to the above premises to promote and protect the public health, safety, general welfare and appearance of the premises and insure the premises will be reasonably safe and convenient for public travel, LICENSEE agrees to do modifications at its own cost immediately.
8. This Grant of License may only be assigned by the LICENSEE to Whiskeys on the Water (WOW Concepts, LLC).
9. License shall comply with DBA levels set forth in the Outdoor Café Requirement of the City of Wyandotte's Zoning Ordinance for Special Land Use.

GRANT OF LICENSE
PAGE 2

10. The License is subject to revocation as authorized by Law and pursuant to the City of Wyandotte Zoning Ordinance if it is determined by Grantor that the Grantee is not in compliance with the Standards of the City of Wyandotte Zoning Ordinance.
11. The License expires on November 15, 2018.
12. Any Tenant of the Licensee must also execute this Grant of License and comply with all of the terms contained in this License.

Witnesses:

GRANTOR: City of Wyandotte

Joseph R. Peterson, Mayor

Lawrence S. Stec, City Clerk

Subscribed and sworn to me this _____ day of _____, 2018, by Joseph R. Peterson and Lawrence S. Stec who are the Mayor and City Clerk of the City of Wyandotte who duly executed said LICENSE with full authority.

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

My Commission Expires: _____

Witnesses:

LICENSEE: A & J REALTY, LLC

Jason D'Herin, Member

Subscribed and sworn to me this _____ day of _____, 2018, by Jason D'Herin, who duly executed if the Member of the A & J Realty, LLC and who duly executed said LICENSE with full authority.

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

My Commission Expires: _____

Witnesses:

TENANT: Whiskeys on the Water

Joshua Cade, Member

Subscribed and sworn to me this _____ day of _____, 2018, by Joshua Cade, who duly executed if the Member of the Whiskeys on the Water, an assumed name for WOW Concepts, LLC and who duly executed said LICENSE with full authority.

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

My Commission Expires: _____

Drafted by: William R. Look

When recorded, return to: William R. Look
2241 Oak St., Wyandotte, MI 48192

HOLD HARMLESS AGREEMENT

In consideration of the City of Wyandotte granting permission to the undersigned to construct an outdoor café on the north side of 2903 Biddle Avenue, Wyandotte, Michigan which will encroach on to the 80 feet Oak Street right-of-Way as shown on attached site plan Exhibit A which includes portions of sidewalk and southern portion of Oak Street, Right-of-Way from Biddle Avenue to alley east of Biddle Avenue and in no way interfere with pedestrian or automotive traffic at said location, the undersigned hereby assumes all risk and liability relating to the construction, maintenance and use of said of the outdoor café and agrees to hold harmless and indemnify the City of Wyandotte and all City officials, employees, volunteers and agents from all liability or responsibility whatever for injury (including death) to persons and for any damage to City of Wyandotte property or to the property of others arising out of, or resulting either directly or indirectly, or resulting from the construction, maintenance and/or use of said property for outdoor café as described above and in the Grant of License.

The undersigned, further does hereby remise, release, and forever discharge the City of Wyandotte its Officers, agents and employees from any and all claims, demands, actions, causes of action, damages and liabilities resulting or arising out of, either directly or indirectly, from the construction, maintenance and/or use of said outdoor café and property as described above and in said Grant of License.

The undersigned represents personally that he/she is authorized to execute this Agreement on behalf of the undersigned.

The undersigned is contractually obligated by this Hold Harmless to comply with all ordinances, special approval conditions, and all requirements of the Grant of License for the premises.

Agreed to this ___ day of _____, 2018.

Whiskeys on the Water:

Owner: A & J Realty LLC

BY: Joshua Cade

It's: Member

*An assumed name for WOW Concepts, LLC

BY: Jason D'Herin

It's: Member

Address: 2903 Biddle Avenue	Wyandotte	Michigan	48192
Street	City	State	Zip

Telephone Number: _____

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council concurs with the recommendation of the Planning Commission to grant the request of Whiskeys on the Water, 2903 Biddle Avenue for an outdoor café in conjunction with said business at 2903 Biddle Avenue with the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café in the Central Business District (CBD) Zoning District, Special Land Uses, 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 and lane marking plan submitted by Owner indicated as drawings by Badrak Design Group, Inc., dated February 1, 2017, and elevations #1 thru #5.
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 attached. Planter boxes to be approved by the City Engineer.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight with extended hours to 2:00 a.m. on 3rd Fridays, Street Art Fair and events approved by Resolution by City Council from March 15 through November 15.
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. Fence to be black decorative metal.
9. Table detail to be black metal or plastic with matching chairs.
10. Clearance to underside of trellis to be a minimum of seven (7) feet.
11. Building Permit shall be obtained for temporary construction of deck and trellis.
12. Applicant to pay all costs to the City of Wyandotte, Department of Public Services for providing and removing temporary lane marking as indicated on plans.
13. Flowers to be utilized in planter boxes to receive prior written approval of Planning Consultant and Chairman of the Planning Commission.
14. No music after 10:30 p.m.
15. Must be renewed annually.
16. Maximum Occupancy of 65 people.

AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Grant of License.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz


NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5, 2018

AGENDA ITEM # **8**

ITEM: Hold harmless agreement and Grant of License for 2840 Biddle Avenue, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer 

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The Engineering Department received a request from David and Vanessa Morse 2840 Biddle Avenue, Wyandotte, to encroach into the City owned alley with a propane cage and steel bollards. The propane is for a future glass bead making classes at their store and the storage of propane in this building is prohibited by the building code. Since the building occupies the entire site this location is the only viable solution as per the attached drawing. Attached please find a Hold Harmless Agreement and Grant of License to allow them to occupy 2 foot 8 inches by 2 foot 2 inches of the alley with the propane cage and steel bollards.

STRATEGIC PLAN/GOALS: : Continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas, and, improving our power generation and distribution facilities, both current and future, to ensure they continue to meet or exceed all state and federal regulatory and legal requirements

ACTION REQUESTED: Approve required Hold Harmless agreement and Grant of License.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None.

IMPLEMENTATION PLAN: Concurrences of approval by City Council regarding Hold Harmless agreement and Grant of License.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: Reviewed Grant of License/Hold Harmless
W. Look

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: Hold Harmless Agreement and Grant of License.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 5, 2018

RESOLUTION by Councilperson _____

RESOLVED BY THE CITY COUNCIL that the communication from the City Engineer regarding the Hold Harmless agreement and Grant of License for the allowance of an encroachment of 2 foot 8 inches by 2 foot 2 inches into the 20 foot public alley for a propane cage and steel bollards as per the attached drawing behind 2640 Biddle is hereby received and placed on file; AND

BE IT RESOLVED that Council approves the Hold Harmless agreement and Grant of License between David and Vanessa Morse for said encroachment and authorizes the Mayor and City Clerk to sign same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Desana	_____
_____	Calvin	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Miani	_____

GRANT OF LICENSE

CITY OF WYANDOTTE, a Michigan Municipal corporation, and its successors, hereinafter called the GRANTOR, and Bruce David Morse and Vanessa Belle Morse, Husband and Wife and successors, hereinafter called the LICENSEE, enter into this Agreement on the _____ day of _____ 2018__, subject to the following conditions:

1. The GRANTOR retains an easement west of 2840 Biddle Avenue more particularly described as within the 20 foot wide alley between Chestnut and Oak abutting the west property line of 2840 Biddle Ave legally described the South 25 feet of Lot 6 Block 56 of Part of Wyandotte as recorded in Liber 57 Page 5 of Plats Wayne County Records. The Licensee's proposed propane storage cage with steel bollards will encroach 2 foot 2 inches into the east side of the 20 foot wide alley. The encroachment is described as a point 11 foot 9 inches to the N. along the W. property line of Lot 6 to point A where the encroachment begins thence 2 foot 2 inches W. to point B and thence 2 foot 8 inches N. to point C and thence 2 foot 2 inches E. to point D as shown on the Architectural Drawings.
Tax Id No. 57-011-05-0006-003 2840 Biddle Avenue, Wyandotte, MI
2. The GRANTOR grants to the LICENSEE, and it's assigns, the right to construct and maintain a propane cage west of 2840 Biddle Avenue, Wyandotte, and the LICENSEE is required to maintain and keep in good repair said propane cage and steel bollards.
3. LICENSEE'S propane cage and steel bollards shall only occupy that part of the 2 foot 2 inches by 2 foot 8 inches of the east side of the 20 foot of the alley as indicated on the Architectural Drawings, drawn as submitted by the property owner. The propane cage and steel bollards will occupy 2 feet 2 inches by 2 foot 8 inches of the 20 foot wide alley abutting the South 25 feet of Lot 6 of the above described right-of-way.
4. The Grant of License only pertains to the city of Wyandotte's easement. If any other entity or agency has an easement, it is Licensee's responsibility to seek and obtain permission from those entities. The Grantor has no authority to grant a license that may affect any other entity's easement. The Grantor reserves the right for an easement on, over, under, across, and within said property described above for the purpose of construction, operating, maintaining, and repairing existing and future public utilities, sewers, water mains, gas mains and drains.
5. In consideration of the Grantor providing its Grant of License, Licensee agrees to indemnify and hold harmless the Grantor from any and all claims or liability arising out of this Grant of License including but not limited to any claims of another entity that may have an easement in the above-described property.
6. This license is revocable at will by the Grantor providing sixty (60) day notice to the Licensee of such revocation. However in the case of an emergency, the license may be revoked immediately by the Grantor. If the license is revoked, then Licensee shall immediately remove the propane cage and steel bollards to the satisfaction of the city engineer at no cost to Grantor, and restore the condition of the premises to the original condition at no cost to the Grantor.
7. In the event Grantor must commence legal proceedings to enforce any provision of this Grant of License, Licensee shall be responsible to pay Grantor's attorney fees.

[Signatures on next page]

This LICENSE is revocable at will by the GRANTOR giving sixty (60) day notice to the LICENSEE of such revocation. If license is revoked, then LICENSEE shall remove the propane cage and steel bollards to the satisfaction of the City Engineer and at no cost to GRANTOR and restore the condition of the premises to their original condition at no cost to the GRANTOR.

Witnesses:

GRANTOR: CITY OF WYANDOTTE

Joseph R. Peterson, Mayor of the City of Wyandotte

Lawrence S. Stec, City Clerk of the City of Wyandotte

Subscribed and sworn to me this ____ day of _____, 2018 __, by Joseph R. Peterson and Lawrence S. Stec who are the Mayor and City Clerk of the City of Wyandotte who duly executed said LICENSE with full authority.

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

Acting in Wayne County

My Commission Expires: _____

Witnesses:

LICENSEE:

Bruce David Morse

Vanessa Belle Morse

Subscribed and sworn to me this ____ day of _____, 2018 __, by David and Vanessa Morse, husband and wife, who duly executed said LICENSE with full authority.

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

My Commission Expires: _____

Drafted by: William R. Look

When recorded, return to: William Look
2241 Oak St., Wyandotte, MI 48192

HOLD HARMLESS AGREEMENT

In consideration of the City of Wyandotte granting permission to the undersigned to construct a propane cage and steel bollards abutting the 20 foot wide alley easement located adjacent to 2840 Biddle Avenue, Wyandotte, Michigan which will occupy the 2 feet 2 inches by 2 foot 8 inches of the 20 foot alley easement abutting the west property line of South 25 feet of Lot 6 and will in no way interfere with pedestrian or automotive traffic at said location, the undersigned hereby assumes all risk and liability relating to the construction, maintenance and use of said propane cage and steel bollards, and agree to hold harmless and indemnify the City of Wyandotte and all City officials, employees, volunteers and agents from all liability or responsibility whatsoever for injury (including death) to persons and for any damage to any City property or to the property of others arising out of, or resulting either directly or indirectly, from the construction, maintenance and/or use of said propane cage and steel bollards as described above and in the Grant of License.

The undersigned further does hereby remise, release, and forever discharge the City of Wyandotte, its Officers, agents and employees from any and all claims, actions, causes of action, damages and liabilities resulting or arising out of, either directly or indirectly, from the construction, maintenance and/or use of said propane cage and steel bollards at said above described location.

The undersigned represents personally that he/she is authorized to execute this Agreement on behalf of the undersigned.

Agreed to this ____ day of _____, 2018.

By: _____
Bruce David Morse

By: _____
Vanessa Belle Morse

Address: 2840 Biddle Avenue Wyandotte Michigan 48192
Street City State Zip

Telephone: _____

OFFICIALS

Theodore H. Galeski
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER



JEFFERY CARLEY
FIRE CHIEF

MAYOR
Joseph R. Peterson

COUNCIL
Robert Alderman
Chris Calvin
Robert A. Desana
Megan Maiani
Leonard T. Sabuda
Donald Schultz Jr.

February 28, 2018

Engineering Department
City of Wyandotte
3200 Biddle Avenue
Wyandotte, Michigan 48192

Outdoor Storage LP-Gas Propane

Address: 2840 Biddle 2842 Glow Fish Studios LLC

The undersigned has reviewed the International Fire Code 2015 in regards to the outside storage of LP gas (propane) for 2840 Biddle 2842 Glow Fish Studios LLC.

1. Section 6109.12 Location of storage outside of building. Storage outside of buildings of LP-Gas containers awaiting use, resale or part of a cylinder exchange program shall be located in accordance with Table 6109.12
2. Table 6109.12 permits the outside storage of LP-Gas.
 - ✓ *720 lbs. or less*
 - ✓ *Line of adjoining property 0 feet*
 - ✓ *Second means of egress (door) 5 foot away*
3. Section 6109.13 Protection of containers. LP-Gas containers shall be stored within a suitable enclosure or otherwise protected against tampering.
 - ✓ *Suitable container is a lockable, ventilated cabinet of metal construction.*

Following the review of the proposed outside storage of LP-Gas located at 2840 Biddle 2842 Glow Fish Studios LLC is compliant with the requirements of the 2015 International Fire Code.

Please feel free to contact the undersigned if you require anything further with regards to this matter.

Sincerely,

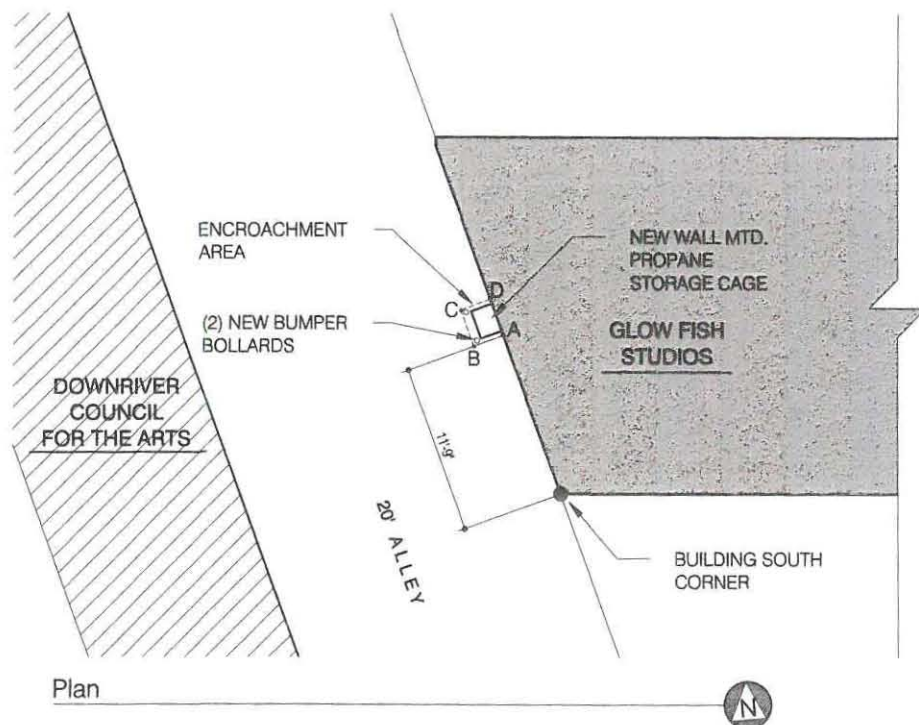


Jeffery Carley, Fire Chief

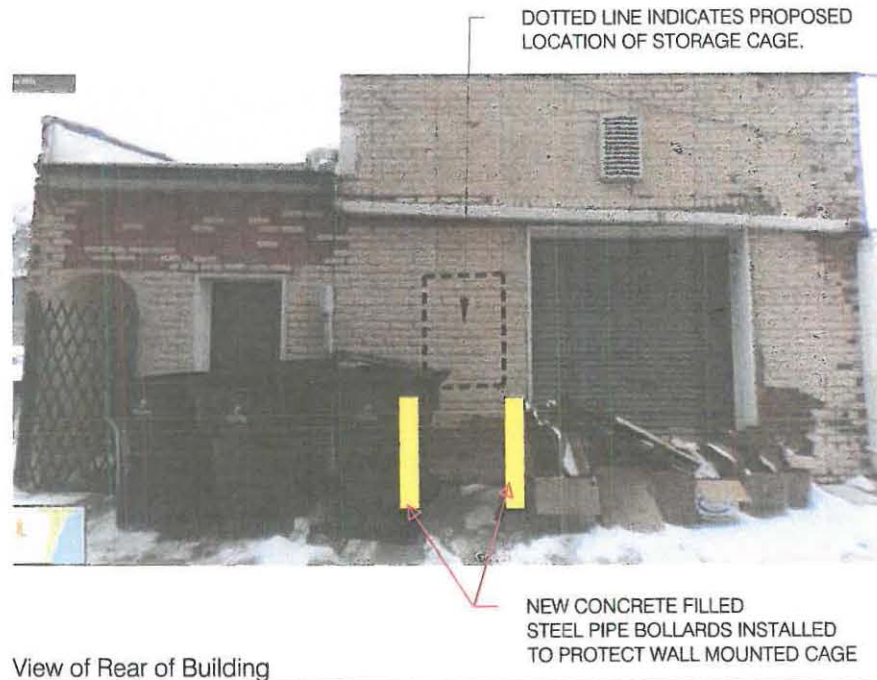
266 Maple • Wyandotte, Michigan 48192 • Telephone Number 734-324-7252 • Fax Number 734-288-7078 • www.wyandotte.net

email: wfdchief@wyandottemi.gov





Plan

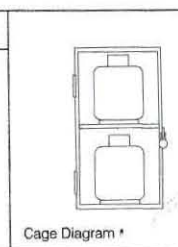


View of Rear of Building

ENCROACHMENT: LEGAL DESCRIPTION
'STARTING POINT A' ON DRAWING IS LOCATED 11'-9" NORTH OF THE BUILDING SOUTH CORNER.
ENCROACHMENT AREA FROM 'STARTING POINT A': 2'-2" WEST TO POINT 'B' AND 2'-8" NORTH TO POINT 'C' AND 2'-2" EAST TO POINT 'D'.
ENCROACHMENT AREA SIZE: 5.8 SQ. FT.

UNDERGROUND UTILITY NOTES
PROPERTY OWNER IS REQUIRED TO CONTACT 'MISS DIG' TO FLAG/MARK UTILITIES PRIOR TO CONSTRUCTION.
PROPERTY OWNER IS REQUIRED TO CONTACT PHONE & CABLE TV PROVIDERS TO FLAG LINES IF ANY PRIOR TO CONSTRUCTION.
PROPERTY OWNER TO CONTACT WMS TO FLAG/MARK UTILITIES PRIOR TO CONSTRUCTION.

PROPANE STORAGE CAGE NOTES:
<ul style="list-style-type: none"> • CAGE SIZE 20" DEEP, 24" WIDE, 40" TALL. • SIDE OF CAGE TO BE MINIMUM OF 5'-0" AWAY FROM THE EXISTING MAN DOOR. • CAGE TO HOLD (2) 20lb PROPANE TANKS (ONE ABOVE OTHER ON SHELVES). • MOUNTED HEIGHT TO BE 30" ABOVE GRADE TO BOTTOM OF CAGE. • CAGE TO HAVE (1) STEEL MESH HINGED DOORS. DOOR TO BE SECURED SHUT W/ PAD LOCK.



RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that the communication from the City Engineer regarding the Hold Harmless agreement and Grant of License for the allowance of an encroachment of 2 foot 8 inches by 2 foot 2 inches into the 20 foot public alley for a propane cage and steel bollards as per the attached drawing behind 2840 Biddle is hereby received and placed on file; AND

BE IT RESOLVED that Council approves the Hold Harmless agreement and Grant of License between David and Vanessa Morse for said encroachment and authorizes the Mayor and City Clerk to sign same.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: February 26, 2017

AGENDA ITEM # **9**

ITEM: Department of Engineering – Contract Extension for Asphalt Resurfacing Program

PRESENTER: Mark Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE: Mark Kowalewski, City Engineer

BACKGROUND: The Department of Engineering has met with Al's Asphalt Paving Co. of Taylor, Michigan regarding extension of their contract for the Asphalt Resurfacing Program. Mr. Ed Swanson, vice president, has indicated Al's Asphalt can again perform the asphalt resurfacing at the unit rates set forth in the contract with the City for file #4707.

The conditions of the contract extension would be as set forth in the attached Amendment to Contract.

STRATEGIC PLAN/GOALS: 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 City infrastructure.

ACTION REQUESTED: Approve award of contract extension to Al's Asphalt.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

The asphalt resurfacing projects would be

funded through the following accounts totaling \$2,017,767:

Major Street Fund	202-440-825-460	\$763,064
Local Street Fund	203-440-825-460	\$353,824
TIFA Street Fund	492-200-825-460	\$900,879

IMPLEMENTATION PLAN: If approved by Council, authorize Mayor and Clerk to sign contract.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:



LEGAL COUNSEL'S RECOMMENDATION:

Approved as to form W. Look

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS:

Amendment to Contract, Proposed Resolution

MODEL RESOLUTION:

DATE: February 26, 2018

RESOLUTION by Councilperson _____

RESOLVED by the City Council that Council agrees with the recommendation of the City Engineer and APPROVES the contract extension for Al’s Asphalt of Taylor, Michigan, in the amount of \$2,017,767.00 paid from the following accounts: \$763,064 from account #202-440-825-460, \$353,824 from account #203-440-825-460, and \$900,879 from account #492-200-825-460.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

AMENDMENT TO CONTRACT
2017 Asphalt Resurfacing Program
File #4707

ARTICLES OF AGREEMENT AMENDING the Contract made and entered into on **April 24, 2017** by and between the CITY OF WYANDOTTE, party of the first part, **and Al's Asphalt Paving Co. of 25500 Brest Road, Taylor, Michigan 48180**, County of Wayne, State of Michigan, party of the second part, to-wit:

1. To this contract shall be added the resurfacing of the following streets:
 - 5th Street (Oak – Vinewood)
 - Walnut (Railroad – Biddle)
 - Maple (14th – 9th)
 - Alkali (13th – 10th)
 - Vinewood (2nd – Biddle)
 - Sycamore (20th – 17th)
 - Superior (20th – 17th)
 - 20th Street (Eureka – Oak)
 - Van Alstyne (Poplar – Vinewood)
 - 1st Street (Superior – Chestnut)
2. The unit prices and contract conditions will remain the same as in the original contract.
3. This contract shall be increased by the estimated amount of \$2,017,767.
4. Insurance policies and certificates will be submitted by the party of the second to cover the extended period of time.
5. Except as otherwise stated above, all of the terms of the original contract remain in full force and effect.

IN WITNESS THEREOF, said parties have hereunto set their hands and seals, in duplicate, the day and year first above written.

PARTY OF THE FIRST PART

CITY OF WYADOTTE

Joseph R. Peterson, Mayor

Lawrence S. Stec, City Clerk

PARTY OF THE SECOND PART

Al's Asphalt Paving Co.

DATE: _____

WITNESS

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council agrees with the recommendation of the City Engineer and approves the contract extension for Al’s Asphalt of Taylor, Michigan, in the amount of \$2,017,767.00 paid from the following accounts: \$763,064 from account #202-440-825-460, \$353,824 from account #203-440-825-460, and \$900,879 from account #492-200-825-460.

BE IT RESOLVED that Council authorizes the Mayor and City Clerk to sign the contract extension.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: March 5, 2018

AGENDA ITEM # **10**

ITEM: Grant thru Downriver Community Conference – Brownfields Revolving Loan Fund

PRESENTER: Mark A. Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City obtained the property at 1213 Grove Street from Wayne County under the Right of Refusal to Purchase Tax Foreclosed property for \$0.00 in 2017. This is an old manufacturing site and the City has identified environmental conditions in the building that are eligible for grant funding.

The City applied to the Downriver Community Conference, Brownfields Revolving Loan Fund and attached for your approval is a Sub-Grant Agreement for \$100,000. The City would be required to pay 20% in matching funds or \$20,000. If bids are received higher than \$120,000 the City will have the option to fund the increased cost or require the buyer to complete the work as a condition of the sale.

If you concur with the Agreement, the attached Resolution will authorize the matching funds and the Mayor and City Clerk to execute the Agreement

STRATEGIC PLAN/GOALS: This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the commitment to enhancing the community's quality of life by, fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas, ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods, promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Accept the Grant and authorize the matching funds of \$20,000

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Account #492-200-850-519

IMPLEMENTATION PLAN: Execute Sub-Grant Agreement and proceed with work

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:



LEGAL COUNSEL'S RECOMMENDATION: [Approved as to form W. Look](#)

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS: Subgrant Agreement

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date:

RESOLUTION by Councilperson _____

BE IT RESOLVED by the Mayor and Council that the City accepts the Brownfield Revolving Loan Fund Subgrant Agreement with the Downriver Community Conference in the amount of \$100,000.00 and authorizes the matching funds in the amount of \$20,000 from account no. 492-200-850-519; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute Brownfield Revolving Loan Fund Subgrant Agreement with the Downriver Community Conference as submitted to Council.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

EPA GRANT # BF 0093501-7

Grant Agreement dates: 10-2009 to 9-30-2022

SUB GRANT # 06

Brownfield Board Approval Date: 2-08-2017

DOWNRIVER COMMUNITY CONFERENCE

BROWN FIELDS REVOLVING LOAN FUND SUBGRANT AGREEMENT

THIS AGREEMENT is made and entered into on this 20th day of February by and between the City Wyandotte with an address at 3200 Biddle Avenue, Ste. 200 (hereinafter referred to as "Grantee"), and the Downriver Community Conference (hereinafter referred to as "Grantor").

WHEREAS, the Downriver Community Conference is the recipient of Brownfields Revolving Loan Funds ("RLF") and authorized to make certain grants from these funds ("Grant Funds"); and

WHEREAS, Grant Funds are to be used to undertake cleanup of brownfields sites by making low interest loans and grants to parties willing to undertake cleanup of these sites; and

WHEREAS, the 'Grantee Is the owner of certain real property located at 1213 Grove Street, Wyandotte, MI. 48192 (the "Property"), which property is more particularly described in Exhibit 1, attached hereto; and

WHEREAS, the Grantor has agreed to grant to Grantee certain of the Grant Funds which will be used by the Grantee for a portion of the remediation of the Property (the "Remediation Work"); and

WHEREAS, the Property is not listed, or proposed for listing on the National Priorities List of the U. S. Environmental Protection Agency ("EPA"); and

WHEREAS, the Grantee is not a generator or transporter of any contamination located at the Property; and

WHEREAS, the Grantee is not and has never been subject to any penalties resulting from environmental non-compliance at or on the Property's the Grantee, or to the best of its knowledge, its Project contractors or subcontractors

currently suspended) debarred, or otherwise declared Ineligible for participation in this federal program or from the receipt of these funds; and

WHEREAS, a claim has not been asserted against the Grantee for liability under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. Section 9607; and

WHEREAS, the Grantee is not a Potentially Responsible Party under Section 107 of CERCLA, 42 USC Section 9607 the City of Wyandotte and proposed grant recipients are not liable for contamination at the site under CERCLA or Part 201 of Michigan's Natural Resources Environmental Protection Act (NREPA). The City of Wyandotte completed an all appropriate inquiry at the site in conformance with the scope and limitations of ASTM Practice E1527-05. The City Wyandotte conducted, prepared and submitted to the Michigan Department of Environmental Quality (MEDQ), a Baseline Environmental Assessment (BEA) report prepared pursuant to Section 20126 of Part 201 of the Natural Resources and Environmental Protection Act (NREPA), and Public Act (PA) 451 of 1994, as amended.

The City of Wyandotte has never owned, operator, or funded hazardous substance use activities on the site. Hazardous substance use and releases of hazardous occurred prior to the City's acquisition of the site. The City of Wyandotte affirms that they not, at any time, arranged for the disposal of hazardous substances, transported hazardous substances, or caused or contributed to any release of hazardous substances at the site. The City is not, nor has been, affiliate with any person who may be potentially liable for release, contamination, or disposal of hazardous substances on the site.

NOW, THEREFORE, in consideration of the covenants and promises contained herein, it is mutually agreed by and between the parties as follows:

1. Grantor agrees to grant to Grantee the sum up to \$100,000 to be used by the Grantee for the Remediation Work (the "Project Grant Funds") subject to the terms and conditions herein.
2. Grantee shall carry out the Remediation Work in accordance with the CERCLA Section 104 (k), 42 U.S.C Section 9604(k); Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments, 40 CFR Part 31; and all other applicable provisions of federal, state or local law. This includes, but is not limited to carrying out procurements in compliance with 40 C.F.R. Section 31.36, and performing audits in accordance with 40 C.F.R. Section 31.26
3. Grantee shall carry out the Remediation Work in accordance with the Davis-Bacon Act of 1931 (CERCLA Section 104(g)(1), 40 U.S.C. Section 276a-276a-5 and 42 U.S.C. Section 3222), CERCLA compliance with Davis-Bacon requires payment of Federal prevailing wage rates for construction, repair or alteration work funded in whole or in part with Grant Funds. The Grantee

must obtain recent and applicable wage rates from the U.S. Department of Labor and incorporate them into the remediation construction contract.

4. The Grantee shall provide the Grantor with a copy of the Phase I and Phase II Environmental Assessment of the Property performed according to the American Society for Testing and Materials (ASTM) standards (collectively, the "Assessment"). The Grantee shall be responsible for the payment of all costs or expenses related to the Assessment. The Grantee agrees that the Project Grant Funds shall not be used for the payment of any cost or expense related to the Assessment. The Assessment shall include, but is not limited to site background, the threat posed to by the contaminant to public health, welfare and the environment and all past enforcement activities conducted by any governmental agency, and the site testing results.
5. The Grantor shall designate an environmental project manager who shall review and approve of the proposed cleanup and coordinate the work to be performed using Project Grant Funds. The Grantor's environmental project manager will review the Grantee's remedial planning, design, and engineering documents and review the cleanup activities as they are on-going to ensure that the cleanup is being completed in accordance with all local, State, and Federal requirements and is protective of human health and the environment.
6. The Grantee shall prepare a Community Relations Plan ("CRP") with the assistance and cooperation of the Grantor. The CRP shall include the following:
 - a. Copies of interviews conducted with residents and community leaders, local officials, and public interest groups.
 - b. Copies of news releases and other information that explains the proposed project, such releases and information to be disseminated throughout the area surrounding the affected area,
 - c. Procedures for the establishment of a local information repository at or near the Property that includes public information supplied by both the Grantee and the Grantor related to the proposed Remediation Work. The Grantee shall supply the Grantor with any additional information that would assist the Grantor in documenting the Remediation Work.
7. After the Grantee has prepared the CRP, the Grantee shall draft an analysis of brownfields cleanup alternatives that will include information about the Property and contamination issues (i.e. exposure pathways, identification of contaminant sources, etc.); cleanup

standards; applicable laws; alternatives considered; and the proposed cleanup. The evaluation of alternatives must include effectiveness, implement ability, and the cost of the cleanup proposed. The Grantee shall submit copies of the draft analysis of brownfields cleanup alternatives to the Grantor for approval. The Grantee agrees to accept advice and suggestions from the Grantor and to incorporate those suggestions or requests for revisions as appropriate.

8. After the Grantor has approved the draft analysis of brownfields cleanup alternatives, the Grantee shall make the document available for review and public comment for a period of not less than thirty (30) days from the date of publication of the public notice.
9. After the public comment period, the Grantee shall prepare a written summary and response to all public responses and shall incorporate all appropriate comments, in the reasonable discretion of Grantee, into a final analysis of brownfields cleanup alternatives document .
10. After the analysis of brownfields cleanup alternative has been finalized, the Grantee shall prepare a scope of work containing detailed design and construction plans and specifications for the Remediation Work including a budget and work schedule; a health and safety plan (OSHA 1910-120-126) and a quality assurance project plan which sets forth the manner and method of collecting samples to assure the complete removal of all hazardous substances that are located at the Property and are to be removed as a part of the Remediation Work (collectively, such documents are referred to as the "Project Documents") and submit same to Grantor for approval.
11. Prior to the initiation of the Remediation Work, including any cleanup activities, the Grantee must provide to the Grantor copies of all the state required remedial planning documents and the state's approval of those documents, if required.
12. The Grantee understands and agrees that all the Project Grant Funds provided by Grantor to Grantee shall be used by the Grantee towards the cleanup and remediation of the Property identified in Exhibit 1. Grantee shall supply the Grantor with design and construction plan and specifications for the redevelopment of the Property and evidence of a firm commitment for a construction loan and permanent financing from an accredited lending institution.
13. The Grantee further understands and agrees that all work performed on the Property or by the contractors who perform said work for which the for which the Project Grant Funds are used and the receipt of any Project Grant Funds under this Agreement is conditioned upon full compliance with the terms and provisions of the Project Documents and this Agreement.

14. The Project Grant Funds shall be payable to the Grantee as reimbursement for allowable expenses incurred by the Grantee based upon the progress of the Remediation Work and in accordance with the approved cleanup project budget (the "Budget"), attached hereto and made a part hereof as Exhibit 2. No reimbursement shall be made to the Grantee without the written approval of the Grantor. The Grantor shall not advance nor be obligated to advance any Project Grant Funds to the Grantee prior to the receipt of properly executed lien waivers.
15. Grantee agrees to use best efforts to keep all expenditures from the Project Grant Funds within the approved Budget. Grantee shall not exceed any of the costs enumerated in the approved Project Budget without the prior written approval of the Grantor.
16. The Grantor may withhold up to ten (10%) percent of each payment requested as a retainage until the Grantee has completed the Remediation Work or expended at least \$120,000 towards the completion of the Remediation Work.
17. The awarding of this Grant shall be subject to:
 - a. The Grantor's receipt of a property appraisal from the Grantee.
 - b. Opinion of the Grantee's Counsel that the Grantee, if a corporation, is in good standing and that all documents executed by the Grantee are valid and enforceable in accordance with their respective terms
 - c. Written authorization in the form of a resolution, if a corporation, authorizing the Grantee to accept the Project Grant Funds and authorizing Grantee's representative to execute this Grant Agreement on behalf of the Grantee.
 - d. Evidence by the Grantee that no outstanding taxes, fees, charges, mortgages, liens, encumbrances or other assessments have been filed or are recorded against the Property.
 - e. Evidence of insurance coverage with limits of liability as determined by the Grantor's site manager. All insurance coverage required by this section shall remain in full force and effect during the term of this Agreement.
 - f. Identification of the contractor and subcontractor selected by the Grantee for the Remediation Work.
 - g. The Grantor's receipt of cleanup project cost breakdown based upon estimates and prices supplied by the Grantee.

The Grantor reserves the right to waive any or all requirements of this section.

18. Grantee shall commence work on the Remediation Work within 3 months from the date of execution of this Agreement and shall complete and perform all the Remediation Work within 365 days in accordance with the approved Schedule of Work attached hereto and made a part hereof as Exhibit 3.
19. All Remediation Work performed pursuant to this Agreement and with Project Grant Funds shall be performed in a good and workmanlike manner.
20. All material changes or modification to the Remediation Work or the Project Documents shall be approved in writing by the Grantor prior to such change or modification becoming effective. All additional costs incurred, as the result of any change orders shall be the responsibility of the Grantee. If unforeseen conditions are discovered during the implementation of the Remediation Work, the Grantee reserves the right to revise the cleanup action and the Project Documents.
21. Grantee, at its sole cost and expense, and from sources other than Grant Funds, shall be responsible for obtaining all permits, licenses, approvals, certifications and inspections required by federal, state or local law and to maintain such permits, licenses, approvals, certifications and inspections in status during the term of this Agreement.
22. The Grantee shall:
 - a. Notify the Grantor when the Remediation Work is complete. The notice shall contain certification or documentation that the Remediation Work is complete and has been performed in accordance with the terms of this Agreement. This notice shall summarize the actions taken, the resources committed and the problems encountered in completion of the project, if any, and shall be submitted to the Grantor for review and approval before it is finalized.
 - b. Perform all its obligations and agreements under this Agreement, and any other agreements or instruments to which the Grantee is a party and which relate to the Project Grant Funds and the Remediation Work.
23. The Grantee agrees to protect, indemnify, defend and hold harmless, the Grantor, its officers, administrators, agents, servants, employees and all other persons or legal entities to whom the Grantor may be liable from, for or against any and all claims, demands, suits, losses,

damages, judgments, costs and expenses, whether direct, Indirect or consequential and including, but not limited to, all reasonable fees, expenses and charges of attorneys and other professionals, court costs, and other reasonable fees and expenses for bodily injury, including death, personal injury and property damage, arising out of or in connection with the performance of any work or any responsibility or obligation of the Grantee as provided herein and caused in whole or in part by any act, error, or omission of the Grantee, its agents, servants, employees or assigns.

24. The Grantee shall erect a sign on the Property stating that the Remediation Work is being financed in part by RLF Grant Funds and the Grantor and providing the appropriate contacts for obtaining information on activities being conducted at the site and for reporting suspected criminal activities. The sign erected on the Property site shall comply with all requirements of the state and local law applicable to on-premise outdoor advertising as well as 40 CFR Part 35, Subpart O (§35. 6105(a)(2)(ii)). In addition, the Grantee Grants Grantor access to the Property to inspect the Remediation Work at all reasonable times and if Grantor determines that the Property or the Environmental Work poses a risk to persons or the environment to issue a "stop work" letter until those issues are adequately addressed.
25. If the Grantee sells or transfers the Property (1) prior to expending \$120,000 in remediation Work or (2) before completion of the remediation work (if the total cost or remediation is \$120,000 or less), then in that event, the Grantee shall immediately repay the entire amount of Project Grant Funds advanced to Grantee by the Grantor.
26. Any forbearance by the Grantee with respect to any of the terms and conditions of this Agreement shall in no way constitute a waiver of any of Grantee's rights or privileges granted hereunder.
27. In the event of a default of any of the terms or conditions of this Agreement, the entire amount of Project Grant Funds disbursed to Grantee shall become immediately due and payable without the necessity of demand from Grantor. The Grantee shall be deemed to be in default under this Agreement upon the occurrence of any or more of the following events (each and "Event of Default"):
 - a. The Grantee assigns this Agreement or any Project Grant Funds advanced hereunder or any interest herein to a third party or if the Property or any interest is conveyed, assigned or otherwise transferred without the prior written consent of the Grantor.

- b. Any representation or warranty made herein or in any report, certificate, financial statement or other instrument furnished regarding this Agreement shall prove to be false in any material respect.
- c. The Grantee defaults in the performance of any term, covenant or condition to be performed hereunder and such default is not remedied within thirty (30) days, unless a longer period of time is reasonably required to cure the default, from and after receipt of written notice by certified mail, return receipt requested, from the Grantor to the Grantee, specifying said default, of, if such default cannot be remedied within that period and remedial effort is not commenced within that period and diligently and continuously pursued, the Grantor shall have the right to proceed by appropriate judicial proceedings to enforce performance or observation of the applicable provisions of this Agreement and/or terminate this Agreement and recover damages from the Grantee to the extent allowed by law.
- d. Any proceeding involving the Grantee or the Property, commenced under any bankruptcy or reorganization arrangement, probate, insolvency, readjustment of debt, dissolution or liquidation law of the United States, or any state, but if such proceedings are instituted, no Event of Default shall be deemed to have occurred hereunder unless the Grantor either approves, consents to, or acquiesces in such proceedings, or such proceedings are not dismissed within sixty (60) days.
- e. An order, judgment or decree is entered, without the application, approval or consent of the Grantor, by any court of competent jurisdiction approving the appointment of a receiver, trustee or liquidator of the Grantee of all or a substantial part of its assets, and such order, judgment or decree shall continue in effect for a period of sixty (60) days. here we go
- f. Grantee or any third-party recipient or Project Grand Funds authorized to perform work by Grantee, defaults under the terms and conditions of this Agreement or any requirement of the RLF Program.

Upon the occurrence of anyone or more of the Events of Default enumerated above, all amounts of Project Grant Funds disbursed to Grantee by Grantor pursuant to this Agreement shall become due and payable, without presentment, demand, protest or notice of any kind to the Grantor, all of which are hereby expressly waived by the Grantee.

28. The Grantee agrees to maintain financial and programmatic records pertaining to all matters relative to this Agreement in accordance with generally accepted accounting principles and procedures and to retain all its records and supporting documentation applicable to this Agreement for a period of three (3) years after the completion of the Remediation Work except as follows:
- a. If any litigation claim, negotiation, audit or other action involving the records has been started before the expiration of the three-year, period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three-year period, whichever is later.
 - b. All such records and supporting documents shall be made available, upon request, for inspection or audit by the Grantor or its representatives.
 - c. The Grantee must receive permission from the Grantor, in writing, prior to destroying any of these records or documents.
29. The Grantee agrees to permit the Grantor or its designated representative to inspect and/or audit its records and books relative to this Agreement at any time during normal business hours and under reasonable circumstances, upon reasonable notice and to copy therefrom any information that the Grantor desires relevant to this Agreement. The Grantor shall provide written notice to the Grantee prior to the execution of this provision. The Grantee agrees to deliver the records or have the records delivered to the Grantor or its designated representative at an address designated by such party within the Wayne County. If the Grantor or its representative finds that the records delivered by the Grantee are incomplete, the Grantee agrees to pay the Grantor or its representative's costs to travel to the Grantee's office or other location where the books or records are located to audit or retrieve the complete records. In addition, all loan related documents are subject to 40 C.F.R. Section 31.42(e).
30. The Grantee will comply with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. §§ 9601 *et seq.*) ("CERCLA"); the National Oil and Hazardous Substances Contingency Plan ("NCP"), 40 C.F.R. Part 300; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 C.F.R. 60-4 relating to federally-assisted construction contracts; all applicable "cross-cutting requirements" described in this section, including those federal requirements agreed between the EPA and Downriver as defined by their Cooperative Agreement; MBE/WBE requirements found at 40 CFR 31.36(e) or 40 CFR 30.44(b); OSHA Worker Health & Safety Standard 29 CFR 1910.120; the Uniform Relocation Act; Historic Preservation Act; Endangered Species Act;

and Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR 60-4 relating to federally assisted construction contracts; Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333) the Anti-Kickback Act (40 USC 276c) and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250, as well as, the statutes prohibiting discrimination on the grounds of race, color, national origin, sex and disability. In addition, the Grantee will undertake good faith efforts in compliance with 40 CFR §31.36(e) to give opportunities for qualified Small Business Enterprises (SBE), Minority Business Enterprises (MBE) and Women-Owned Business Enterprises (WBE) and Disabled Vets. The Grantee shall submit a report of such efforts to the Grantor. The Grantee is not currently and shall assure that all contractors or subcontractors who will be paid using project Grant Funds are not presently or proposed to be debarred or suspended, declared ineligible or voluntarily excluded from working on federally, state or locally funded projects and that such contractors have agreed to comply with all terms and of the RLF Program including the Davis Bacon Act. In addition, Grantee and any contractors or subcontractors shall not have, within a three year period preceding this agreement, been convicted of or had a civil judgment rendered against them for (i) fraud or commission of a criminal offence in connection with obtaining, attempting to obtain, or performing a public transaction or contract under a public transaction, (ii) violation of federal or state antitrust laws, or (iii) embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; are not presently indicted for or otherwise criminally or civilly charged by a public entity with commission of any of the offenses enumerated under section 4.11(b) hereof; and have not within the preceding three years had a public transaction terminated for cause or default.

31. This Agreement is not intended to create or vest any rights in any third party or to create any third-party beneficiaries.
32. It is expressly understood that a failure or delay on the part of the Grantee in the performance, in whole or in part, or any of the terms of this Agreement, if such failure is attributable to an Act of God, fire, flood, riot, insurrection, embargo, emergency or governmental orders, regulations, priority, or other limitations or restrictions, or other similar unforeseen causes beyond the reasonable control of such party, the failure or delay shall not constitutes breach or Event of Default under this Agreement; however, the Grantee shall use its best effort to insure that the Project is completed In a reasonable time without unnecessary delay.

33. The provisions of this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
34. No failure of either party to exercise any power or right given it hereunder or to insist on strict compliance by the other party with its obligations hereunder, and so custom of practice of the parties at variance with the terms hereof shall constitute a waiver of the other party's right to demand at any time exact compliance with the terms hereof.

All notices, requests, instructions or other documents to be given hereunder to either party by the other shall be in writing and delivered personally or sent by certified or registered mail, postage prepaid, to the addresses set forth in this Agreement. Any such notice, request, instruction or other document shall be conclusively deemed to have been received and be effective on the date on which personally delivered or, if sent by certified or registered mail, on the day mailed to the parties as follows: or to such other address as a party may subsequently specify in writing to the other party.

35. There is a 20% match requirement for this sub grant. This sub grant requires the sub grantee to pay a total of 20% of the amount of the total eligible project costs ("Match"), pursuant to all EPA rules and regulations relating to sub grants. Evidence acceptable to DCC of payment of the Match must be provided as soon as practical after payment of same but no later than 30 days after completion of the Project.

TO THE GRANTOR:

Downriver Community Conference
15100 Northline Road,
Southgate, MI 48195-2408

TO THE GRANTEE:

City of Wyandotte
Attn: Mark Kowalewski
3200 Biddle Avenue, Suite 200
Wyandotte, MI 48192
Phone: (734) 324-4554

36. Grantee represents and warrants to Grantor that it is not a liable party for the contamination located on the Property as it acquired the Property through the tax reversion process which is deemed an

involuntary acquisition, and that it has taken all appropriate action to secure the Property and comply with MCL 324.20107a ("Due Care Requirements").

37. If any provision or item of this Agreement is held invalid, such invalidity shall not affect other provisions or items of this Agreement that can be given effect without the invalid provisions or items, and to this end, the provisions of this Agreement are hereby declared severable.

38. Except for any exhibits, attachments, plats or other documents as may be affixed hereto, made a part hereof, and properly identified herewith, this Agreement constitutes the entire contract between the parties, and shall not be otherwise affected by any other purported undertaking, whether written or oral.

IN WITNESS HEREOF, the parties hereto have caused this Agreement to be executed in the name and on behalf of each of them (acting individually or by their respective officers or appropriate legal representatives hereunto duly authorized) as of the day and year first written above.

GRANTEE:

By: _____
City of Wyandotte

Date _____

GRANTOR: Downriver Community Conference

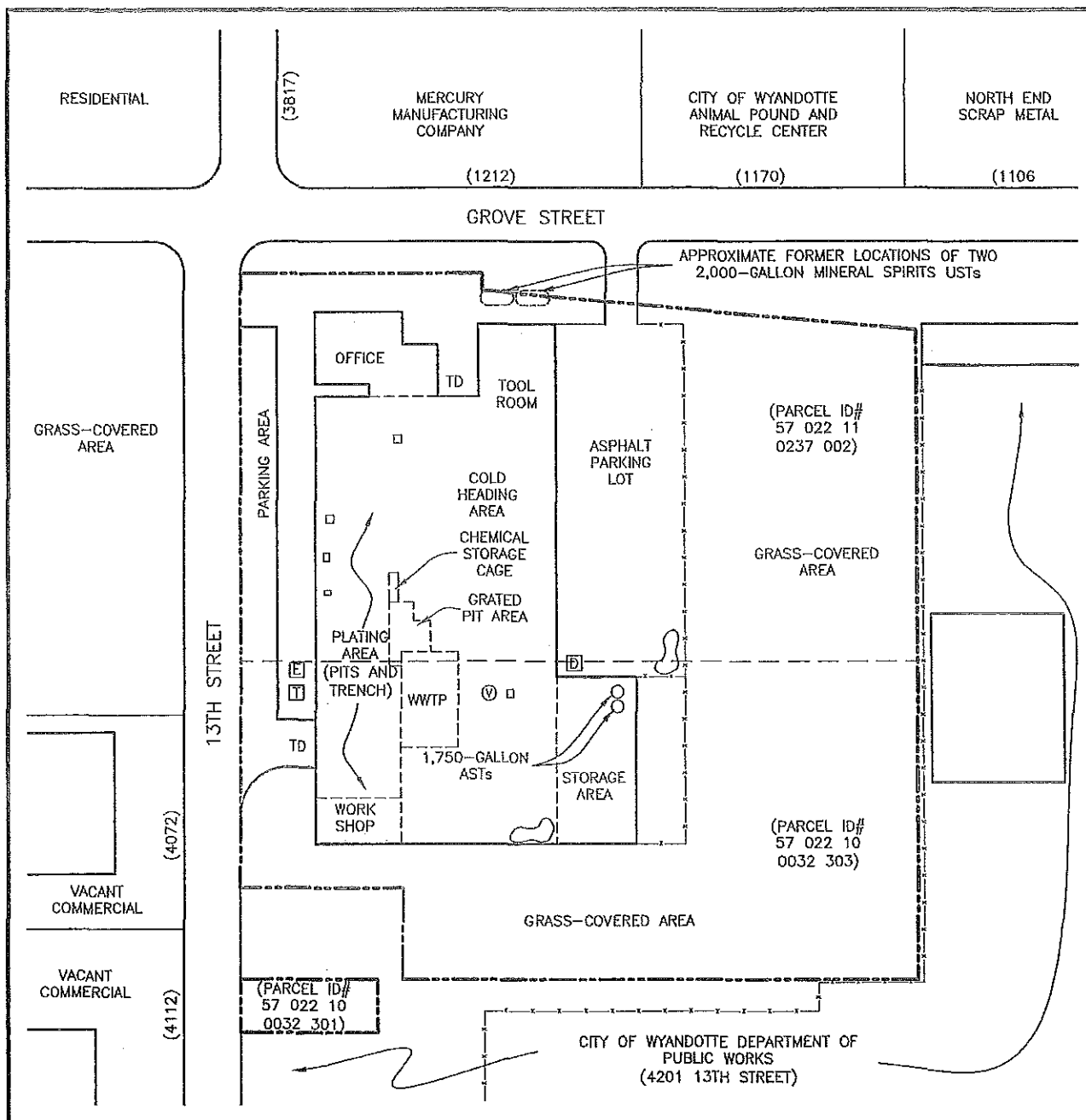
By: _____
James S. Perry, Executive Director

Date _____

Exhibit 1

Property Description:

The site is located at 1213 Grove Street in Wyandotte and consists of two parcels located at the southeast corner of Grove Street and 13th Street. An approximately 53,000 square foot, one story, vacant light industrial building is located at the site. A plate map and sketch illustrating the approximate boundaries of the site parcels is attached. The northern parcel (57-022-11-0237-002) is approximately 2 acres and the southern parcels (57-022-10-0032-303) is approximately 1.6 acres. Parcel information, including legal descriptions, is attached. Both parcels are zoned industrial (I-1).



LEGEND

- APPROXIMATE SITE BOUNDARY
- - - APPROXIMATE PARCEL BOUNDARY
- [T] PAD MOUNTED TRANSFORMER
- [E] ELECTRICAL EQUIPMENT/METER
- WWTP APPROXIMATE LOCATION OF WASTE WATER TREATMENT PLANT
- [V] EXHAUST VENT FROM FORMER DEGREASER
- CHAIN LINK FENCE
- [PIT] PIT
- TD TRUCK LOADING DOCK (XXXX) STREET ADDRESS
- [NON-HAZARDOUS DEBRIS] [DUMPSTER]

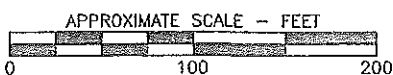


FIGURE 2.0 SITE SKETCH

PHASE II ENVIRONMENTAL SITE ASSESSMENT
FORMER DETROIT TUBULAR RIVET FACILITY
1213 GROVE STREET
WYANDOTTE, MICHIGAN

PREPARED FOR
DCCBC
SOUTHGATE, MICHIGAN

DRAWN CLW/01-11-13

CHECKED

REVISED

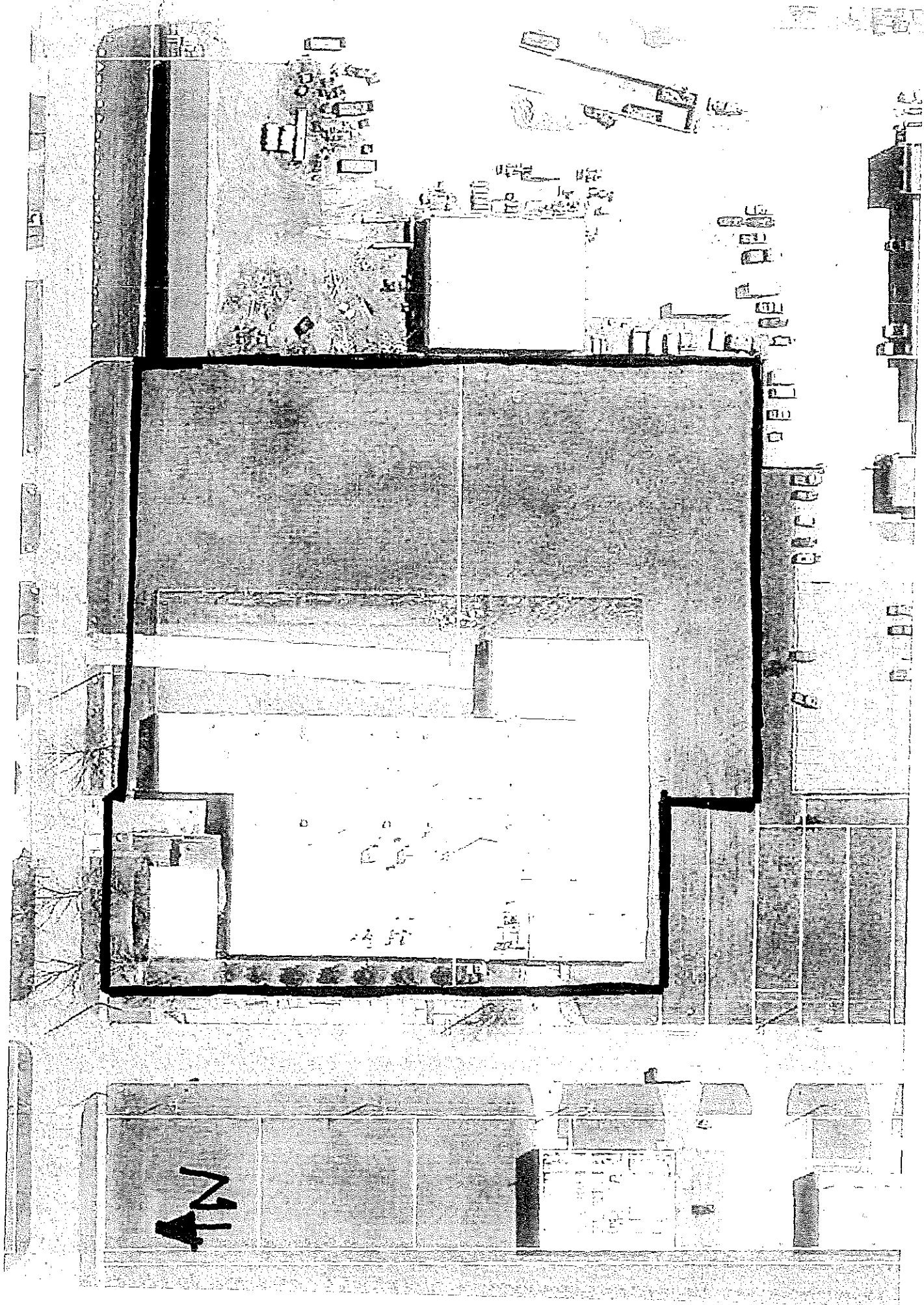
APPROVED

JOB NO. 9158.03

DRAWING NUMBER

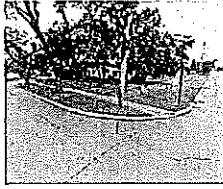
915803-02E

ITL
associates inc



1213 GROVE WYANDOTTE, MI 48192 (Property Address)

Parcel Number: 57 022 11 0237 002



Item 1 of 1 1 Image / 0 Sketches

Property Owner: DETROIT TUBULAR RIVET INC**Summary Information**

- > Commercial/Industrial Building Summary
 - > Yr Built: 1973
 - > # of Buildings: 5
 - > Total Sq.Ft.: 30,739
- > Assessed Value: \$192,500 | Taxable Value: \$192,500
- > 2 Building Department records found across 1 property
- > 10 Invoices Found, Amount Due: 400.00
- > Property Tax Information found
- > 1 Utility Billing Account found

Owner and Taxpayer Information

Owner	DETROIT TUBULAR RIVET INC 1213 GROVE ST WYANDOTTE, MI 48192	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	-----------------------

General Information for Tax Year 2016

Property Class	INDUSTRIAL REAL	Unit	57 CITY OF WYANDOTTE
School District	57-WYANDOTTE	Assessed Value	\$192,500
MAP #	No Data to Display	Taxable Value	\$192,500
TEMP CODE	0	State Equalized Value	\$192,500
USE CODES	INDL MFG	Date of Last Name Change	07/11/2002
USER ALPHA 3	No Data to Display	Notes	Not Available
Historical District	No	Census Block Group	No Data to Display
STATUS CODE	No Data to Display		

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2016	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2015	\$210,300	\$210,300	\$210,300
2014	\$208,600	\$208,600	\$207,365
2013	\$204,100	\$204,100	\$204,100

Land Information

Zoning Code		Total Acres	1.950
Land Value	\$98,400	Land Improvements	\$11,641
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	INDUSTRIAL LAND ONLY FACTOR	Mortgage Code	No Data to Display
Lot Dimensions/Comments	LOTS/ALLEY = .609 + 1.34	Neighborhood Enterprise Zone	No
Lot(s)		Frontage	
Lot 1		121.70 ft	218.00 ft
		Total Frontage: 121.70 ft	Average Depth: 218.00 ft

Legal Description

15845 THRU 15858 N 17 FT OF LOT 237 ALSO LOTS 238 THRU 246 INCL ALSO VAC ALLEYS ALSO PART OF THE SW 1/4 OF SEC 32 T35 T11E DES AS BEG S 0 DEG 02 MIN 00 SEC W 10.00 FT FROM THE COR OF LOT 245 OF DETROIT RIVER LAND CO S SUB NO 1 T35 T11E L37 P. 24 WCR TH S 6 DEG 57 MIN 47 SEC E 278.65 FT TH S 0 DEG 02 MIN 00 SEC W 204.47 FT TH N 89 DEG 07 MIN 40 SEC W 278.30 FT 0 DEG 02 MIN 00 SEC E 215.00 FT TO E DETROIT RIVER LAND CO S SUB NO 1 T35 R11E L37 P24 WCR

Land Division Act Information

Date of Last Split/Combine	No Data to Display	Number of Splits Left	Not Available
Date Form Filled	No Data to Display	Unallocated Div.s of Parent	0

Date Created	No Data to Display	Unallocated Div.s Transferred	0
Acceage of Parent	0.00	Rights Were Transferred	No
Split Number	0	Courtesy Split	No
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liberty Page	Comments
No sales history found.							

Building Information - 7500.00 sq ft Industrial, Light Manufacturing (Commercial)

Floor Area	7,500 sq ft	Estimated TCV	\$60,565
Occupancy	Industrial, Light Manufacturing	Class	S
Stories Above Ground	1	Average Story Height	16 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	1973	Year Remodeled	Not Available
Percent Complete	100%	Heat	Package Heating & Cooling
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	43 yrs

Building Information - 9648.00 sq ft Industrial, Light Manufacturing (Commercial)

Floor Area	9,648 sq ft	Estimated TCV	\$61,811
Occupancy	Industrial, Light Manufacturing	Class	S
Stories Above Ground	1	Average Story Height	16 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	1966	Year Remodeled	1916
Percent Complete	100%	Heat	Space Heaters, Gas with Fan
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	50 yrs

Building Information - 11513.00 sq ft Industrial, Light Manufacturing (Commercial)

Floor Area	11,513 sq ft	Estimated TCV	\$73,760
Occupancy	Industrial, Light Manufacturing	Class	S
Stories Above Ground	1	Average Story Height	16 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	1963	Year Remodeled	Not Available
Percent Complete	100%	Heat	Space Heaters, Gas with Fan
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	53 yrs

Building Information - 5100.00 sq ft Industrial, Light Manufacturing (Commercial)

Floor Area	5,100 sq ft	Estimated TCV	\$32,674
Occupancy	Industrial, Light Manufacturing	Class	S
Stories Above Ground	1	Average Story Height	16 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	Not Available	Year Remodeled	Not Available
Percent Complete	100%	Heat	Space Heaters, Gas with Fan
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	38 yrs

Building Information - 2650.00 sq ft Office Building (Commercial)

Floor Area	2,650 sq ft	Estimated TCV	\$39,437
Occupancy	Office Building	Class	D
Stories Above Ground	1	Average Story Height	12 ft
Basement Wall Height	0 ft	Identical Units	Not Available
Year Built	1963	Year Remodeled	Not Available
Percent Complete	100%	Heat	Package Heating & Cooling
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	53 yrs

Building Information - 2328.00 sq ft Office Building (Commercial)

Floor Area	2,328 sq ft	Estimated TCV	\$46,945
Occupancy	Office Building	Class	D
Stories Above Ground	1	Average Story Height	14 ft

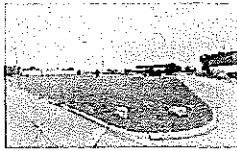
Basement Wall Height	0 ft	Identical Units	<i>Not Available</i>
Year Built	1963	Year Remodeled	<i>Not Available</i>
Percent Complete	100%	Heat	Package Heating & Cooling
Physical Percent Good	35%	Functional Percent Good	80%
Economic Percent Good	75%	Effective Age	52 yrs

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13TH WYANDOTTE, MI 48192 (Property Address)

Parcel Number: 57 022 10 0032 303



Item 1 of 1

1 Image / 0 Sketches

Property Owner: CITY OF WYANDOTTE

Summary Information

- > Assessed Value: \$0 | Taxable Value: \$0
- > Building Department Information found

> Property Tax Information found

Parcel is Vacant

Owner and Taxpayer Information

Owner	CITY OF WYANDOTTE 3200 BIDDLE AVE, STE 200 WYANDOTTE, MI 48192	Taxpayer	SEE OWNER INFORMATION
-------	--	----------	-----------------------

General Information for Tax Year 2016

Property Class	EXEMPT CITY COUNTY	Unit	57 CITY OF WYANDOTTE
School District	57-WYANDOTTE	Assessed Value	\$0
MAP #	No Data to Display	Taxable Value	\$0
TEMP CODE	0	State Equalized Value	\$0
USE CODES	EXEMPT CITY	Date of Last Name Change	11/29/2012
USER ALPHA 3	0	Notes	Not Available
Historical District	No	Census Block Group	No Data to Display
STATUS CODE	No Data to Display		

Principal Residence Exemption Information

Homestead Date

No Data to Display

Principal Residence Exemption	June 1st	Final
2016	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2015	\$0	\$0	\$0
2014	\$0	\$0	\$0
2013	\$0	\$0	\$0

Land Information

Zoning Code		Total Acres	0.000
Land Value	\$0	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	INDUSTRIAL LAND ONLY FACTOR	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s):	Frontage	Depth
No lots found.		

Total Frontage: 0.00 ft

Average Depth: 0.00 ft

Legal Description

15757.3 15758.3 PT OF LOT 32 DESC AS BEG N 00D 02M 00S E 103.95 FT FROM THE SE COR OF SAID LOT 32--TH N 89D 07M 40S W 279.30 FT--TH N 00D 02M 00S E 66 FT--TH N 89D 07M 40S W 121.70 FT--TH N 00D 02M 00S E 133 FT--TH S 89D 07M 40S E 400 FT--TH S 00D 02M 00S W 193.00 FT--WYANDOTTE INDUSTRIAL SUB NO 1 T3S R11E L87 P 65, 66 WCR-K-1-60

Land Division Act Information

Date of Last Split/Combine	05/31/2000	Number of Splits Left	Not Available
----------------------------	------------	-----------------------	---------------

Date Form Filed	05/31/2000	Unallocated Div.s of Parent	0
Date Created	05/31/2000	Unallocated Div.s Transferred	0
Acroage of Parent	0.00	Rights Were Transferred	No
Split Number	0	Courtesy Split	No
Parent Parcel	57 022 10 0032 000		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Libert/Page	Comments
08/28/2012	\$7,989.00	QCD	WAYNE COUNTY TREASURER	TREASURER CITY OF WYANDOTTE	05-NAL/RELATED PARTY	2012339713	RIGHT OF 1ST REFUSAL
05/14/1999	\$1.00	WD	SADONIS, MARY JOE KEAST	CITY OF WYANDOTTE	07-TO/FROM EXEMPT	99427244	1/3 INTEREST
05/14/1999	\$1.00	WD	KEAST, GERALD	CITY OF WYANDOTTE	07-TO/FROM EXEMPT	99427247	1/3 INTEREST
05/12/1999	\$1.00	WD	DESANA, FRANCIS TRUST	CITY OF WYANDOTTE	07-TO/FROM EXEMPT	99427246	1/3 INTEREST

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U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Detroit Tubular Rivet - Removal Polrep
Final Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region V

Subject: POLREP #2
Final
Detroit Tubular Rivet
C5C7
Wyandotte, MI
Latitude: 42.1916080 Longitude: -83.1683030

To: Heriberto Leon, U.S. EPA
Joseph DeGrazia, MDEQ

From: Brian Kelly, OSC

Date: 7/2/2012

Reporting Period:

1. Introduction

1.1 Background

Site Number:	C5C7	Contract Number:	
D.O. Number:		Action Memo Date:	4/10/2012
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	5/21/2012	Start Date:	5/21/2012
Demob Date:	6/20/2012	Completion Date:	7/2/2012
CERCLIS ID:	MIN000510694	RCRIS ID:	
ERNS No.:		State Notification:	Yes
FPN#:		Reimbursable Account #:	

Incident Category
Fund Lead Time-Critical Removal

Site Description and Location

The site is located at 1213 Grove Street, Wyandotte, Michigan, 48192. The current owner is the bankrupt Detroit Tubular Rivet Inc. (DTR). DTR manufactured bolts, nuts, rivets and washers, specializing in metal rivets (NAICS 332722), and operated zinc and brass electroplating services, from 1954 until filing for Chapter 11 bankruptcy on December 17, 2010, file number 10-77682, in the US Bankruptcy Court, Detroit, Michigan.

Preliminary Removal Assessment/Removal Site Inspection Results

On January 20, 2012, Michigan Department of Environmental Quality (MDEQ) requested EPA assistance in cleanup of the site. MDEQ included in its referral to EPA a January 12, 2012, Violation Notice sent to DTR that listed 16 hazardous and liquid industrial waste violations including failure to perform the following: minimize the possibility of fire, explosion, or release of hazardous waste which could threaten human health and/or the environment; maintain containers of hazardous waste in good condition; maintain closed hazardous waste containers except when adding or removing waste; and manage waste in a manner that prevents the discharge of liquid industrial waste into the soil, surface water, groundwater, or a drain or sewer. DTR's response to the Violation Notice stated, "DTR will not be able to address your violations; I am jobless with no money to pay for disposal."

On January 30, 2012, EPA conducted a site assessment, which documented the site as abandoned with more than 300 drums, totes, and containers. Operations at the site ceased in August 2011, when nearly all equipment was sold off at auction. Only chemicals and a few pieces of equipment associated with the site were still present during the site assessment. The remaining 300 plus containers are stored in 11 areas of the site, which includes 100 steel, polyethylene (poly) and fiber drums. Some of the drums show signs of deterioration, damage, or possible leaking, and seven drums were found labeled as containing sodium or copper cyanide. EPA collected representative samples from two blue poly drums and one steel drum that showed drums DTR-WL02-013012 and DTR-WL03-013012 contain liquids with a pH of less than 1 standard unit (SU), which according to regulations at 40 CFR 261.22, makes the waste hazardous for characteristics of corrosivity. Solid samples taken from a steel roll-off dumpster and a fiber drum showed DTR-WSOI-013012 and DTR-WS02-013012 contain cyanide, which is a listed hazardous substance under 40 CFR 302.4. The site assessment documented five drums labeled as Hazardous Waste - Methylene Chloride, which is a hazardous waste under 40 CFR 261.31.

2. Current Activities

2.1 Operations Section

Response Actions to Date

On May 2, 2012, EPA held a public meeting to discuss cleanup work with area residents. The meeting was held at the Department of Public Service Building, 4201 13th Street, Wyandotte, Michigan. The meeting was announced during a Wyandotte City Council Meeting on April 30, through a mailer sent to residents within half a mile of the site, and in an advertisement listed in the News Herald.

Between May 21 and June 20, 2012, EPA secured, sampled, segregated, and arranged for the off-site disposal of drums and containers of waste; vacuumed and cleaned the plating trenches in the southwest corner of the building; and dismantled and sent for disposal the overhead ventilation system, which had been caked with caustic residue.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

General notice of liability and requests for information were sent to the three owners of DTR.

2.1.4 Progress Metrics

Waste Stream	Medium	Quantity	Manifest #	Disposal
Oil & Water (waste codes D021L and D029L)	Liquid	4,800 gallons	010348988JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Bulk Oily Solids	Solid	30 cubic yards	061312-1	WM Woodland Meadows RDF 5900 Hannan Rd. Wayne, MI, 48184
Bulk Caustic Solids	Solid	30 cubic yards	061112-1	WM Woodland Meadows RDF 5900 Hannan Rd. Wayne, MI, 48184
Inorganic Acids (D002 and D007)	Liquid	2,000 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Chromic Acid (D002 and D007)	Liquid	800 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Alkaline Liquids (D002)	Liquid	800 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Sodium Hypochlorite (D001 and D002)	Liquid	1,200 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Methylene Chloride (U080)	Solid	2,400 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Packs LP-1 (D001 and D002)	Solid/Liquid	150 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Packs LP-2 (D001 and D011)	Solid/Liquid	150 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
				EQ Detroit, Inc

Lab Packs LP-3,4,5,6 (D002)	Solid/Liquid	600 lbs	002849378JJK	1923 Frederick Detroit, MI, 48211
Lab Packs LP-7,8,9,10,11 (D007, D002, D006)	Solid/Liquid	700 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Packs LP- 12,13,14,15,16,25 (D001)	Solid/Liquid	900 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Packs LP-19 (D002)	Solid/Liquid	150 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Packs LP-17,18,20,23,24 (029L)	Solid/Liquid	750 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Non Regulated Liquids (029L)	Liquid	4,000 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Non Regulated Liquids (029L)	Liquid	2,200 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Inorganic Acids (D002 and D007)	Solid/Liquid	800 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Methylene Chloride (U080)	Solid/Liquid	800 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Non Regulated Material (029L)	Solid/Liquid	800 lbs	002849378JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Non Regulated Liquids	Liquid	275 lbs	002849377JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Bulk Cyanide Solids (P121, D003, P106)	Solid	750 lbs	002849377JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
Lab Pack LP-21 (D003, P106)	Solid	10 lbs	002849377JJK	EQ Detroit, Inc 1923 Frederick Detroit, MI, 48211
				EQ Detroit,

Lab Pack LP-22 (D003, P106)	Solid	10 lbs	002649377.JJK	Inc 1923 Frederick Detroit, MI, 48211
Filter Cake (F006)	Solid	5,600 lbs	002849377.JJK	Michigan Disposal WTP 49350 N I-94 Service Dr Belleville, MI, 48111

R5 Priorities Summary	
Miles of river systems cleaned and/or restored	0
Cubic yards of contaminated sediments removed and/or capped	0
Gallons of oil/water recovered	7,000
Acres of soil/sediment cleaned up in floodplains and riverbanks	0
Acres Protected	3
Number of contaminated residential yards cleaned up	0
Human Health Exposures Avoided	200
Number of workers on site	7
Contaminant(s) of Concern	
F006, D001, D002, D003, D006, D007, D011, P106, P121, U080, Q21L, Q29L	

2.2 Planning Section

Anticipated Activities
None

2.3 Logistics Section

No information available at this time.

2.4 Finance Section

No information available at this time.

2.5 Other Command Staff

No information available at this time.

3. Participating Entities

No information available at this time.

4. Personnel On Site

No information available at this time.

5. Definition of Terms

No information available at this time.

6. Additional sources of information

No information available at this time.

7. Situational Reference Materials

No information available at this time.

**FORMER TUBULAR RIVET FACILITY
1213 GROVE STREET, WYANDOTTE, MICHIGAN
RLF SUBGRANT AGREEMENT
ESTIMATED PROJECT COSTS**

Estimated Remediation Costs:

• Removal/Disposal of asbestos containing building materials:	\$ 8,000.00
• Clean and remove two 1,750-gallon ASTs, Power Wash Containment:	\$ 10,000.00
• Southwest Room Ceiling Tile Removal, Fluorescent Lighting Fixture and Lamp Removal, and Room Cleaning:	\$ 20,000.00
• Interior Facility/Pits Power Washing and Backfilling of Pits:	\$ 25,000.00
• Cleaning and Removal of Wastewater Treatment Equipment:	\$ 20,000.00
• Southeast Corner Debris Removal:	\$ 3,000.00
Subtotal	\$86,000.00

Estimated Environmental Consultation/Oversight Costs:

• Preparation of Analysis of Brownfield Cleanup Alternatives, Community Relations Plan and Equivalency Analysis :	\$ 4,700.00
• Preparation of Health and Safety Plan, Cleanup Work Plan and Bid Specifications:	\$ 5,000.00
• Preparation of Draft Decision Memo:	\$ 1,550.00
• Asbestos Abatement Oversight and Air Monitoring:	\$ 3,000.00
• Environmental Remediation Oversight:	\$ 7,000.00
• Remedial Action Report:	\$ 5,000.00
• Other Consulting Services As Needed:	\$ 1,000.00
Subtotal	\$27,250.00

Contingency Allowance: \$6,750.00

Total Remediation Budget: **\$ 120,000.00**

Exhibit 3

Scope of Work: Environmental Cleanup activities include:

- Removal of two abandoned 1,750-gallon oil ASTs that have been emptied, but not cleaned, and cleaning of the oily secondary containment that surrounds the ASTs (in the southeastern portion of the building).
- The southwestern portion of the building was used for plating. The floor in this area contains water filled pits and trenches that had been used to contain the overflow of solvents, plating chemicals, and water from the plating operations. The concrete floor in this area is severely pitted and corroded, likely due to the caustics used in plating. The painted structural steel corrosion and considerable flaking of the suspected lead-based paint that is very loose on painted surfaces with numerous paint chips on the floor. The loose paint needs to be removed/encapsulated, the pits need to be emptied, and the floor in this area needs to be cleaned to remove the paint chips as well as potential contaminants associated with the former plating operation (cyanide and chromium)
- The abandoned wastewater treatment plant remains within the site building and likely contains residual contaminants. The abandoned wastewater treatment equipment needs to be removed from the site.
- Small areas of oily sludge and oil stained concrete located in the building where equipment was formerly located. The sludge needs to be removed and the associated oily floors need to be cleaned.
- Asbestos-containing building materials located in the office are of the building. These materials need to be removed before renovations.
- The area east of the building where impacted soil exceeds the direct contact criteria needs to be removed or covered with a layer of clean material, such as gravel or pavement, prevent direct contact exposures.

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that the City accepts the Brownfield Revolving Loan Fund Subgrant Agreement with the Downriver Community Conference in the amount of \$100,000.00 and authorizes the matching funds in the amount of \$20,000 from account no. 492-200-850-519; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute Brownfield Revolving Loan Fund Subgrant Agreement with the Downriver Community Conference as submitted to Council.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

RESOLUTION

DATE: March 5, 2018

RESOLUTION by Councilperson _____

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

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Alderman	_____
_____	Calvin	_____
_____	DeSana	_____
_____	Maiani	_____
_____	Sabuda	_____
_____	Schultz	_____

Reports & Minutes

February 21, 2018

Wyandotte Municipal Services Commission Regular Meeting Minutes

A regular session of the Municipal Services Commission of the City of Wyandotte, Michigan was held in the City Council Chambers on Wednesday, February 21, 2018 at 5:00 PM.

Roll Call: Present: Commissioner-Bryan Hughes
 Leslie Lupo
 Carolyn Harris
 Robert J. Thiede
 Paul Gouth

General Manager & Secretary - Paul LaManes

Also, Present- Steve Colwell- CATV
 Amber Sutphin
 Steve Timcoe
 Charlene Hudson
 Heather Zagor
 Dave Fuller
 John Gumina

Approval of Minutes:

MOTION by Commissioner Lupo and SECONDED by Commissioner Thiede to approve the January 24, 2018 regular meeting minutes of the Municipal Services Commission.

Commissioner Hughes asked that the roll be attached. No objections were made.
Minutes approved

Hearing of Public Concerns:

None

Resolution # 2-2018-1

MOTION by Commissioner Lupo and seconded by Commissioner Gouth to approve Municipal Services to host a paper shred day on April 21st 2018 as recommended by WMS Management.

Commissioner Hughes asked that the roll be called.

YEAS: Commissioner Hughes, Lupo, Harris, Thiede and Gouth

NAYS: None

Motion passes

Reports and Communications:

- Monthly Subscriber Reports- January 2018

MOTION by Commissioner Lupo to receive and place on file, the Monthly Subscriber reports for January 2018.

Commissioner Hughes asked that the roll be called. No objections were made.
Motion passes

February 21, 2018

Wyandotte Municipal Services Commission
Regular Meeting Minutes

Resolution #2-2018-2

MOTION by Commissioner Harris and Seconded by Commissioner Lupo to appoint Paul LaManes to serve as Interim General Manger for the Department of Municipal Services.

Commissioner Hughes asked that the roll be called.

YEAS: Commissioner Hughes, Lupo, Harris, Thiede and Gouth

NAYS: None

Motion passes

Approval of Vouchers:

MOTION by Commissioner Harris and seconded by Commissioner Lupo that the vouchers be paid as submitted.

#5342- \$ 561,523.71

#5343- \$ 679,154.59

Commissioner Hughes asked for the roll to be called for approval of the vouchers.

YEAS: Commissioner Hughes, Lupo, Harris, Thiede and Gouth

NAYS: None

Vouchers approved

Late Items:

Next Regular Meeting - Wednesday, March 7, 2018 at 5 PM

Motion by Commissioner Thiede and seconded by Commissioner Harris to now adjourn the regular meeting at 5:07PM. Roll attached, no objections to adjournment of meeting.

X

Paul LaManes
General Manager/Secretary