



AGENDA

REGULAR SESSION

MONDAY, APRIL 30, 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

UNFINISHED BUSINESS

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 – April 23, 2018
2. Metal Detection/City Property Use Request – C. Barker
3. Curb Painting Guidelines
4. 2018 WSAF Clean-Up Contract

NEW BUSINESS

5. Definitive Transfer Agreement – Downriver Utility Wastewater Authority
6. Dangerous Structure – 951 3rd Street
7. Final Reading of an Ordinance - #1463: Section 2202, Section S – Outdoor Cafés

BILLS & ACCOUNTS

REPORTS & MINUTES

Daily Cash Receipts	April 25, 2018
Planning Commission	March 15, 2018
Recreation Commission	April 11, 2018
Retirement Commission	March 16, 2018

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

ADJOURNMENT

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

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

- 1. Approval of Council Meeting Minutes – April 23, 2018
- 2. Metal Detection/City Property Use Request – C. Barker
- 3. Curb Painting Guidelines
- 4. 2018 WSAF Clean-Up Contract

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
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, April 23, 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, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz & Mayor Joseph R. Peterson

Absent: NONE

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

PRESENTATIONS

PRESENTATION OF PETITIONS

APPROVAL OF AGENDA

PUBLIC HEARINGS

UNFINISHED BUSINESS

CALL TO THE PUBLIC

CONSENT AGENDA

2018-175 CONSENT AGENDA APPROVALS

By Councilperson Maiani, supported by Councilperson Schultz

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

1. Approval of Council Meeting Minutes – April 16, 2018
2. Cancellation of Council Meeting – June 18, 2018
3. Special Event Application – Cinco De Mayo Festival

Motion unanimously carried.

2018-176 MINUTES

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the minutes of the meeting held under the date of April 16, 2018, be approved as recorded, without objection.

Motion unanimously carried.

2018-177 COUNCIL MEETING CANCELLATION – JUNE 18, 2018

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk and Deputy City Clerk will not be able to attend the June 18, 2018 meeting due to out-of-town commitments.

BE IT RESOLVED that the City Council meeting on Monday, June 18, 2018, is hereby cancelled due to the absence of the City and Deputy City Clerks.

Motion unanimously carried.

2018-178 SPECIAL EVENT APPLICATION – CINCO DE MAYO FESTIVAL

By Councilperson Maiani, supported by Councilperson Schultz

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 May 5th 2018 from WOW 360:

Event Details: May 5th 2018

Street Closures:

- Requesting streets to be closed at 9:00 a.m. – 12 midnight – See attached map.
 - Sycamore Street from Biddle to Yack Area Parking

Overview:

A free event for all ages to celebrate Cinco De Mayo. Live music, entertainment, and dancers. Vendor booths, food booths and bar. The event will take place from 1p.m. – 10p.m.

City Requests:

- 4' chain link fence and / or freestanding green fencing to go around the event space.
- “No Parking on Saturday” signs to be placed on Sycamore on Friday
- Access to water to fill tent water barrels and food vendors.
- Electrical is needed (more details to follow closer to the event)
- Trash Cans – an ample supply of lined trash cans to be placed in the event area.
- City Stage to be dropped off on Saturday.

Other Set up:

- Port a Johns delivered on Friday and picked up on Monday.
- Signage place throughout to visibly mark Event Areas, No Alcohol Beyond Points, Event Rules & Policies
- Shade tents will be placed in the area. No sidewalls.

Tear Down:

- Vendors, tents, etc., to taken down and moved by 12 noon on Sunday
- Mobile stage to be removed on Sunday morning

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 WOW 360 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.

NEW BUSINESS

2018-179 PROPOSED CHARTER AMENDMENTS – COUNCIL MEETING TIMES

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED, by the City Council of the City of Wyandotte, Michigan, as follows:

1. The City Council by at least three-fifths votes of its members-elect, pursuant to the authority granted by Act 279, Public Acts of Michigan, 1909, as amended, proposes that Section 5 of the Chapter VI of the City Charter of the City of Wyandotte, shall be amended to read as follows:

Chapter VI	City Council
Section 5.	Regular Meetings; Special Meetings; Meetings to be Public

The city council shall meet in a regular session at the council chambers in the city hall, at least two (2) times each month at times and dates to be determined by city council for the purpose of receiving communications, complaints, petitions and reports, holding public hearings, discussing pending matters, and deliberating toward and rendering decisions on all public policy. The mayor or any three (3) members of the council may call special meetings thereof, notice of which, in writing shall be given to each member of the council, or left at his place of residence, at least eighteen (18) hours before the meeting. All meetings of the council or any committee shall be public and in compliance with the open meetings act.

The existing Section 5 of the Chapter VI of the City Charter of the City of Wyandotte to be altered by such proposal, if adopted, now reads as follows:

Chapter VI City Council

Section 5. Regular Meetings; Special Meetings; Meetings to be Public

The council shall meet in regular session, at the council chambers in the city hall, at least once each week as a committee of the whole, for the purpose of receiving communications, complaints, petitions and reports, holding public hearings and discussing pending matters and shall meet in regular session at least once each week, in the evening. The mayor or any three (3) members of the council may call special meetings thereof, notice of which, in writing, shall be given to each member of the council, or left at his place of residence, at least (12) hours before the meeting. All meetings of the council or any committee thereof shall be public.

2. The proposed amendment to Section 5 of Chapter VI shall be submitted to the electors in the following form:

WYANDOTTE CITY CHARTER AMENDMENT

Ballot language shall read as follows:

Shall Section 5 of the Chapter VI of the City of Wyandotte Charter be amended (1) to require the City Council meet at least twice a month instead of the current requirement of once a week, (2) to require 18 hours notice for special meetings instead of 12 hours notice, and (3) to acknowledge that meetings of the City Council and its committees must comply with the Open Meetings Act?

☐ YES

☐ NO

3. The City Clerk shall transmit copies of the proposed amendment of Section 5 of Chapter VI of the City Charter to the Governor of the State of Michigan for approval, and transmit a copy of the foregoing statement of purpose of the proposed amendment to the Attorney General of the State of Michigan for approval, as required by law.

4. The proposed charter amendment of Section 5 of Chapter VI shall be, and the same is hereby ordered to be, submitted to the qualified electors of the City of Wyandotte at a special election in the City of Wyandotte Election to be held on the 7th day of August, 2018, and the City Clerk is hereby directed to give notice of the election and notice of registration thereof in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the charter amendment to the vote of the electors as required by law.

5. The proposed amendment of Section 5 of the Chapter VI shall be published in full together with the existing charter provision altered or abrogated thereby as part of the notice of election.

6. The canvass and determination of votes of said questions shall be made in accordance with the laws of the State of Michigan and the City Charter of the City of Wyandotte.

7. All resolutions and parts of resolutions insofar as they conflict with the provision of this resolution be and the same hereby are rescinded.

Motion unanimously carried.

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

NAYS: None

2018-180 PROPOSED CHARTER AMENDMENTS - APPOINTED ASSESSOR

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED by The City Council of the City of Wyandotte Michigan as follows:

1. The City Council by at least a three-fifths vote of its members elect, pursuant to the authority granted by Act Number 279 of the Public Acts of 1909, as amended, proposes that Chapter IV, Section 1, Section 2 and Section 5, of the Charter of the City of Wyandotte, be amended, to read as follows:

Provisions of existing Chapter IV, Section 1, of the Wyandotte City Charter, if approved by the electors, will be amended to read as follows:

Designated.

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, all of whom shall be elected at large, and shall be electors of the city.

Provisions of existing Chapter IV, Section 1, of the Wyandotte City Charter, to be amended by such proposal, if adopted, now reads as follows:

Designated.

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, a city assessor, all of whom shall be elected at large, and shall be electors of the city.

2. The purpose of the proposed Amendment is to eliminate the City Assessor as an elected officer and to make it an appointive officer.

3. The proposed Amendment shall be submitted to the electors in the following form, to-wit:

Proposal 1 – Amendment to City Charter

Shall the Wyandotte City Charter be amended to provide, effective May 2021 for the City Assessor to no longer be an elected position and instead be appointed by the Mayor, subject to confirmation of the City Council; with changes for the purpose to Sections 1, 2 and 5 of Chapter IV, to Section 8 of Chapter VII, and to Section 20 of Chapter V, including the renumbering and transfer of Section 20 of Chapter V to Section 8.1 of Chapter VII?

YES

NO

4. If the proposed Amendment is adopted, then the following Sections of the Charter will be amended to read as follows:

CHAPTER IV. ELECTIVE OFFICERS

Designated.

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, all of whom shall be elected at large, and shall be electors of the city.

Terms and lengths of office.

Section 2. Commencing with the May 3, 2005 general election and on the first Monday in April of every fourth year thereafter, the mayor, the six (6) councilpersons, the city clerk, and the city treasurer, shall be elected for a term of four (4) years. Commencing with the April, 1997 general election, the mayor and any councilpersons shall be prohibited from seeking more than three (3) consecutive four (4) year terms of office for the same office, but this prohibition shall not apply to the city clerk or the city treasurer. The terms of all elective officers shall commence at 12:00 noon, Eastern Standard Time, on the first Monday following the election.

Compensation of elected officers.

Section 5. The elective officers of the city shall be entitled to receive as full compensation for their services the following annual salaries:

The mayor shall receive the sum of five thousand dollars (\$5,000.00).

Each councilman shall receive the sum of two thousand five hundred dollars (\$2,500.00).

The city clerk and the city treasurer shall receive such compensation as the council shall by ordinance determine.

5.

ARTICLE V. DUTIES OF ELECTIVE OFFICERS

Section 20 of Chapter V of the Charter describes the City Assessor's duties and now read as follows:

The City Assessor shall perform such duties as are prescribed in Section 8 of Chapter VII of this charter and required of him by general law.

Section 20 of Chapter V of the Charter will be deleted from Article V and inserted in Article VII as Section 8.1 as follows:

ARTICLE VII. ADMINISTRATIVE DEPARTMENTS-APPOINTIVE OFFICERS

The following Section 20 of Chapter V of the City Charter which would be renumbered and placed in Article VII as follows:

City Assessor.

(Former Section 20) Section 8.1, Commencing May 2021 , the City Assessor shall be appointed by the mayor, subject to confirmation by the council for a term of two years. Thereafter on the third Monday of May, and every second year thereafter, the City Assessor shall be appointed for a term of two (2) years. The City Assessor shall receive such compensation as the Council shall determine.

6. Section 8 of Chapter VII of the Charter describes the City Assessor as an elective position and now reads as follows:

The department of valuation and assessment shall be in charge of the city assessor who shall be an elective officer of the city and who shall be elected as in this charter provided. The city assessor shall perform such duties in relation to assessing property and levying taxes in the city as are prescribed by this charter. He is hereby authorized and required to perform the same duties that supervisors of townships under the general laws of the state are required to perform in relation to assessing the property and levying taxes for state, county and school purposes. He shall perform such other duties as are prescribed by law of assessors in cities, or are now or hereafter may be prescribed by ordinance or resolution of the council and shall make such reports as required by council.

Section 8 of Chapter VII of the Charter will be amended to identify the assessor's office subject to appointment as follows:

Department of valuation and assessment.

Section 8. The department of valuation and assessment shall be in charge of the City Assessor who shall be an appointive officer of the city and who shall be appointed as in this charter provided. The City Assessor shall perform such duties in relation to assessing property and levying taxes in the city as are prescribed by this charter. He is hereby authorized and required to perform the same duties that supervisors of townships under the general laws of the state are required to perform in relation to assessing the property and levying taxes for state, county and school purposes. He shall perform such other duties as are prescribed by law of assessors in cities, or are now or hereafter may be prescribed by ordinance or resolution of the council and shall make such reports as are required by the council.

7. The City Clerk shall forthwith transmit a copy of the proposed Amendment to the Governor of the State of Michigan for his approval, and transmit a copy of the foregoing statement of purpose of such proposed Amendment to the Attorney General of the State of Michigan for his approval, as required by law.

8. The proposed Charter Amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of this City at a special election in the City of Wyandotte Election to be held on the 7th day of August, 2018, and the City Clerk is hereby directed to give notice of the election in the manner prescribed by law and to do all things necessary to submit such Charter Amendment to the vote of the electors as required by law.

9. The City Clerk shall have the proposed Charter Amendment, in full, posted in a conspicuous place in each polling place at the City of Wyandotte election.

Motion unanimously carried.

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

NAYS: None

2018-181 POLLING LOCATION CHANGE – PRECINCT 6

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the City Clerk's office is recommending that the polling location of Precinct 6 be permanently moved to accommodate the needs of the new voting equipment and to provide conveniently located, well equipped polling locations in an effort to increase voter turnout.

WHEREAS, in accordance with Michigan Election Law, a notice to voters of a permanent polling location change in the form of an updated Voter Identification Card is required.

BE IT RESOLVED that the Council concurs with the request from the City Clerk to establish a permanent polling location for Precinct 6 at the P.L.A.V. Post #74 Hall, 963 Oak St.

BE IT FURTHER RESOLVED that the Council approves the notification of said change via a new Voter Identification Card printed and mailed by the services of Printing Systems, Inc. in the amount of \$550 to be paid from account number #101-840-750-220 (Operating Expenses, Election Commission). Motion unanimously carried.

2018-182 POLLING LOCATION CHANGE – PRECINCTS 7 & 10

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk's office is recommending that the polling locations of Precincts 7 and 10 be permanently moved in order to assist WPS in the efforts to keep our schools safe and secure and provide polling locations to our citizens that are well-equipped in an effort to increase voter turnout.

WHEREAS, in accordance with Michigan Election Law, a notice to voters of a permanent polling location change in the form of an updated Voter Identification Card is required.

BE IT RESOLVED that the Council concurs with the request from the City Clerk to establish a permanent polling location for Precincts 7 and 10 at the F.O.P. Hall located at 822 Oak St. with a corresponding budget amendment to account #101-840-825-490 (Contractual Services, Election Commission) in the amount of \$250 for each election held at the location; AND

BE IT FURTHER RESOLVED that the Council approves the notification of said change via a new Voter Identification Card printed and mailed by the services of Printing Systems, Inc. in the amount of \$1000 to be paid from account number #101-840-750-220 (Operating Expenses, Election Commission). Motion unanimously carried.

2018-183 HIRING OF DPS MECHANIC – W. OZERANIC

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Mechanic at the Department of Public Service; AND

FURTHER, RESOLVED that the Council approves the hiring of William Scott Ozeranic as a Mechanic at the Department of Public Service contingent on the successful completion of a physical and drug screen examination.

Motion unanimously carried.

2018-184 FIRST READING OF AN ORDINANCE - #1463 OUTDOOR CAFÉS

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the first reading of the Ordinance Amendment #1463, relative to Section 2202 - Special Land Use Designated amending Section S-Outdoor Café Ordinance, will be held at the April 23, 2018 meeting of the City Council; AND

BE IT FURTHER RESOLVED that the Outdoor Café Permit shall expire on December 31 of each year; AND

BE IT FURTHER RESOLVED that the Final Reading of Ordinance Amendment #1463 shall be held at the April 30, 2018 meeting of the City Council and will include the necessary changes to times.

Motion carried.

YEAS: Councilpersons DeSana, Maiani, Schultz & Mayor Peterson

NAYS: Councilpersons Alderman, Calvin, Sabuda

BILLS & ACCOUNTS**2018-185 BILLS & ACCOUNTS**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the total bills and accounts of \$1,379,985.15 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

Beautification Commission

March 14 & April 11, 2018

Daily Cash Receipts

April 13 & April 16, 2018

Zoning Board of Appeals and Adjustment

April 4, 2018

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

None

ADJOURNMENT**2017-186 ADJOURNMENT**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:16 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

RESOLVED that the minutes of the meeting held under the date of April 23, 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**_____

From: [Gabriel gabe](#)
To: clerk@wyan.org
Subject: Metal detecting city owned sites
Date: Thursday, April 26, 2018 10:14:25 AM

Hi I stopped into your offices this morning to check on the procedure to be allowed to metal detect on city owned properties. I am Chuck Barker I live at 1617 19 street I've lived here for 12 years I metal detect as a hobby. I know others have asked for permission and been granted it to metal detect properties that houses used to serve and I of course would follow all rules and sign any papers that you need me to sign I detect with a friend name of Jim Davis he lives in Woodhaven he would also be willing to sign Any paperwork we would need to do I think you for your time and taking this into consideration I will check back on this I have hope I've done this properly if not please email me back and informed me what I need to do besides thank you for your time yours Charles Barker

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council permits Charles Barker and Jim Davis to metal detect in city parks and vacant city lots as identified and approved by the Department of Engineering and Building.

BE IT FURTHER RESOLVED that Charles Barker and Jim Davis will complete 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: April 30, 2018

AGENDA ITEM # 3

ITEM: Painting Addresses on Curbs

PRESENTER: Lawrence S. Stec



INDIVIDUALS IN ATTENDANCE: Lawrence S. Stec

BACKGROUND: An individual recently asked the Clerk's office what the rules were for painting house numbers on the curb in front of residents' homes. While this practice has been carried out in the past, no set of rules for the application of house numbers to curbs could be located. After an exchange of ideas between the City Engineer, City Attorney, Police Department and the office of the Clerk, the attached criteria were deemed acceptable for the application of house numbers to curbs.

STRATEGIC PLAN/GOALS: To allow individuals to have house numbers applied to the curbs in front of their homes while maintaining a uniform standard for the application of these address numbers.

ACTION REQUESTED: Concur in the approval of the guidelines as presented by the indicated departments for the application of house numbers on curbs.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Provide copies of the guidelines to individuals wishing to partake in this practice.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: Approved

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: Guidelines for Painting House Numbers on Curbs

MODEL RESOLUTION:

DATE: April 30, 2018

RESOLUTION by Councilperson _____

RESOLVED that the communication from the City Clerk regarding the Curb-Address guidelines be received and placed on file and be adopted as the accepted guidelines for painting addresses on curbs.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Alderman
Calvin
DeSana
Maiani
Sabuda
Schultz

NAYS

GUIDELINES FOR PAINTING HOUSE NUMBERS ON CURBS

1. Only house numbers painted on the face of curbs are permitted. No logos, designs, graphics or symbols of national, military, religious, sports, flags, college/university are permitted. Such logos, designs, graphics, and symbols may be registered trademarks and may have copyrights.
2. Only street numbers are to be painted on the curb. Full addresses are not permitted. Street numbers are not to exceed a height of six inches, and shall be either black on a white background, or white on a black background.
3. The painted curb number is not a replacement for the address that must be permanently affixed to the house.
4. The person(s) performing the painting shall notify the property owner whether the curb painting service being solicited is for payment or "charitable donation." Charitable donations are not mandatory contributions.
5. The person(s) must first obtain permission of the property owner before painting any house number on the curb. If the work is performed before obtaining the property owner's permission, the property owner is not obligated to provide payment for the curb painting services.
6. The person(s) shall wear high visibility clothing, such as a vest or jacket while occupying the road space from curb to curb.
7. Curb number painting shall only be performed between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday. No painting shall be performed on Sundays.
8. The person(s) performing the numbering shall have in their possession the permit issued by the city and valid identification at all times.
9. Any complaints from property owners may result in the revocation of this permit.
10. Any person who fails to comply with these guidelines is in violation of Section 32-2 and Section 25-60 of the City of Wyandotte Code of Ordinances.

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

RESOLVED that the communication from the City Clerk regarding the Curb-Address guidelines be received and placed on file and be adopted as the accepted guidelines for painting addresses on curbs.

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: April 30th 2018

AGENDA ITEM # 4

ITEM: 2018 WSAF Clean Up Contract

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: As you know the Special Event staff is in the process of planning our city events for 2018. In light of this, attached, please review a contract for Wyandotte Music Booster to operate as a clean-up crew during the 2018 Wyandotte Street Art Fair. This cost will be paid from the WSAF Expense Account.

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 brining our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: We feel that the Music Boosters will once again provide excellent service and request your support of this contract.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

WSAF - \$4,250

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Special Event Coordinator.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: Approved. Signature on file.

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS:

2018 Clean Up Agreement

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: April 30th 2018

RESOLUTION by Councilman _____

Resolved by City Council to approve the request of the Special Event Coordinator to approve of the contract between the Wyandotte Music Boosters to provide a cleanup crew for the 2018 Wyandotte Street Art Fair.

MOTION by Councilmen_____

Supported by Councilman_____

YEAS

COUNCIL

NAYS

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

**CITY OF WYANDOTTE
WYANDOTTE STREET ART FAIR
JULY 11th - 14th 2018
AGREEMENT WITH WYANDOTTE MUSIC BOOSTERS**

The Wyandotte Street Art Fair enters into an agreement with Wyandotte Music Boosters (“Boosters”) to operate as clean-up crew during and after the Wyandotte Street Art Fair – July 11th thru 14, 2018.

- The Boosters will empty trash barrels, sweep the art fair grounds, pick up debris, replenish toilet paper in porta johns, clear vendors trash. (Vomit will be cleaned and contained by the city)
- The Boosters will provide sufficient staffing to keep the art fair grounds in a clean condition each day of the fair.
- The Boosters agree to hold the City of Wyandotte harmless from any claims that may arise from their participation in the cleanup.
- The Boosters will provide the City of Wyandotte with a complete staffing schedule prior to the event.
- The City will provide a check in the amount of \$4,250 within 30 days of completion of the art fair.
- The Boosters are responsible to provided adequate supervision of any minors who participate in the cleanup.
- The boundaries of the Street Fair as listed by the City of Wyandotte include; all of Biddle from Eureka to Oak, First Street from Elm to Oak, Sycamore, Maple, and Elm from alley to alley, and the music/beer area at the foot of Elm St. This is the area designated to be cleaned.
- The City will provide the following clean up items to the Boosters: Brooms, dustpans, wagons, trash bags, gloves, toilet paper, paper towel, sanitizing gel/wipes.
- The amount of cleaning items needed to maintain the Street Fair for its duration will be agreed upon between the city and the boosters based on the usage of the previous years.
- The City will provide two 20 amp circuits for electrical necessities for maintaining the efficiency of cleaning staff.
- The beer booths will be cleaned by the organizations responsible for the booth.
- The Boosters will wear colorful shirts during the fair identifying them.

City of Wyandotte:

Date: _____

Joseph R. Peterson, Mayor

Date: _____

Lawrence Stec, City Clerk

Wyandotte Music Boosters

Date: _____

By:

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve of the agreement between the City of Wyandotte and the Wyandotte Music Boosters to provide a clean-up crew both during and after the 2018 Wyandotte Street Art Fair, taking place on July 11th – 14th, 2018.

BE IT FURTHER RESOLVED that funds in the amount of \$4,250 will be paid within 30 days of the Street Fair by check to the Wyandotte Music Boosters for their service and said funds will be paid from the WSAF Expense Account.

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: April 30, 2018

AGENDA ITEM # 5

ITEM: Definitive Transfer Agreement (DTA) - Downriver Utility Wastewater Authority

PRESENTER: Todd A. Drysdale, City Administrator *T. Drysdale*

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The City has had a Service Agreement with the County of Wayne since 1962 which specifies the duties and responsibilities of each party relative to conveyance and treatment of wastewater. This agreement expired in 2012. Since that time, the thirteen (13) communities that comprise the Downriver Sewage Disposal System (DSDS) have formed the Downriver Utility Wastewater Authority (DUWA) to negotiate a successor agreement with the County. Through these negotiations, a DTA has been agreed upon that includes DUWA acquiring the DSDS from the County of Wayne and becoming the owner of the system. It is envisioned that DUWA would hire a private operator for the system and the savings achieved would cover the purchase price of the transaction.

After months of due diligence, the DUWA Board has recommended the approval of the DTA.

STRATEGIC PLAN/GOALS: To be fiscally responsible and provide the best services

ACTION REQUESTED: Approve the DTA as presented.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: The approved DTA will be forwarded back to DUWA for implementation.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: Approved as to Form *W. Bohn*

MAYOR'S RECOMMENDATION: *J.P.*

LIST OF ATTACHMENTS:

1. Letter from Fausone Bohn, LLP dated 2/15/18
2. DTA dated 2/6/18 (sent under separate email)

MODEL RESOLUTION:

See attached

RESOLUTION OF THE (CITY/CHARTER TOWNSHIP) OF _____
TO AUTHORIZE ITS REPRESENTATIVE TO THE
DOWNRIVER UTILITY WASTEWATER AUTHORITY TO VOTE ON THE
DEFINITIVE TRANSFER AGREEMENT WITH WAYNE COUNTY

RESOLUTION NO. _____

WHEREAS, 1955 PA 233, as amended ("Act 233") authorizes an authority to acquire sewage disposal systems as defined within said act and to improve, enlarge, expand, and operate such systems; and

WHEREAS, by the terms of Act 233, the Downriver Utility Wastewater Authority ("DUWA"), its constituent municipalities being the cities of Belleville, Ecorse, Lincoln Park, River Rouge, Southgate, Wyandotte, Allen Park, Taylor, Dearborn Heights, Romulus, Riverview, and the Charter Townships of Van Buren and Brownstown ("Communities") are authorized to enter into a contract for the acquisition, improvement, enlargement or extension of a sewage disposal system and for the payment of the cost thereof by the Communities, with interest; and

WHEREAS, the DUWA desires to acquire the Downriver Sanitary Disposal System ("System") from the County of Wayne, a Michigan county corporation (the "County"); and

WHEREAS, each of the Communities have a representative on the DUWA Board which will vote May 10, 2018 on the Definitive Transfer Agreement with Wayne County for the acquisition of the System; and

WHEREAS, each of the Communities in 2017 have unanimously approved a Service Agreement with DUWA for the use and charges associated with the System; and

NOW THEREFORE, be it resolved that the City/Charter Township of _____
("Municipality") hereby agrees that:

The Municipality's member to the DUWA Board shall vote (in favor of / or against) the Definitive Transfer Agreement that has been negotiated with Wayne County for the purchase of the Downriver Sanitary Disposal System.

ON MOTION OF _____ SUPPORTED BY _____ the foregoing Resolution
was adopted by the following vote:

ROLL CALL: ABSENT _____ AYE _____ NAY _____

I, _____, Clerk for the City/Charter Township of _____, hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by the City Council/Township Board for the City/Charter Township of _____ at a regular meeting held on the ____ day of _____, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act.

_____, Clerk

FAUSONE BOHN, LLP
ATTORNEYS AT LAW

February 15, 2018

Mayor Joseph Peterson
City of Wyandotte
3131 Biddle Avenue
Wyandotte, MI 48192

RE: Downriver Utility Wastewater Authority (DUWA)

Dear Mayor Peterson:

I write on behalf of the DUWA Board to advise you that it has recommended and advances to your community a Definitive Transfer Agreement (DTA) for the purchase of the Downriver Sewage Disposal System (DSDS or System) including the Wyandotte wastewater treatment plant from Wayne County. Your community is a constituent municipality of DUWA and has been aware this transaction has been in negotiation for the last two years. Attached is a copy of the DTA and an electronic copy has been sent to your municipal attorney.

On Thursday February 8, 2018 the DUWA Board unanimously approved the following motion:

First the DUWA Board recommends and advances for consideration the Definitive Transfer Agreement (Agreement) between DUWA and Wayne County for the transfer of the Downriver Sewage Disposal System (system) to its Community Members.

Second to have each Community take up for consideration the Agreement, to be circulated by DUWA's counsel with a model resolution, no later than April 30, 2018 and report back to the DUWA counsel each Community's decision in favor of the Agreement, against the Agreement or failure to reach a decision.

And finally, to advise each Community if the Agreement is supported by at least 66% weighted voting of the DUWA members and the Wayne County Board of Commissioners approves the Agreement it shall become effective on its terms.

FAUSONE BOHN, LLP

ATTORNEYS AT LAW

Prior to that vote the Legal Committee of DUWA, which included your municipal attorney, concluded there were no substantive comments or changes to the DTA.

Your community is asked to vote on the DTA no later than April 30, 2018. We ask that your community authorize your DUWA representative to vote for or against the DTA at DUWA's May 10, 2018 meeting.

We anticipate that council members and trustees will need information about the DTA in order to proceed to a vote in April. An informational meeting was held on February 2 at the Southgate Veterans Memorial Library and the PowerPoint presentation from that meeting has been posted on the Authority website www.duwaauthority.org for your review and use.

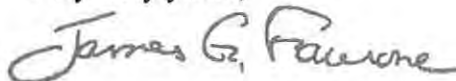
The Board has directed its advisors to make themselves available to your community during March 2018 to aid in the educational process. If your community would like a work session on the DTA, please contact the System Manager to set a date and time by emailing Lambrina.Tercala@OHM-Advisors.com. If multiple communities want to schedule a joint workshop, that would be encouraged to get the same information out to everyone.

We are arranging a site visit of the Wyandotte plant for mid-March so that council members or trustees could be given tour of the plant to better understand its operations and the assets being purchased. Ms. Tercala of OHM will be circulating an invite and signup sheet for the plant tour by email at least two weeks before the tour.

You will also find attached a model resolution that your community can use in this matter. A Word version can be sent to your office by contacting jfausone@fb-firm.com.

Once again, we ask your community to study this matter in March and take it up for a vote in April. Please contact me if there is any information that you need for this process.

Very truly yours,



James G. Fausone

JGF:emf

Enclosures

RESOLUTION

DATE: April 30, 2018

RESOLUTION by Councilperson _____

RESOLUTION OF THE CITY OF WYANDOTTE TO AUTHORIZE ITS REPRESENTATIVE TO THE DOWNRIVER UTILITY WASTEWATER AUTHORITY TO VOTE ON THE DEFINITIVE TRANSFER AGREEMENT WITH WAYNE COUNTY

WHEREAS, 1955 PA 233, as amended ("Act 233") authorizes an authority to acquire sewage disposal systems as defined within said act and to improve, enlarge, expand, and operate such systems; and

WHEREAS, by the terms of Act 233, the Downriver Utility Wastewater Authority ("DUWA"), its constituent municipalities being the cities of Belleville, Ecorse, Lincoln Park, River Rouge, Southgate, Wyandotte, Allen Park, Taylor, Dearborn Heights, Romulus, Riverview, and the Charter Townships of Van Buren and Brownstown ("Communities") are authorized to enter into a contract for the acquisition; improvement, enlargement or extension of a sewage disposal system and for the payment of the cost thereof by the Communities, with interest; and

WHEREAS, the DUWA desires to acquire the Downriver Sanitary Disposal System ("System") from the County of Wayne, a Michigan county corporation (the "County"); and

WHEREAS, each of the Communities have a representative on the DUWA Board which will vote May 10, 2018 on the Definitive Transfer Agreement with Wayne County for the acquisition of the System; and

WHEREAS, each of the Communities in 2017 have unanimously approved a Service Agreement with DUWA for the use and charges associated with the System; and

NOW THEREFORE, be it resolved that the City of Wyandotte ("Municipality") hereby agrees that:

The Municipality's member to the DUWA Board shall vote (in favor of / or against) the Definitive Transfer Agreement that has been negotiated with Wayne County for the purchase of the Downriver Sanitary Disposal System.

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: April 30, 2018

AGENDA ITEM # 6

ITEM: Dangerous Structure at 951 3rd Street, Wyandotte, Michigan

PRESENTER: Mark A. Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: On November 13, 2015, this property caught fire. The City received Fire Escrow from the Insurance Company in the amount of \$6,722.25 to insure the property is repaired or demolished. Multiple property maintenance notices were sent to the Interested Parties and Show Cause Hearings were held on August 30, 2017, January 17, 2018 and March 15, 2018. No Interested Parties were present at any of the hearings nor has the property been repaired or maintained. At the hearing on March 15, 2018, the Hearing Officer determined that the structure was unsafe and should be demolished. Attached are minutes of the Hearings.

Therefore, in accordance with Section PM-107.6 Filings of Findings, the undersigned request that your Honorable Body set a hearing to Show Cause why the structure should not be demolished in accordance with Section PM-107.7 Council Action of the Wyandotte Property Maintenance Code.

STRATEGIC PLAN/GOALS: This is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in the commitment to maintaining and developing excellent neighborhoods.

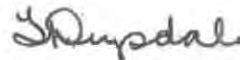
ACTION REQUESTED: Schedule Show Cause Hearing to determine if the property should be demolished

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Schedule Show Cause Hearing before the City Council and proceed as resolved

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:



LEGAL COUNSEL'S RECOMMENDATION: Approved W. Look

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS: Copy of notices sent to the Interested Parties; Show Cause Hearing Minutes of August 30, 2017, January 17, 2018 and March 15, 2018

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date:

RESOLUTION by Councilperson _____

WHEREAS, a hearing has been held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on August 30, 2017, January 17, 2018 and March 15, 2018, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 951 3rd Street, has not been repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND

WHEREAS, the City Engineer has filed a report of his findings with this Council;

NOW, THEREFORE BE IT RESOLVED, that the Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers on the Wyandotte City Hall, 3200 Biddle Avenue, Wyandotte on Monday, May 14, 2018 at 7:00 p.m. at which time all interested parties shall cause, if any they have, why the structure has not been demolished or why the City should not have the structure demolished and removed at 951 3rd Street; AND

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

Mr. and Mrs. Baker
18121 Pine West
Brownstown, MI 48193

Mr. and Mrs. Baker
951 3rd Street
Wyandotte, MI 48192

PNC Bank
VIA Fax: 937-910-1887

Trott Law P.C.
31440 Northwestern Hwy, Ste 200
Farmington Hills, MI 48334-5422

SHOW CAUSE HEARING MINUTES
951 3rd Street
March 15, 2018

PAGE 1 OF 1

PRESENT: Mark Kowalewski, City Engineer
Lou Parker, Hearing Officer
Kelly Roberts, Office Supervisor

The Hearing was called to order at 11:30 a.m. by Mark Kowalewski, City Engineer.

Mr. Parking indicated there was a posting on the home by Signal.

Mr. Kowalewski indicated that Engineering Department called 1-800-533-9898 Signal and they indicated that they just boarded the property and they not a responsible party or owner.

Further, Minnesota Title was contacted and they indicated that the Bakers' were the legal owners and there are no other liens on the property.

Also PNC Bank submitted a communication dated February 7, 2018, indicating they do not have possession of the subject property and their name was not in the chain of title on the property.

Mr. Kowalewski indicated that communications were sent to the Baker's at the address of 951 3rd Street and 18121 Pinewest, Brownstown (last known address from the utility billing) and both letters were returned.

Taxes have not been paid since 2016 and the tax bills have been returned to the City.

Mr. Parker indicated that the property has not been repaired as directed at the past hearing. Mr. Parker continued that there are boarded-up windows, soffit missing and no permits have been secured to repair the property from the fire damage.

A check of the utility records indicated that the utilities have been off since September 2014.

Therefore, Mr. Parker indicated he would grant an additional thirty (30) days to complete the exterior repairs or demolish the home. If the violations indicated on the letter dated July 13, 2017, are not completed within the thirty (30) days of this hearing, then this matter will be referred to the Wyandotte City Council to be demolished.

The meeting adjourned at 11:50 p.m.

Mail to:
William and Wendy Baker - 951 3rd Street, Wyandotte/18121 Pinewest, Brownstown, MI 48183
PNC Bank 937-910-1887

WYANDOTTE ENGINEERING DEPARTMENT
3200 BIDDLE AVENUE
WYANDOTTE, MICHIGAN 48192



METROPLEX
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26 MAR '18
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neopost[®]
03/26/2018
US POSTAGE

FIRST-CLASS MAIL

\$00.47⁰



ZIP 48192
041L11241015

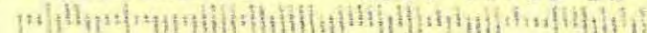
|||||
Mr. and Mrs. Baker
18121 Pinwest
Brownstown, MI 48183

NIXIE 482 DE 1700 0003/29/18

RETURN TO SENDER
NO SUCH ADDRESS
UNABLE TO FORWARD

N55
48192>5937

DEC 48192>5937 2004-05750-20-02



WYANDOTTE ENGINEERING DEPARTMENT
3200 BIDDLE AVENUE
WYANDOTTE, MICHIGAN 48192



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03/26/2018
US POSTAGE

FIRST-CLASS MAIL
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ZIP 48192
041L11241015

Mr. and Mrs. Baker
951 3rd Street
Wyandotte, MI 48192

VAC
48192-5937

NIXIE 482 DE 1700 0003/29/18
RETURN TO SENDER
VACANT
UNABLE TO FORWARD

EC: 48192153799 17364-83716-26-32

Kelly Roberts

From: Support@desktopfax.biz
Sent: Thursday, March 22, 2018 3:12 PM
To: Kelly Roberts
Subject: Fax successfully delivered to 19379101887

Your fax to 19379101887 has been successfully delivered at 03/22/2018 3:11 PM ET.

The fax tracking number was 806-10308322

*this is a system generated email, please do not reply.

SHOW CAUSE HEARING MINUTES
951 3rd Street
January 17, 2018

PAGE 1 OF 1

PRESENT: Mark Kowalewski, City Engineer
Lou Parker, Hearing Officer
Jesus Plasencia, Assistant City Engineer
Kelly Roberts, Office Supervisor
Peggy Green, recording secretary

The Hearing was called to order at 8:45 a.m. by Mark Kowalewski, City Engineer.

The Owner or Representative did not appear at the hearing.

Ms. Roberts stated that the City is holding \$6,722.25 in escrow for a fire. Two show cause hearings have been scheduled, and no one appeared at the hearings. Ms. Roberts added that the Assessor's Office showed Chase Bank as the owner. The matter was being prepared to be sent to City Council, but the City Attorney felt that the proper interested parties were not notified. Ms. Roberts stated that a notice was sent to William and Wendy Baker, 18121 Pinewest, Brownstown, MI 48183, but it was returned not deliverable as addressed, unable to forward.

Mr. Parker stated that the utilities had been cut in December 2015.

Ms. Roberts questioned under the Fire Escrow Act, if the escrow money could be used to demolish the property and make it safe.

Ms. Roberts continued that her information shows the property was insured by P & C Mortgage (and also registered) but that does not show up on the title work.

Mr. Parker stated that there is a sign posted on the building, Signal 1-800-533-9898.

Mr. Kowalewski suggested that Minnesota Title be contacted to check on the liber and page number for no mortgages being listed on the property, and the City would need their findings in writing. Mr. Kowalewski continued that there are two separate issues on this property, property maintenance with the fire, and the City does not know who to legally notify. Mr. Kowalewski stated that once the legal owner is found, they need to be notified about the fire and property maintenance violations, and recommended that this hearing be held in abeyance for 30 days to see what is going on with the title.

Ms. Roberts stated that she will contact Signal and Minnesota Title.

Mr. Parker stated that this hearing will be held in abeyance for 30 days.

OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Theodore H. Galeski
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

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

1ST CLASS MAIL

January 8, ~~2010~~ 2018

William & Wendy Baker
951 - 3rd Street
Wyandotte, MI 48192

William and Wendy Baker
18121 Pinewest
Brownstown, MI 48183

RE: 951 - 3rd Street
Wyandotte, MI 48192

Dear Mr. and Mrs. Baker:

This letter is to inform you that this Department has reconvened Show Cause Hearing for Thursday, March 15, 2018 at 11:30 a.m. in the Department of Engineering and Building. This Hearing will be to discuss the status of the condition of the above captioned property. The Hearing will be presided over by the Hearing Officer.

If you cannot attend this Hearing at the time and date specified above, please contact the undersigned.

Very truly yours,

Kelly Roberts
Office Supervisor

KR

OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Theodore H. Galeski
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

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

1ST CLASS MAIL

January 8, 2010

William & Wendy Baker
951 – 3rd Street
Wyandotte, MI 48192

William and Wendy Baker
18121 Pinewest
Brownstown, MI 48183

RE: 951 – 3rd Street
Wyandotte, MI 48192

Dear Mr. and Mrs. Baker:

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If you cannot attend this Hearing at the time and date specified above, please contact the undersigned.

Very truly yours,

Kelly Roberts
Office Supervisor

KR

WYANDOTTE ENGINEERING DEPARTMENT
3200 BIDDLE AVENUE
WYANDOTTE, MICHIGAN 48192



METROPLEX
MI 480
03 MAR '18
PM 11

neopost
03/02/2018
US POSTAGE

FIRST-CLASS MAIL

\$00.47⁰



ZIP 48192
041L11241015

William & Wendy Baker
18121 Pinewest
Brownstown MT 48183

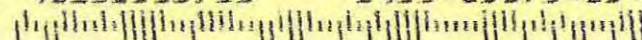
Kelly

NIXIE 48Z FE 1 0003/07/18

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

DTF
48192-5937
48193-031621

BC: 48192593799 *2453-03079-03-47



OFFICIALS

Lawrence S. Stec
CITY CLERK

Todd M. Browning
CITY TREASURER

Theodore H. Galeski
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

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

1ST CLASS MAIL

January 8, 2018

William & Wendy Baker
951 - 3rd Street
Wyandotte, MI 48192

William and Wendy Baker
18121 Pinewest
Brownstown, MI 48183

RE: 951 - 3rd Street
Wyandotte, MI 48192

Dear Mr. and Mrs. Baker:

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If you cannot attend this Hearing at the time and date specified above, please contact the undersigned.

Very truly yours,

Kelly Roberts
Office Supervisor

KR

WYANDOTTE ENGINEERING DEPARTMENT
3200 BIDDLE AVENUE
WYANDOTTE, MICHIGAN 48192



METROPLEX
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03 MAR '18
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neopost[®]
03/02/2018
US POSTAGE

FIRST-CLASS MAIL
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ZIP 48192
041L11241015

William & Wendy Baker
951 - 3rd Street
Wyandotte, MI 48192

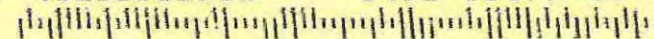
Kelly

NIXIE 482 DE 1 0003/07/18

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC
48192-290551

BC: 48192593799 *2453-03077-03-47



OFFICIALS

Theodore H. Galeski
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
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

January 24, 2018

First Class Mail
Certified Mail

William and Wendy Baker
18121 Pinewest
Brownstown, Mi 48183

Occupant
951 3rd Street
Wyandotte, MI 48192

RE: 951 3rd Street, Wyandotte

To Whom It May Concern:

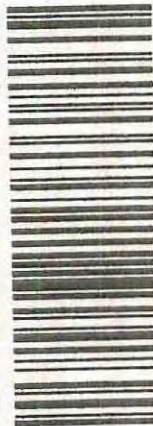
Please see the attached minutes of the show cause hearing and the property maintenance letters for the above address.

Engineering Department

City of Wyandotte
Department of Engineering & Building
3200 Biddle, Suite 200
Wyandotte, MI 48192

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7014 3490 0001 3738 7403

US POSTAGE
ZIP 0411

Letter dated
1/24/18

William and Wendy Baker
18121 Pinewest

NIXIE 482 DZ 1 0002/13/18
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 48192595350 2160N044145-03223

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William and Wendy Baker
18121 Pinewest
Brownstown, Mi 48183
RE: 951 3rd Street, Wyandotte



9590 9402 2671 6336 3687 26

2. Article Number (Transfer from service label)

7014 3490 0001 3738 7403

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

OFFICIALS

Theodore H. Galeski
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
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

First Class Mail

January 5, 2018

William and Wendy Baker
18121 Pinewest
Brownstown, Michigan 48183

RE: Tax I.D. #57-004-10-0062-000
951 3rd Street
Wyandotte, MI 48192

mailed to:
951-3rd
Wyandotte MI 48192

To Whom It May Concern:

This letter is to inform you that the City of Wyandotte Department of Engineering and Building has scheduled a Show Cause Hearing in accordance with Section PM-107.3 Disregard of notice, of the Property Maintenance Code for **January 17, 2018, at 8:45 a.m.** in the Engineering and Building Department at Wyandotte City Hall. This Show Cause Hearing will be presided over by the Hearing Officer to discuss the property maintenance violations of the referenced property and why it should not be demolished.

I have enclosed the notice that was sent July 13, 2017, and the title search prepared by Minnesota Title indicating you are the property owner of the property.

If you cannot attend this Hearing at the time and date specified above, please contact the Department of Engineering and Building. Thank you for your cooperation in this matter.

Very truly yours,

Kelly Roberts
Office Supervisor

Attachments

cc: Lou Parker, Hearing Officer

3200 Biddle Avenue • Wyandotte, Michigan 48192 • 734-324-4500 • Fax 734-556-3179 • www.wyandotte.net

 Equal Housing Opportunity/Equal Opportunity Employer 

Kelly Roberts

From: Susan Walker
Sent: Thursday, January 04, 2018 11:08 AM
To: Kelly Roberts
Subject: RE: 951 3rd

Yes, they have been returned.

12/11/17 - RETURNED TAX BILL; USPS LABEL NOT DELIVERABLE

~~

02/27/17 - NOTICE RETURNED NO BETTER ADDRESS

~~~~

12/15/16 - TAX BILL RETURNED NO BETTER ADDRESS

City of Wyandotte offices will be closed in observance of Martin Luther King Jr Day, January 15, 2017


*Susan L. Walker*

Downriver Consolidated Assessing  
City of Wyandotte  
Deputy Assessor  
3200 Biddle Ave Suite 200  
Wyandotte MI 48192

734.324.4511

[www.wyandotte.net](http://www.wyandotte.net)



 Please consider the environment before printing this email.

**From:** Kelly Roberts  
**Sent:** Thursday, January 04, 2018 10:26 AM  
**To:** Susan Walker  
**Subject:** 951 3rd

Susan:

Have you been getting the tax bill back for the property at 951 3<sup>rd</sup> Street?

Kelly Roberts

## Kelly Roberts

---

**From:** Heather Zagor  
**Sent:** Tuesday, December 19, 2017 11:26 AM  
**To:** Kelly Roberts  
**Subject:** Re: 951 3rd Street

Services have been off since 9/22/14

*Heather Zagor*  
*Wyandotte Municipal Services*  
*Customer Assistance Supervisor*  
*3200 Biddle Ave.*  
*Wyandotte, MI 48192*  
*Ph: 734-324-7126*  
*Email: [hzagor@wyandottemi.gov](mailto:hzagor@wyandottemi.gov)*

---

**From:** Kelly Roberts  
**Sent:** Tuesday, December 19, 2017 10:20:29 AM  
**To:** Heather Zagor  
**Subject:** 951 3rd Street

Heather:

Could you please let me know if there are utilities on at 951 3<sup>rd</sup> Street? If not when were they shut off?

Kelly Roberts  
Development Coordinator  
City of Wyandotte  
3200 Biddle Avenue  
Wyandotte, MI 48192  
734-324-4555  
[www.wyandotte.net](http://www.wyandotte.net)





**OFFICIALS**

Theodore H. Galeski  
CITY ASSESSOR

Lawrence S. Stec  
CITY CLERK

Todd M. Browning  
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

September 20, 2017

**Certified Mail**

Charter One Bank  
951 – 3<sup>rd</sup> Street  
Wyandotte, MI 48192

William & Wendy Baker  
951-3<sup>rd</sup> Street  
Wyandotte, MI 48192

RE: 951 – 3rd Street  
Wyandotte, MI 48192

This letter is to inform you that the City of Wyandotte Department of Engineering and Building held a Show Cause Hearing in accordance with Section PM-107.3 Disregard of notice, of the Property Maintenance Code on August 30, 2017. At the Hearing it was determined that if the violations were not corrected by October 1, 2017, the matter will be referred over to the Wyandotte City Council to proceed with demolition.

Very truly yours,

Lou Parker  
Hearing Officer

Attachments: Show Cause Hearing Minutes: August 30, 2017

7012 2920 0001 0582 0414

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| Total Postage & Fees                                                                         | \$ 6.77 |
| Postmark Here                                                                                |         |
| Sent To                                                                                      |         |
| William & Wendy Baker                                                                        |         |
| Street, Apt. No.,<br>or PO Box No. 951-3 <sup>rd</sup> Street                                |         |
| City, State, ZIP+4 Wyandotte, MI 48192                                                       |         |
| PS Form 3800, August 2006 See Reverse for Instructions                                       |         |

7012 2920 0001 0582 0407

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| Total Postage & Fees                                                                         | \$ 6.77 |
| Postmark Here                                                                                |         |
| Sent To                                                                                      |         |
| Charter One Bank                                                                             |         |
| Street or PO 951 - 3 <sup>rd</sup> Street                                                    |         |
| City, Wyandotte, MI 48192                                                                    |         |
| PS Form 3800, August 2006 See Reverse for Instructions                                       |         |

WYANDOTTE ENGINEERING  
3200 BIDDLE AV  
WYANDOTTE, MICHIG



7012 2920 0001 0582 0414

*Vacant*

William & Wendy Baker  
951 - 3rd Street  
Wyandotte, MI 48192

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ZIP 48192  
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NIXIE 482 DC 1 0009/23/17  
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VACANT  
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VAC  
48192>5937

BC: 48192593799 \*0653-01922-23-41

WYANDOTTE ENGINEERING  
3200 BIDDLE AVE  
WYANDOTTE, MICHIGAN



7012 2920 0001 0582 0407

*Vacant*

Charter One Bank  
951 - 3rd Street  
Wyandotte, MI 48192

neopost  
09/20/2017  
US POSTAGE

FIRST-CLASS MAIL  
\$06.77<sup>0</sup>



ZIP 48192  
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RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

VAC  
48192>5937

BC: 48192593799 \*0653-01923-23-41



PRESENT: Mark Kowalewski, City Engineer  
Lou Parker, Hearing Officer  
Claude Marcoux, Building Inspector  
Jesus Plasencia, Assistant City Engineer  
Sheila Johnson, Secretary

The Hearing was called to order at 9:10 a.m. by Mark Kowalewski, City Engineer.

The Owner or Representative did not appear at the hearing.

Mr. Kowalewski asked the current condition of the home.

Mr. Parker indicated that nothing has been corrected on the property maintenance violations and still exist.

Mr. Kowalewski asked how long the property has been vacant.

Mr. Parker stated that the taxes have not paid since 2015 and added it may be going through a foreclosure.

Mr. Marcoux stated that it appears a house fire happened because the siding looked burned.

Mr. Parker indicated he would grant an additional thirty (30) days to complete the exterior repairs or demolish this home. If this matter is not completed in thirty (30) days then it will be referred to the Wyandotte City Council to demolish.

The Hearing adjourned at 9:15 a.m.

Attachments: PM letter July 13, 2017

**OFFICIALS**

Theodore H. Galeski  
CITY ASSESSOR

Lawrence S. Stec  
CITY CLERK

Todd M. Browning  
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

First Class Mail & Certified Mail

August 9, 2017

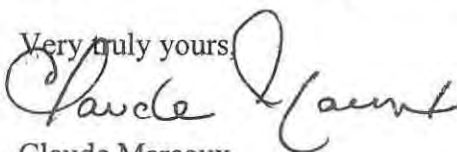
Charter One Bank  
951 – 3<sup>rd</sup>  
Wyandotte, MI 48192

RE: Tax I.D. #57-004-10-0062-000  
951 – 3<sup>rd</sup>  
Wyandotte, MI 48192

To Whom It May Concern:

This letter is to inform you that the City of Wyandotte Department of Engineering and Building has scheduled a Show Cause Hearing in accordance with Section PM-107.3 Disregard of notice, of the Property Maintenance Code for **August 30, 2017 at 8:15 a.m.** in the Engineering and Building Department at Wyandotte City Hall. This Show Cause Hearing will be presided over by the Hearing Officer to discuss the property maintenance violations of the referenced property and why it should not be demolished.

If you cannot attend this Hearing at the time and date specified above, please contact the Department of Engineering and Building. Thank you for your cooperation in this matter.

Very truly yours,  
  
Claude Marcoux  
Building Inspector

Attachments: Property Maintenance Letter July 13, 2017

CC: Lou Parker, Hearing Officer

WYANDOTTE ENGINEERING DEPART  
3200 BIDDLE AVENUE  
WYANDOTTE, MICHIGAN 48192



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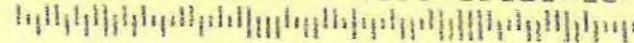
48192>5937

8/19/17

NIXIE 482 DC 1 0003/16/17

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Sent To

Charter One Bank

951 - 3<sup>rd</sup>  
Wyandotte, MI 48192

RE: 951 - 3<sup>rd</sup>

Street & Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3800, July 2013 See Reverse for Instructions

h0E2 0E2E T000 06hE hT02

WYANDOTTE ENGINEERING DEPART  
3200 BIDDLE AVENUE  
WYANDOTTE, MICHIGAN 48192



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1/16

48192>5937

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8/19/17

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| Restricted Delivery Fee<br>(Endorsement Required) |    |      |
| Total Postage & Fees                              | \$ | 6.77 |

Charter One Bank  
951 - 3<sup>rd</sup>  
Wyandotte, MI 48192  
RE: 951 - 3<sup>rd</sup>

PS Form 3840, July 2014

See Reverse for Instructions

4022 022E 1007

4702



WYANDOTTE ENGINEERING  
3200 BIDDLE AV  
WYANDOTTE, MICHIG



7012 2920 0001 0582 0414

*Vacant*

William & Wendy Baker  
951 - 3rd Street  
Wyandotte, MI 48192

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VAC  
48192>5937

BC: 48192593799 \*0653-01922-23-41  
|||

WYANDOTTE ENGINEERING  
3200 BIDDLE AVE  
WYANDOTTE, MICHIGAN



7012 2920 0001 0582 0407

*Vacant*

Charter One Bank  
951 - 3rd Street  
Wyandotte, MI 48192

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ZIP 48192  
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NIXIE 482 DE 1 0009/23/17

RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

VAC  
48192>5937

BC: 48192593799 \*0653-01923-23-41  
|||



## OFFICIALS

Lawrence S. Stec  
CITY CLERK

Todd M. Browning  
CITY TREASURER

Theodore H. Galeski  
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

MAYOR  
Joseph R. Peterson

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

Date: July 13, 2017

FIRST CLASS MAIL/POSTED

CHARTER ONE BANK  
951 3RD  
WYANDOTTE, MI 48192

**RE: Property Maintenance Complaint at 951 3RD**

Dear Owner:

The City of Wyandotte Department of Engineering and Building has received a complaint regarding the condition of your building. A field inspection verified that your building is in violation of the Wyandotte Property Maintenance Ordinance. See the violations below:

**AREA: Exterior**

- Siding requires repair PM304.2/304.6
- Gutters / conductors require repair/replace /paint/downspouts disconnected PM304.2/508.1/MDEQNPDES
- Windows require repair PM304.14/304.15 INSPECTOR COMMENTS: Boarded up windows are prohibited.
- Requires prevention of weeds PM303.4
- Rear porch requires guardrail and stairs permit required PM304.10/304.11

Further, a check of the records at the Wyandotte Department of Municipal Services indicates that the electric and water utilities were terminated in December 2015. The structure appears to have been vacant for over six (6) months.

**Due to the lack of maintenance of the property at 915 – 3rd as noted by the attached violations, and the lack of occupancy, the undersigned deems the structures to be unsafe and dangerous.**



Please be advised of the following from the City of Wyandotte Property Maintenance Code:

Section PM-110 Demolition:

PM-110.1 General: The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to raze and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to raze and remove such structure.

Section PM-202.0 General Definitions:

**Dangerous Buildings:** A building or structure that has 1 or more of the following defects or is in 1 or more of the following conditions:

- A. The building or structure is damaged by fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- B. A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under Article 25 of the occupational code, Act. No. 299 of the Public Acts of 1980, being sections 339.2501 to 339.2515 of the Michigan Compiled Laws. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to either of the following:
  - (i) A building or structure as to which the owner or agent does both of the following:
    - (a) Notifies a local law enforcement agency in whose jurisdiction the building or structure is located that the building or structure will remain unoccupied for a period of 180 consecutive days. The notice shall be given to the local law enforcement agency by the owner or agent not more than 30 days after the building or structure becomes unoccupied.
    - (b) Maintains the exterior of the building or structure and adjoining grounds in accordance with the BOCA National Property Maintenance Code 1990 and amendments adopted by the City of Wyandotte.
  - (ii) A secondary dwelling of the owner that is regularly unoccupied for a period of 180 days or longer each year, if the owner notifies a local law enforcement agency in whose jurisdiction the dwelling is located that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this sub paragraph shall notify the law enforcement agency not more than 30 days after the dwelling no longer qualifies for this exception. As used in this sub paragraph "secondary dwelling" means a dwelling such as a vacation home, hunting cabin, or summer home, that is occupied by the owner or a member of the owner's family during part of a year.

You are hereby directed to correct the noted violations, maintain the exterior of the property, occupy and/or list the structure with a real estate broker in accordance with Section PM-202.0 referenced above. Should you elect to rent or sell this property, an Upon Sale or Rental Inspection is required according to the City of Wyandotte Code of Ordinances Sec. 19-5 and 31.1-11. The inspection and fee can be arranged and paid for at City Hall in the Department of Engineering and Building.



CHARTER ONE BANK  
951 3<sup>RD</sup> STREET, WYANDOTTE, MI 48192

July 17, 2017  
Page 3

Failure to correct the cited violations, maintain and occupy the structure by August 17, 2017, will result in this Department proceeding with Section PM-107.3 Disregard of notice, of the Property Maintenance Code, at which time a hearing date will be set to determine whether or not the structures should be demolished, and tickets will be issued as per Section PM-106.0 Violations. You also have the right to seek modification or withdrawal of this notice by requesting a Show Cause Hearing.

Further, in accordance with the attached Article VII "Abandoned Residential Structure", of Chapter 7 "Building and Building Regulations" of the City of Wyandotte's Code of Ordinances, this dwelling is deemed to be an abandoned residential structure. Therefore you must register the property in accordance with Sec. 7-76. Registration of the Ordinance. Failure to do so by July 31, 2017, you will be subjected to the violations and penalties as set forth in Sec. 7-83 of the Ordinance.

If you require an explanation or have any questions regarding said violation(s), please contact the undersigned at 734-324-4551 or email [cmarcoux@wyan.org](mailto:cmarcoux@wyan.org).

Very truly yours,

Claude Marcoux  
Building Inspector

**OFFICIALS**

Lawrence S. Stec  
CITY CLERK

Todd M. Browning  
CITY TREASURER

Thomas R. Woodruff  
CITY ASSESSOR



**MAYOR**  
Joseph R. Peterson

**COUNCIL**  
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Leonard T. Sabuda  
Donald C. Schultz  
Kevin VanBoxell

**MARK A. KOWALEWSKI, P.E.**  
CITY ENGINEER

December 17, 2015

**CERTIFIED & RETURN RECEIPT**  
**1<sup>ST</sup> CLASS MAIL**

PNC Mortgage  
3232 Newark Drive  
Miamisburg, Ohio 45342

Safeguard Properties  
Attn: John  
7887 Safeguard Circle  
Valley View, Ohio 44125

**Re: House Fire at 951 3<sup>rd</sup> Street**  
**Wyandotte, Michigan**  
**57-004-10-0062-000**

To Whom It May Concern:

This Department was forwarded a copy of the fire report for the above captioned property. Further, an inspection was performed and in accordance with the City of Wyandotte Property Maintenance Code, Ordinance #1094 the undersigned deems the house at the above referenced property to be dangerous and unsafe and the repairs to be unreasonable. The following are the cited sections of the Property Maintenance Code:

Section 110.1 General: The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to raze and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to raze and remove such structure.

Section PM-110.5: Unreasonable repairs: Whenever the code official determines that the cost of such repairs would exceed 50 percent of the current value of such structure, such repairs shall be presumed unreasonable and it shall be presumed for the purpose of this section that such structure is a public nuisance which shall be ordered razed without option on the part of the owner to repair.

Therefore, this Department hereby directs you to raze and remove the house within thirty (30) days of the date of this letter. Failure to do so will result in this Department proceeding with Section PM-107.1.5. To seek a modification of this notice you may request, in writing, that a Show Cause Hearing be held with the undersigned.

If you should have any questions, please do not hesitate to contact the undersigned at 734-324-4551.

Very truly yours,

Claude Marcoux  
Building Inspector

CM:kr





## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

PNC Bank  
2232 Neward Drive  
Miamisburg, Ohio 45342  
Re: 951-3rd



9590 9403 0658 5183 9734 46

2 7015 1660 0001 0061 5429

PS Form 3811, April 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *allert*

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Safeguard Properties  
Attn: John  
7887 Safeguard Circle  
Valley View, OH 44125  
Re: 951-3rd



9590 9403 0658 5183 9734 39

7015 1660 0001 0061 5412

PS Form 3811, April 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *SUPPORT SERVICES*

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. POST  
CERT  
Domestic

For delivery

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage

Total Postage and Fees \$

Sent To Safeguard Properties  
Street and Apt. No., or PO Box No.  
7887 Safeguard Circle  
City, State, ZIP+4®  
Valley View OH 44125

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



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OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage

Total Postage and Fees \$

Sent To PNC Bank  
Street and Apt. No., or PO Box No.  
2232 Neward Drive



RECEIPT

7015 1660 0001 0061 5429



NOTE: This search must be paid in full upon time of delivery



Main Office-Title Dept.  
32500 Schoolcraft Road  
Livonia, MI 48150

(734) 421-4000  
Fax (734) 421-0047

Allen Park Office-Escrow Dept.  
7326 Allen Road  
Allen Park, MI 48101

(313) 381-6313  
Fax (313) 381-7901

## TITLE SEARCH CERTIFICATE

File No: **352164**

Page 1

Statement furnished to: City of Wyandotte  
Certified to: August 28, 2017 8:00 A.M.

Land in the City of Wyandotte, Wayne County, MI 48192

Lot 62, Geo. Perry's Subdivision, as recorded in Liber 25, Page 27 of plats, Wayne County Records.

951 3rd Street

We have examined the records of the Register of Deeds Office for Wayne County, Michigan, and find there are no conveyances, liens or encumbrances affecting the above described property recorded from April 9, 1993 at 8:00 A.M. to August 28, 2017 at 8:00 A.M. except the following:

Last Deed Holder of record: William J. Baker and Wendy A. Baker, husband and wife

TAXES: Item No(s). 57-004-10-0062-000

2016 City due \$1,166.71 plus interest and penalty, if any

2016 County due \$681.69 plus interest and penalty, if any

2017 City due \$1,811.20 (includes \$200.00 grass cutting and \$600.00 grass cutting) plus interest and penalty, if any

ASSESSMENTS: Grass Cutting due \$200.00 plus interest, if any

Subject to taxes or assessments not shown as existing liens by public records, but which may have a retroactive lien date imposed by operation of law.

In consideration of the reduced rate at which this Certificate is furnished it is understood that the information contained herein is only such as may be obtained in the office of the Register of Deed in Wayne County and the liability is limited to the amount of premium paid for said search.

MINNESOTA TITLE AGENCY

Michael A. Cuschieri or John C. Cuschieri

## **RESOLUTION**

DATE: April 30, 2018

RESOLUTION by Councilperson \_\_\_\_\_

WHEREAS, a hearing has been held in the Office of the City Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on August 30, 2017, January 17, 2018 and March 15, 2018, and the property owner or other interested parties have been given opportunity to show cause, if any they had, why the structure at 951 3<sup>rd</sup> Street, has not been repaired or demolished in accordance with the City's Property Maintenance Ordinance; AND

WHEREAS, the City Engineer has filed a report of his findings with this Council;

NOW, THEREFORE BE IT RESOLVED, that the Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers on the Wyandotte City Hall, 3200 Biddle Avenue, Wyandotte on Monday, May 14, 2018 at 7:00 p.m. at which time all interested parties shall cause, if any they have, why the structure has not been demolished or why the City should not have the structure demolished and removed at 951 3<sup>rd</sup> Street; AND

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

Mr. and Mrs. Baker  
18121 Pine West  
Brownstown, MI 48193

Mr. and Mrs. Baker  
951 3<sup>rd</sup> Street  
Wyandotte, MI 48192

PNC Bank  
VIA Fax: 937-910-1887

Trott Law P.C.  
31440 Northwestern Hwy, Ste 200  
Farmington Hills, MI 48334-5422

I Move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

SUPPORTED by Councilperson \_\_\_\_\_

### **YEAS**

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\_\_\_\_\_  
\_\_\_\_\_  
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### **COUNCIL**

**Alderman**  
**Calvin**  
**DeSana**  
**Maiani**  
**Sabuda**  
**Schultz**

### **NAYS**

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
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\_\_\_\_\_

## Guide Sheet

### FINAL READING OF AN ORDINANCE

#1463

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE TO AMEND  
CERTAIN PORTIONS OF  
ARTICLE XXII SPECIAL LAND USES  
SECTION 2202 – SPECIAL LAND USE DESIGNATED  
AMENDING SECTION S – OUTDOOR CAFE



# RESOLUTION

Final Reading  
#1463

DATE: April 30, 2018

RESOLUTION by Councilperson \_\_\_\_\_

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE TO AMEND  
CERTAIN PORTIONS OF  
ARTICLE XXII SPECIAL LAND USES  
SECTION 2202 – SPECIAL LAND USE DESIGNATED  
AMENDING SECTION S – OUTDOOR CAFE

CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose and Intent

It is determined necessary for the health, safety and welfare of the City to adopt this article regulating the location and operations of Outdoor Cafes Uses.

Section 2. Amendment to Section 2202 “Special Land Use Designated” by amending Paragraph S of Article XXII “Special Land Uses” of Zoning Ordinance shall read the follows:

Article XXII – Special Land Uses, 2202. Special Land Use Designated

S – Outdoor Café

1. Subject to all of the conditions described herein, an outdoor café may be set up and used annually from January 1 through December 31. The permitted hours of operation are:

Monday 7:00 a.m. to 12:00 Midnight (17 hours)  
Tuesday 7:00 a.m. to 12:00 Midnight (17 hours)  
Wednesday 7:00 a.m. to 12:00 Midnight (17 hours)  
Thursday 7:00 a.m. to 12:00 Midnight (17 hours)  
Friday 7:00 a.m. to 2:00 a.m. Saturday morning (19 hours)  
Saturday 7:00 a.m. to 2:00 a.m. Sunday morning (19 hours)  
Sunday 7:00 a.m. to 12:00 Midnight (17 hours)

In addition to the above:

Each day of the Wyandotte Street Art Fair 7:00 a.m. to 2:00 a.m. of the following day (19 hours)  
March 17 (St. Patrick’s Day) 7:00 a.m. to 2:00 a.m. of the next day (19 hours)  
New Year’s Eve 7:00 a.m. to 2:00 a.m. of the next day (19 hours)  
Wednesday immediately before Thanksgiving Day 7:00 a.m. to 2:00 a.m. of the next day (19 hours)  
Thursday immediately before Traditional Easter Sunday 7:00 a.m. to 2:00 a.m. of the next day (19 hours)

Noise radiating from an outdoor café, which exceeds 75 DBA between 7:00 a.m. to 12 midnight or 65 DBA for all other times shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area and is prohibited. The “DBA” represents the sound pressure level in decibel measured on the “A” scale of a standard sound level meter. Noise level measurements shall be taken at the zoning district boundary of any residential zoning district, recreation unit district and any planned development as may be

appropriate. In all other districts, noise level measurements shall be taken at the property line of an affected property. **No one will be allowed to have possession of food or drink on the Café except during the permitted hours as set forth in this section.**

Upon request, the City Council may by resolution, extend the dates of operations or the hours of operation. A public hearing on said request shall first be held by the Planning Commission (under the same procedures for approval of special land use). Upon receipt by the City Council of recommendation of the planning commission the City Council may approve the request.

The criteria for approval will include the impact on adjacent or nearby residential, religious, educational or commercial properties and review of previous or current compliance with all city ordinances, state and federal regulations.

Any approval for extension of dates or hours shall be issued on a calendar year basis and shall expire on December 31<sup>st</sup> and must be renewed annually. The City Council may grant a renewal of the extended dates or hours without the necessity of a public hearing if it determines the applicant is in compliance with all requirements of all city ordinances and approvals for the special land use. Any approval for extension of dates or hours is subject to revocation by the Planning Commission in accordance with paragraph H, section 2201.

2. A site drawing showing the detailed plan of the outdoor café must be submitted to and approved by the Planning Commission. The detailed plan is to include: the design, relevant details and location of all temporary structures such as awnings, planters, landscaping, railing, tables, chairs and other equipment, as well as lighting and electrical outlet locations. The location of entrances and exits shall be shown. For cafes on public property, the plan shall also show existing sidewalks, buildings, curbs, existing improvements, i.e., lamp posts, street trees, benches, mailboxes, etc., and an unobstructed clear area for pedestrian use (a minimum of 60"). A minimum clearance of seven (7) feet shall be maintained between the sidewalk and bottom edge of table umbrellas or awnings. The layout shall show all seating, tables and chairs and shall be used to determine maximum occupancy load for the outdoor café. The occupancy load shall be posted in a conspicuous location.
3. Plans for setting up the outdoor café must be approved by the Department of Engineering and Building to provide for the free passage of pedestrians along the sidewalks, by the Police Department to provide for traffic and pedestrian safety, and by the Fire Department for fire-safety issues. An outdoor café which is adjacent to residential properties or shares an alley with residential properties shall be screened with a solid fence a minimum of six (6) feet high.
4. The outdoor café must be part of a licensed restaurant and meet all the requirements of the department of health and any other local, county or state requirements, including the City of Wyandotte's ordinance and the Michigan Liquor Control Commission (if applicable).
5. For outdoor cafes on public property, liability insurance, Liquor Liability Coverage and property damage coverage naming the City of Wyandotte as an insured party, in an amount approved by the City of Wyandotte's City Administrator, must be provided before an outdoor café may be set up and be maintained for as long as the outdoor café is in operation.
6. Approval of the City Council is required for the proposed use of any public area or facility. All provisions of a Grant of License must be complied with at all times. Consideration for approval for use of any public area shall be limited to public property that is situated within fifty (50) feet of the extended property boundaries of property owned by the applicant. Any public outdoor café not within the road right-of-way may also require a written lease as determined by the City Council.

7. An outdoor café in a B-2 district may provide for only thirty five percent (35%) more seating than is provided inside the restaurant. Additional parking shall be provided for the square foot area of the outdoor café in accordance with Section 2403.
8. No sign or any other form of advertising is permitted in the dining area, nor on fences or railings of such area with the exception of an identification or menu sign. The name of the establishment may appear on the valance of an umbrella. No display of merchandise for sale shall be allowed.
9. Furnishings of an outdoor café shall consist solely of readily removable awnings, covers, canopies, railings, tables, chairs, planters containing plants and accessories. Furnishings may not be attached, even in a temporary manner, to the sidewalk or other public property, except that canopies and railings, shall be secured by means of flush mounted anchors or other methods approved by the Building Official. No objects which are part of an outdoor café, except lighting fixtures, railings, awnings, or other nonpermanent covers or canopies, may be attached, even in a temporary manner, to any building, or structure on which the outdoor café abuts. When the associated establishment and/or the outdoor café on public property are not open for daily use, all furnishings and fixtures, unless otherwise specifically approved, shall be removed from the public property or stored in an approved manner which shall not cause a public nuisance or hazard. The Building Official shall determine when fences on public property shall be removed. The Building Official shall determine when a hazardous condition exists in the public right-of-way and on other public property. Any fence abutting public right-of-way or in public right-of-way must be of black metal material. Shop drawings plans shall be provided with each application for fencing and all furniture on any outdoor café for review by the Planning Commission.
10. Outdoor dining areas must remain clear of litter, food scraps and soiled dishes at all times. All Outdoor Café shall post the hours of operations as specified by the City Engineer.
11. Annual inspection of the outdoor café to be conducted by the Engineering and Building Department for compliance with approved plan. All outdoor cafes shall apply annually to the Engineering and Building Department for approval and no person may operate an Outdoor Café until such annual approval by City is granted for the given year. A public hearing will be required for an existing outdoor café only if a written complaint, changes to Outdoor Café layout or violations are received by any City Department in the previous year. The Engineering and Building Department will be responsible to receive written complaints concerning an outdoor café and said complaints shall be forwarded to the Planning Commission. The City Council will approve an application checklist which will include yearly fees for application review, inspections, use of public area and review of insurance. This checklist will be utilized for inspection by the Engineering and Building Department. The yearly fee will be established by City Council Resolution.

### Section 3. Reservation of Rights.

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

### Section 4. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 5. Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 6. Effective

This Ordinance shall take effect along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days from the date after adoption or seven (7) days after publication, whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance and the place and time where a copy of the Ordinance may be purchased and inspected.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

SUPPORTED by Councilperson \_\_\_\_\_

**YEAS**

**COUNCIL**

**NAYS**

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**Alderman**  
**Calvin**  
**DeSana**  
**Maiani**  
**Sabuda**  
**Schultz**

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**RESOLUTION**

DATE: April 30, 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 &amp; MINUTES

## RECEIPT REGISTER FOR CITY OF WYANDOTTE

Page: 1/2

04/25/2018 03:41 PM

User: ktrudell

Post Date from 04/25/2018 - 04/25/2018 Open Receipts

DB: Wyandotte

| Receipt # | Date | Cashier | Wkstn | Received Of | Distribution | Amount |
|-----------|------|---------|-------|-------------|--------------|--------|
|-----------|------|---------|-------|-------------|--------------|--------|

|    |        |            |                 |    |                 |                                    |
|----|--------|------------|-----------------|----|-----------------|------------------------------------|
| O  | 647272 | 04/25/2018 | ktrudell        | F2 | 27TH DIST COURT |                                    |
| M1 |        |            | 101-000-001-000 |    | 101-000-650-010 | FINES DIST COURT WYAN 75,272.59    |
| M3 |        |            | 101-000-001-000 |    | 101-000-650-012 | DIST CT RIVERVIEW CASES 34,087.10  |
| M2 |        |            | 101-000-001-000 |    | 101-000-650-011 | WORK FORCE-WYANDOTTE 7,290.00      |
| M6 |        |            | 101-000-001-000 |    | 101-000-650-017 | WORK FORCE-RIVERVIEW 3,295.00      |
| M7 |        |            | 101-000-001-000 |    | 101-000-650-018 | COURT TECHNOLOGY WYANDOTT 2,910.00 |
| M9 |        |            | 101-000-001-000 |    | 101-000-650-020 | COURT DRUG TESTING FEES 4,518.00   |
| AS |        |            | 101-000-001-000 |    | 101-000-650-021 | COURT SCREENING ASSESSMEN 5,432.00 |
| AW |        |            | 101-000-001-000 |    | 101-000-650-024 | CHEMICAL AWARENESS 1,995.00        |

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134,799.69 CITY CHECK 1166

MARCH 2018

REC# 256243

\$72.45 DEDUCTED FROM WY CASES

|    |        |            |                 |    |                              |                                                  |
|----|--------|------------|-----------------|----|------------------------------|--------------------------------------------------|
| O  | 647274 | 04/25/2018 | ktrudell        | F2 | VANTAGEPOINT TRANSFER AGENTS |                                                  |
| RE |        |            | 101-000-001-000 |    | 101-000-655-040              | RECEIPTS-MISCELLANEOUS 252.35 CITY CHECK 3582560 |

HASH, JEFFREY-LOAN PAID OFF

REC# 256244

|    |        |            |                 |    |                              |                                                  |
|----|--------|------------|-----------------|----|------------------------------|--------------------------------------------------|
| O  | 647276 | 04/25/2018 | ktrudell        | F2 | VANTAGEPOINT TRANSFER AGENTS |                                                  |
| RE |        |            | 101-000-001-000 |    | 101-000-655-040              | RECEIPTS-MISCELLANEOUS 252.35 CITY CHECK 3576550 |

HASH, JEFFREY-LOAN OVERPAYMENT

REC# 256245

|    |        |            |                 |    |                   |                                                      |
|----|--------|------------|-----------------|----|-------------------|------------------------------------------------------|
| O  | 647279 | 04/25/2018 | ktrudell        | F2 | CITY OF WYANDOTTE |                                                      |
| EP |        |            | 731-000-001-000 |    | 731-000-392-040   | Res. Police & Fire Employee 587.12 CITY CHECK 129862 |

POLICE DEFINED BENEFIT

REC# 256246

Total of 4 Receipts

---

135,891.51

User: ktrudell

Post Date from 04/25/2018 - 04/25/2018 Open Receipts

| DB: Wyandotte<br>Receipt #<br>Description           | Date | Cashier | Wkstn | Received Of<br>Distribution | Amount     |
|-----------------------------------------------------|------|---------|-------|-----------------------------|------------|
| *** TOTAL OF CREDIT ACCOUNTS ***                    |      |         |       |                             |            |
| 101-000-650-010 FINES DIST COURT WYAN               |      |         |       |                             | 75,272.59  |
| 101-000-650-011 WORK FORCE-WYANDOTTE                |      |         |       |                             | 7,290.00   |
| 101-000-650-012 DIST CT RIVERVIEW CASES             |      |         |       |                             | 34,087.10  |
| 101-000-650-017 WORK FORCE-RIVERVIEW                |      |         |       |                             | 3,295.00   |
| 101-000-650-018 COURT TECHNOLOGY WYANDOTT           |      |         |       |                             | 2,910.00   |
| 101-000-650-020 COURT DRUG TESTING FEES             |      |         |       |                             | 4,518.00   |
| 101-000-650-021 COURT SCREENING ASSESSMEN           |      |         |       |                             | 5,432.00   |
| 101-000-650-024 CHEMICAL AWARENESS                  |      |         |       |                             | 1,995.00   |
| 101-000-655-040 RECEIPTS-MISCELLANEOUS              |      |         |       |                             | 504.70     |
| 731-000-392-040 Res. Police & Fire Employee Contrib |      |         |       |                             | 587.12     |
| TOTAL - ALL CREDIT ACCOUNT                          |      |         |       |                             | 135,891.51 |
| *** TOTAL OF DEBIT ACCOUNTS ***                     |      |         |       |                             |            |
| 101-000-001-000 Cash                                |      |         |       |                             | 135,304.39 |
| 731-000-001-000 Cash                                |      |         |       |                             | 587.12     |
| TOTAL - ALL DEBIT ACCOUNTS                          |      |         |       |                             | 135,891.51 |
| *** TOTAL BY FUND ***                               |      |         |       |                             |            |
| 101 General Fund                                    |      |         |       |                             | 135,304.39 |
| 731 Retirement System Fund                          |      |         |       |                             | 587.12     |
| TOTAL - ALL FUNDS:                                  |      |         |       |                             | 135,891.51 |
| *** TOTAL BY BANK ***                               |      |         |       |                             |            |
| GEN GENERAL OPERATING FUND                          |      |         |       | <u>Tender Code/Desc.</u>    |            |
|                                                     |      |         |       | (CCK) CITY CHECK            | 135,304.39 |
| TOTAL:                                              |      |         |       |                             | 135,304.39 |
| RETIR WYANDOTTE EMPLOYEES RETIREMENT SYSTEM         |      |         |       | (CCK) CITY CHECK            | 587.12     |
| TOTAL:                                              |      |         |       |                             | 587.12     |
| TOTAL - ALL BANKS:                                  |      |         |       |                             | 135,891.51 |
| *** TOTAL OF ITEMS TENDERED ***                     |      |         |       |                             |            |
|                                                     |      |         |       | <u>Tender Code/Desc.</u>    |            |
|                                                     |      |         |       | (CCK) CITY CHECK            | 135,891.51 |
| TOTAL:                                              |      |         |       |                             | 135,891.51 |
| *** TOTAL BY RECEIPT ITEMS ***                      |      |         |       |                             |            |
| (1) AS: COURT SCREENING ASSESSMEN                   |      |         |       |                             | 5,432.00   |
| (1) AW: CHEMICAL AWARENESS                          |      |         |       |                             | 1,995.00   |
| (1) EP: PD EMPLOYEE PENSION CONTR                   |      |         |       |                             | 587.12     |
| (1) M1: FINES DIST COURT WYAN                       |      |         |       |                             | 75,272.59  |
| (1) M2: WORK FORCE-WYANDOTTE                        |      |         |       |                             | 7,290.00   |
| (1) M3: DIST CT RIVERVIEW CASES                     |      |         |       |                             | 34,087.10  |
| (1) M6: WORK FORCE-RIVERVIEW                        |      |         |       |                             | 3,295.00   |
| (1) M7: COURT TECHNOLOGY WYANDOTT                   |      |         |       |                             | 2,910.00   |
| (1) M9: COURT DRUG TESTING FEES                     |      |         |       |                             | 4,518.00   |
| (2) RE: RECEIPTS-MISCELLANEOUS                      |      |         |       |                             | 504.70     |
| TOTAL - ALL RECEIPT ITEMS:                          |      |         |       |                             | 135,891.51 |



**City of Wyandotte**  
**PLANNING COMMISSION**  
***Minutes of the Thursday, March 15, 2018, Meeting***  
**MINUTES AS RECORDED**

The meeting was called to order by Chairperson Pasko at 6:30 p.m.

COMMISSIONERS PRESENT: Adamczyk, Benson, Duran, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

COMMISSIONERS EXCUSED: Lupo

ALSO PRESENT: Ben Tallerico, Planning Consultant  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

None

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

MOTION BY COMMISSIONER PARKER, supported by Commissioner Rutkowski, to approve the minutes of the regular Meeting of February 15, 2018. MOTION PASSED.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. The Planning Commission reviewed the following Renewal Applications for Outdoor Cafes:
  - 2817 Van Alstyne - American Legion
  - 152 Elm - Magdaleno Ristorante
  - 6 Perry Place - Seaway Boat Club
  - 633-639 Ford Avenue - VFW #1136
  - 2910 Van Alstyne - Wine Dotte Bistro
  - 130 Maple - Sushi Bar

Resolutions duly adopted are attached.

2. **Public Hearing** - Request from Dotte Pub, Owner and Applicant, requesting special approval for a Certificate of Occupancy to renew their outdoor café on public property at 116 Oak, Wyandotte, MI in a CBD zoning district, which requires approval by the Planning Commission per Section 2200.S.2.11.

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Rutkowski, RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 116 Oak as requested by Dotte Pub (Appellant);



AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at the front of 116 Oak, 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 January 29, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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. Applicant is required to maintain the required 36 inch width clearance for pedestrian traffic.
9. Occupancy is limited to 12 persons.

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE                      ABSENT: LUPO

MOTION PASSED

- 3. PUBLIC HEARING** – Request from Captain's, Owner and Appellant, requesting special approval for a Certificate of Occupancy to renew their outdoor cafe on public property at 126 Oak, Wyandotte, MI, in CBD zoning district, which requests approval by the Planning Commission per Section 2200.S.2.a of the Zoning Ordinance.

MOTION BY COMMISSIONER PARKER, Supported by Commissioner Mayhew, that the PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 126 Oak as requested by Captain's (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at the front of 126 Oak, 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 March 2, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.

5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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. Applicant is required to maintain the required 36 inch width clearance for pedestrian traffic.
9. Occupancy is limited to 30 persons.

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI, SARNACKI  
NAYS: NONE                      ABSENT: LUPO  
MOTION PASSED

- 4. PUBLIC HEARING 022618** – Request from Jesus Moreno, Owner and Applicant, requesting review of the plans for the Preliminary site plan for the proposed development at 785 Forest, Wyandotte, MI, in a PD Zoning District. Resolution for the Stage 1 Preliminary Site Plan for the project at 785 Forest, Wyandotte, Michigan

MOTION BY COMMISSIONER BENSON, Supported by Commissioner Mayhew; WHEREAS, the Planning Commission received an application for the redevelopment of the property at 785 Forest for seven (7) residential units; and

WHEREAS, the preliminary site plan for the 785 Forest generally meets the criteria of the City of Wyandotte's Zoning Map in terms of the Planned Development District in that the PD District reflects the Master Plan which designates said area for low density residential; and

WHEREAS, on March 15, 2018, the Planning Commission of the City of Wyandotte, held a Public Hearing with proper notice, in accordance with the requirements of Act 207 of 1921 as amended;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, to recommend to City Council that Stage 1 preliminary site plan for the project located at 785 Forest (Plans submitted by Thomas Roberts Architect, LLC – A001; A002; A003 (Option 1); A100; A101; A102; A300;A301) be accepted and **approved** subject to the findings the conditions as set forth in the City Engineer's communication dated March 12, 2018

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI, SARNACKI  
NAYS: NONE                      ABSENT: LUPO  
MOTION PASSED

- 5. PUBLIC HEARING** to hear comments regarding changes to Article XXII Special Land Uses Sub-Section 2202 Special Land Uses Designated amending Section S. Outdoor Café, Sections 1 -11, below are the Resolutions duly adopted and recommended to the City Council:

- A. MOTION BY COMMISSIONER MAYHEW, Supported by Commission Adamczyk to amend Section 2202.S.1 whereas all Outdoors Café may be set up and used from January 1 thru December 31<sup>st</sup> for all Zoning Districts (CBD, RU and B-2).



YEAS: ADAMCZYK, BENSON, MAYHEW, PASKO, RUTKOWSKI, SARNACKI  
NAYS: DURAN, PARKER                      ABSENT: LUPO  
MOTION PASSED

- B. MOTION BY COMMISSIONER RUTKOWSKI, Supported by Commissioner Pasko to amend Section 2202.S.1 whereas the hours of operation are from 7:00 a.m. to 12 Midnight Monday, Tuesday, Wednesday, Thursday and Sunday; Friday and Saturday the hours of operation are allowed from 7:00 a.m. to 2:00 a.m.

YEAS: ADAMCZYK, DURAN, MAYHEW, PASKO, RUTKOWSKI,  
NAYS: BENSON, PARKER, SARNACKI                      ABSENT: LUPO  
MOTION PASSED

- C. MOTION BY COMMISSIONER BENSON, Supported by Commissioner Parker to amend Section 2202.S.1 whereas the hours of operation are from 7:00 a.m. to 12 Midnight Monday, Tuesday, Wednesday, Thursday and Sunday after 12 midnight the café will be closed and no one is allowed on café. Friday and Saturday the hours of operation are allowed from 7:00 a.m. to 2:00 a.m. after 2:00 a.m. the café will be closed and no one will be allowed on the café.

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI,  
SARNACKI  
NAYS: NONE                      ABSENT: LUPO  
MOTION PASSED

- D. MOTION BY COMMISSIONER RUTKOWSKI, Supported by Commissioner Pasko to amend Section 2202.S.1 whereas all outdoor cafes that are located on private property be exempt from Ordinance.

YEAS: ADAMCZYK, PASKO, RUTKOWSKI  
NAYS: BENSON, DURAN, MAYHEW, PARKER, SARNACKI                      ABSENT: LUPO  
MOTION FAILED TO PASSED

- E. MOTION BY COMMISSIONER PASKO, Supported by Commissioner Benson to amend Section 2202 .S.11 whereas all outdoor cafes shall apply annually and if no changes, written complaints or violations are received by the City from the previous year, the City Engineer is to review and approve the renewal application.

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI,  
SARNACKI  
NAYS: NONE                      ABSENT: LUPO  
MOTION PASSED

F. MOTION BY COMMISSIONER MAYHEW, Supported by Commissioner Sarnacki to amend Section 2202 S.10 whereas all outdoor cafes shall post the hours of operation as specified by the City Engineer.

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE

ABSENT: LUPO

MOTION PASSED

**PERSONS IN THE AUDIENCE:**

None

**OTHER BUSINESS:**

- Monthly Report from Ben Tallerico, Beckett & Raeder. Mr. Tallerico discussed the report that he had submitted to the Board.

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER PARKER, supported by Commissioner Rutkowski to:  
Pay Beckett & Raeder for Planning Consultant fee for March 2018 in the amount of \$700.00

YEAS: ADAMCZYK, BENSON, DURAN, MAYHEW, PARKER, PASKO, RUTKOWSKI, SARNACKI

NAYS: NONE

ABSENT: LUPO

MOTION PASSED

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER ADAMCZYK, supported by Commissioner Rutkowski to adjourn the meeting at 9:15 p.m.

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**Public Hearing** – Request from Dotte Pub, Owner and Applicant, requesting special approval for a Certificate of Occupancy to renew their outdoor café on public property at 116 Oak, Wyandotte.

The communications received were read into the record.

Dan Helka, 116 Oak Street, present.

Mr. Helka indicated that they previously had the outdoor café between the curb and the sidewalk, but they did not feel that was a good plan to maintain the customers on the café. The café was moved between the sidewalk and the building keeping the 36 inch walkway requirement from the curb line. Mr. Helka continued that he and Captain's next door put up a new fence with gates and it looks good and he was not aware of any complaints.

Chairperson Pasko asked if there was anyone else who wished to speak regarding this hearing. There being none, the hearing was closed.

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**PUBLIC HEARING** – Request from Captain's, Owner and Appellant, requesting special approval for a Certificate of Occupancy to renew their outdoor cafe on public property at 126 Oak, Wyandotte, MI.

The communications received were read into the record.

Chairperson Pasko asked if there was anyone present who wished to speak regarding this hearing. There being none, the hearing was closed.

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**PUBLIC HEARING 022618** – Request from Jesus Moreno, Owner and Applicant, requesting review of the plans for the Preliminary site plan for the proposed development at 785 Forest, Wyandotte, MI,

Thomas Roberts, Thomas Roberts Architect representing the owner present.

Mr. Roberts reviewed the plans submitted and indicated that they would be changing the fences, windows, doors and use neutral earth tones for the exterior.

Chairperson Pasko indicated that they had submitted two (2) plans, and asked which plan is the preferred plan.

Mr. Roberts indicated that they would like Option #1 with 11 parking spaces.

Commissioner Benson asked if there would be 3 apartments on the ground level and 4 apartments on the 2<sup>nd</sup> floor.

Mr. Roberts indicated that was correct. Mr. Roberts continued that these are just preliminary plans and he would bring the final floor plans for the next review.

Commissioner Benson asked what the size of the units would be.

Mr. Roberts indicated that they would be one (1) bedroom 600 square feet each. Mr. Roberts indicated that the building is in good shape and this development would be really nice.

Mr. Tallerico reviewed the process of the PD District and indicated that the Commission's recommendation would be sent to the City Council and the Owner/Applicant would come back to the Commission with final plans.

Commissioner Benson asked about the parking.

Mr. Roberts indicated that they would have 11 spaces and only 9 spaces are required.

The Commission and Mr. Roberts reviewed the plans submitted.

Betty Dunn, her mother Ms. Brooks owns the property at 728 Grove. Ms. Dunn is concerned about the use of the alley and if it would be used to enter the parking lot. Ms. Dunn is

expressed further concerned about the fence at the rear. Ms. Dunn stated that the Church never had enough parking and she is concerned about their property being used.

Mr. Roberts indicated that they would be replacing the fence with a steel picket fence and the alley would not be used for parking.

Mr. Roberts reviewed the plans with Mrs. Dunn and her mother.

Chairperson Pasko asked if there was anyone else present who wished to speak regarding this hearing. There being none the hearing was closed.

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**PUBLIC HEARING** to hear comments regarding changes to Article XXII Special Land Uses Sub-Section 2202 Special Land Uses Designated amending Section S. Outdoor Café, Sections 1 -11

Corki Benson, 404 Vinewood, Wyandotte indicated that she is representing Garfield United and the Wyandotte Community Alliance. Ms. Benson read her communication which is attached.

Bruce Yinger, 117 Chestnut, Wyandotte. Mr. Yinger indicated that he can't understand why the ordinance is being changed again when the current ordinance is not being enforced. Mr. Yinger indicated that he does not have any issues with the building, at 126 Oak but the building was designed for 300 plus people. Mr. Yinger further indicated that he understands that he lives by an entertainment district, but the operations should stay within the building.

Mr. Yinger continued that the people going to the cafes are disrespectful and the stipulations that are currently on the property are not being enforced and there should be no changes made to the ordinance at this time.

Joseph Hirsch, 144 Chestnut, Wyandotte. Mr. Hirsch indicated that extending the hours until 2:00 a.m. is a bad idea and asked how that improves the quality of life. Mr. Hirsch continued that the noise goes on well past midnight and it is unbearable.

Mr. Hirsch indicated that there are people out on the café at Captain's past midnight smoking and there is no one in the building. Mr. Hirsch stated that Captain's is a repeated violator of the Ordinance and state law. Mr. Hirsch submitted a list of events that he witnessed of issues at Captain's.

John Howey, owner of 114 Oak Street representing the tenants of the Edinger Apartments. Mr. Howey indicated that his family has owned the building for 50 years and the tenants have issues with people smoking and the smoking going into their apartments and it is not fair for them to live with second hand smoke. Mr. Howey indicated that he feels they are in violation of the Smoke Free Law in Michigan.

Mr. Howey stated that the tenants are also dealing with noise from the use of the café and the café is used well past midnight and any changes to the ordinance should be denied.

Mary Guilloz, 145 Chestnut. Ms. Guilloz indicated that she does not understand why the Ordinance is being reviewed because a 23 year old girl was not happy and submitted a petition. Ms. Guilloz indicated that she and her husband have lived in Wyandotte their whole lives and she does not feel it should be changed.



Ms. Guilloz stated that they are complaining about the outdoor café emptying at midnight what would happen at 1:00 a.m. or 2:00 a.m. it would be worse.

Ms. Guilloz asked the Commission to look at the residents as a priority over 1:00 am and keep everything as it is instead of looking at petitions signed by people who don't even live in the area or Wyandotte.

Dan Helka, 116 Oak. Mr. Helka stated that he understands the noise problems and his resolution would be no music outside. Mr. Helka further indicated that when they ask customers to leave the outdoor café at midnight the people are not happy that they have to leave. Mr. Helka continued that during the week there are no problems, but on the weekend there are only so many people they can hold in the inside and the customers just don't understand why they have to leave,

Mr. Helka indicated that he would like to see the following changes:

- Fees are a bit excessive and they should be lowered.

- Insurance requirements are in excess and above what the state requires.

- Dates should be extended and even be all year round.

Owner of RP McMurphy's was present and indicated that he feels the dates of the outdoor café should be all year and he is in favor of extending the hours. RP McMurphy's further indicated that the fees need to be lowered; he already pays for a business license and does not understand why it is so much for the outdoor café license.

Bob Salamon, Commander of the American Legion Post in Bishop Park. Mr. Salamon indicated that he feels the fees are too high and there should be a difference fee for bars since they are a business with customers and clubs since they have members and they are not open to the public.

Mr. Salamon asked what the difference was between the \$150 fee and the \$600 fee.

Chairperson Pasko indicated that the fees are established by the City Council and the Commission discussed this last year and it was determined that if you had a liquor license, the fee would be \$600,

Les Salliotte, 2827 2<sup>nd</sup> Street, Wyandotte. Mr. Salliotte indicated that he would like to see all patios stay open until 2:00 a.m. all year around. Mr. Salliotte indicated that they remove their own snow so it would not be an issue.

Mr. Salliotte indicated that at one time the Planning Commission wanted the cafes opened until 2:00 a.m., but it did not get approved by Council.

Mr. Salliotte indicated that there has been a lot of talk about music and they have a decidable read and they use it quite often to make sure they are in compliance and they are usually at 55 decibels when they take it at the property line. Mr. Salliotte indicated that Captain's has never received a ticket for noise violation.

Mr. Salliotte indicated that he feels that the Liquor Control Commission rules should apply to the outdoor café which would allow it to stay open until 2:00 a.m.

Mr. Salliotte submitted a letter from the City Attorney regarding the use of the outdoor café to be allowed for smoking attached.

Commissioner Sarnacki stated that a couple of months ago the Commission reviewed Captain's rear café and adopted a Resolution that the rear café could not be used as a no smoking area and he is not sure what the issue is.

The Commission had a conversation with the Rick DeSana and Les Salliotte, Owners of Captain's regarding the State of Michigan Smoking Laws.

The Commission indicated that maybe a legal opinion needs to be received from the City Attorney regarding smoking laws.

Mr. Salliotte asked if the Commission received the picture showing patrons in the street and on the sidewalk when the outdoor café closes. Mr. Salliotte further indicated that the outdoor café should be allowed to stay open so their customers would not have to go into the sidewalk or street area to smoke.

Mike Mazloun, owner of 130 Maple, Wyandotte. Mr. Mazloun indicated that he supports the other bar owners and feels that the outdoor cafes should be allowed to be open all year if the weather permits and they should be able to be open until 2:00 a.m. Mr. Mazloun indicated that it is very hard on the restaurants and bars in the winter to bring people in to their businesses.

Mary Guilloz, 145 Chestnut. Ms. Guilloz indicated that the residents on her block have put a lot of money into their properties and she would hate to see these good residents move out of Wyandotte because of outdoor cafes. Ms. Guilloz further stated that she feels that the Ordinance should stay the same.

Chairperson Pasko asked if there was anyone else who wished to speak regarding this hearing. There be none the hearing was closed.

## COMMUNICATION RECEIVED FROM PUBLIC HEARING



**OFFICIALS**

**Lawrence S. Stec**  
CITY CLERK

**Todd M. Browning**  
CITY TREASURER

**Theodore H. Galeski**  
CITY ASSESSOR



**MARK A. KOWALEWSKI, P.E.**  
CITY ENGINEER

**MAYOR**  
**Joseph R. Peterson**

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

March 6, 2018

Stan Pasko, Chairperson  
Planning Commission  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

RE: Amendments to the Outdoor Café Ordinance

Dear Chairperson Pasko:

When considering changing the time frames for set up and use of outdoor cafes in the Central Business District (CBD), please consider the following. The Department of Public Service (DPS) provides snow removal from the City Sidewalks from properties located in the CBD. Typically, snow has been removed from December thru March. In the last two (2) years, the earliest work day was December 7 and the latest work day was March 14. The owners will need to have furniture and fencing removed in order for the DPS to complete the removal.

I have no objections to any proposed change in dates of set up and use for outdoor cafes as long as the DPS can perform their duties. If changes are being considered perhaps different time frames should be provided for public areas and private property.

Very truly yours,

Mark A. Kowalewski  
City Engineer

C. L. Stone

**Corki- Resident 404 Vinewood, Secretary Garfield Neighbors United, Facilitator of Wyandotte Community Alliance**

***I believe it is time for a little history lesson in regards to the issues regarding outdoor cafes. Many of you will remember and some of you are too young to understand that history repeats itself....even in Wyandotte.***

***Once upon a time the south end of Wyandotte was a residential area of old homes surrounded by numerous bars. Those bars and the activity they created eventually turned many of those residential homes into flop houses. The one sure thing that was in that neighborhood every night was the police paddy wagon and not just from 2-3AM but on some days on/and/ off/ all day! Mayor DeSana and urban renewal took over and eventually with the help of people like Jim Johnston and the McKinley Neighbors United things changed. There is now an entire area of Wyandotte populated with residents, a couple bars, and new homes that replaced those flop houses and that busy paddy wagon.***

***Another time a bar on the river created a situation where the surrounding residential neighborhood was the victim of last call. It included bottles and can trash, parking problems, patrons peeing in the street, and loud noises and fights on their front lawns every weekend. Residents complained constantly. The city put up signs to try and solve the parking problems on the street forcing many patrons to park and walk as far away as Copeland Center. Police officers began working the area and many city council members and Garfield Neighbors United members walked the streets when the bar closed at 2AM. The bar eventually closed for whatever reason and the neighborhood problems stopped.***

***We all know things change. New ideas brought outdoor cafes to Wyandotte. The old law of drinking on public streets created a need for an ordinance to provide rules and regulations equal for all these outdoor cafes.***

***Some of these outdoor cafes are in areas surrounded by neighbors who live in a 9 to 5 world and are now influenced by the outdoor cafes and their night time activities. Residents now hear "new noises" coming from these cafes when they***



*are ready to go to sleep. Outdoor cafe owners argue that people who bought their houses in Wyandotte should have known that bar could open near their house. But a bar is different from the new outdoor cafés. Bar activities are usually confined to the inside of the bar not in the public outdoor areas of a chosen neighborhood. Hence the hours of operation are dictated by the ordinance.*

*In the past and during the growth of these 30+ outdoor cafes there have been issues of the midnight closings not being enforced in some cases under the current ordinance. Now comes the history lesson part again.....if outdoor cafes are allowed to be open until 2AM when even the midnight closings cannot consistently be enforced, the residents will be exposed to much later closing activities due to extra traffic noises, extra people-sometimes not sober- in their neighborhood and music and smoking which have been some of the current complaints.*

*Open cafes are big business but so are neighborhoods. It would be very sad if the issues with outdoor cafes are not resolved in a manner acceptable to all of Wyandotte, because history may just have an opportunity to repeat itself again.*

*For [signature]*



Communication From ①  
Joseph Hirsch - 144 Chestnut

Extending café hours to one o'clock in the morning is a bad idea.

How does that in any way improve the quality of life in Wyandotte?

As a resident living on Chestnut Street I can tell you the noise coming from Captain's Bar on every warm night is very disturbing. It usually goes on well past midnight in violation of the café ordinance. If allowed to continue and with increased occupancy it'll be unbearable. It has already affected the health and welfare of the neighbors.

Perhaps you can't picture just what it's like. So imagine a neighbor of your's has a party. Maybe a graduation party. Fifty or sixty people show up. It gets very loud and goes on late into the night/early morning. As a good neighbor you say well it's just one night or maybe you are even part of the festivities. But the next weekend it's the same on Friday, Saturday even Sunday night. And again on the third weekend. You can't stand it any longer. By then you're calling the police. They arrive to tell the partyers to shut it down or get a ticket. Then go to court facing a fine.

Captain's Bar does this every weekend, consistently violating the midnight cafe curfew. Although it's not a café really. It is a loud, wild, frat like, drinking party every warm weather weekend night and many week nights. There are nights when one would like to go to bed at a reasonable hour with windows open. But that's impossible in our neighborhood given the racket across the street. Our right to relative quiet has been stolen from us.

The owners claim it's permissible to allow the patio to be a smoking area. But it's not just a smoking area. Walk by the bar windows and you will see just a few patrons inside while there are 50 to 75 people out on the patio. Some smoking, all with drinks.

In light of the repeated violations Captain's should not have a café permit, let alone permission to expand the facility. The expansion puts them 50' from an existing residence. That's unacceptable!

The owners have told us on a few occasions that they want to be good neighbors.

That's a disingenuous statement considering their obvious lack of

consideration for the neighbors.

Courtesy has given way to profit and it equals greed. Is that what's really going on here!

Friday/Sat., May 12 - 12:20 Rick serving. Called WPD at 12:33, Again at 12:55.  
Dispatch said police were there.

Saturday/Sunday, 12:22 a.m. Noise from the bar called WPD

Tuesday/Wednesday, May 16 - Heard music from Captain's until 1:50 a.m.  
(Tues.)

Sunday/Monday, May 21 - noise from Captain's until 1:00 a.m.

Saturday/Sunday, June 11, Called WPD at 1:28. Police arrived at 1:40  
Walked over at 1:50. They were serving.

Friday/Saturday, June 16 - Called WPD at 1:12

Saturday/Sunday, June 17 - Checked Captain's at 12:45 - serving

Sunday/Monday, June 18 - Heard music at 12:50, then stopped, Checked at  
1:00 serving

Monday June 19, 10:40 - Two guys on the patio, heard them here.

Friday/Saturday, July 8, 1:10 - Called WPD. Dispatch said "I'll get them out  
there. Quieter at 1:30

Saturday/Sunday, 12:27 a.m. - Called WPD. Talked to three officers. They said  
they can carry drinks out back to smoking area.

Monday, July 10, 4:48 p.m. - Noisy at Captain's, Heard some loud howling.

Wednesday, July 12 - Noisy at Captain's

Thursday, July 13 - Noisy across the street.

Friday/Saturday, July 14 - Noisier than last night at Captain's

Saturday/Sunday, July 15 - Very loud at Captain's til 2:00 and later.

Saturday/Sunday, July 22 - Noisy at Captain's, Quieter at 12:45, then noisier  
again at 1:30 til 2:15

Monday/Tuesday, July 25, 12:30 - Music can be heard @ Captain's. Walked  
over - not one person on the patio.

Thursday/Friday, July 27 - 12:30 Called WPD. Guys shouting and arguing.  
Saturday, August 5, 4:15 p.m. - Pulled in the driveway after a week at Boy Scout

Camp. All kinds of racket coming from Captain's. Just more of the same!

Friday/Saturday, September 15 - third Friday, Very loud at Captain's til 2:00

Monday, October 9, 12:30 - TV on at Captain's

Friday/Saturday, October 13, 12:40 - Noisy at Captain's

Saturday/Sunday, October 22 - Captain's outside after 12, tv and music on.

Friday/Saturday, October 28 - Noise from Captain's after 12, tv and music on.  
Heard with windows closed.

Saturday/Sunday, November 4 - Captain's, Noise, TV, Firepit til 2:00, light mist.



Rec 3/15/18

**LOOK, MAKOWSKI AND LOOK**  
PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW  
2241 OAK STREET  
WYANDOTTE, MICHIGAN 48192

(734) 285-6500  
FAX (734) 285-4160

WILLIAM R. LOOK  
STEVEN R. MAKOWSKI

RICHARD W. LOOK  
(1912 - 1993)

June 8, 2017

Dean C. Robinette  
13349 Reeck Court  
Southgate, MI 48195

Re: *Captains*

Dear Mr. Robinette:

I discussed the smoking issue with the Chief of Police and he has no problem with smoking after midnight outside of the Pub if it does not disturb the peace. If the outdoor café is being used for entertainment, music and/or service of guests, that would be in violation of the ordinance after 12:00 midnight.

With regards to the city zoning ordinance, a special land use has been approved for outdoor cafes subject to restrictions as set forth in the planning commission approval and the city ordinances.

The LCC indicates that the licensee shall comply with all zoning ordinances and therefore the restrictions in the zoning ordinance for outdoor cafes are applicable to your client's premises.

*Very truly yours,*

**LOOK, MAKOWSKI and LOOK**  
Professional Corporation



*William R. Look*

WRL:ks

Enclosures

120 OAK 126

**OFFICIALS**

Lawrence S. Stec  
CITY CLERK

Todd M. Browning  
CITY TREASURER

Thomas R. Woodruff  
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

REC 3/15/18

**MAYOR**  
Joseph R. Peterson

**COUNCIL**  
Sheri Sutherby Fricke  
Daniel E. Galeski  
Ted Michurs, Jr.  
Leonard T. Sabuda  
Donald C. Schultz  
Kevin VanBorell

September 1, 2015

Rick DeSana  
Captains  
126 Oak Street  
Wyandotte, Michigan 48192

RE: Rear Outdoor Café at 126 Oak Street  
Wyandotte, Michigan

Dear Mr. DeSana:

Enclosed is the Certificate of Occupancy for the rear outdoor café at 126 Oak Street, Wyandotte.

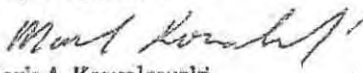
In addition, the City has received a letter from your legal counsel, Dean C. Robinette, regarding a Police response on August 16, 2015, at 1:45 a.m. Police Officers arrived at Captains and the owner's representative agreed to close the outdoor café at that time.

Concerning your inquiry about permitted hours of operation for the outdoor café, you are subject to the City's Zoning Ordinance. (Please reference MAC 436.1003 and the terms of your liquor license application which you submitted to the LCC). If you are aware of any legal authority to the contrary please submit it to my attention. MAC 436.2114 addresses a local government unit prohibiting the sale of alcohol during certain hours. The City Zoning Ordinance for outdoor café's pertains to outdoor service during certain hours due to noise and other matters.

Please be aware that you have approval to operate the outdoor café until midnight.

If you have any questions, please feel free to contact me.

Very truly yours,

  
Mark A. Kowalewski  
City Engineer

MAK:kr

Enclosure

cc: Dean C. Robinette, Foley & Robinette, P.C.  
William R. Look, City Attorney  
Dan Grant, Police Chief  
Todd Drysdale, City Administrator

3209 Biddle Avenue, Suite 205, Wyandotte, Michigan 48192 734-324-4551 • Fax 734-324-4535 email: engineering1@wyen.org



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**Michigan Smoke Free Law  
Frequently Asked Questions  
General Information**

Beginning May 1, 2010, smoking is prohibited in most public places in Michigan. The law will cover any workplace and any food service establishment. This law covers public places, including, but not limited to, restaurants, bars, shopping malls, bowling alleys, concert halls, arenas, museums, mechanic shops, health facilities, nursing homes, education facilities, and child care centers.

**Why was the law passed?**

The Michigan legislature passed the Dr. Ron Davis Smoke-Free Air Law on December 10, 2009 to preserve and improve the health, comfort, and environment of the people of the state by limiting exposure to secondhand smoke. Governor Granholm signed the bill into law on December 18, 2009.

**When does the law go into effect?**

May 1, 2010

**Will the local regulation/ordinance in my county/city/township still apply?**

The Dr. Ron Davis Smoke Free Air Act will not serve as the only smoke free law in the state, but it does set forth the minimum requirements for indoor workplaces and public places where smoking is regulated and these minimum standards apply state-wide. The statewide law does the following: (1) establishes where people can smoke and where they can't if your local community is not currently covered by any city or county local law; and (2) ensures that any provisions that are weaker in your local law (compared to the state law) are now made **AT LEAST AS STRONG** as the statewide law.

**Where are people not allowed to smoke?**

Under the new law, smoking is prohibited in public places and food service establishments. A public place means an (i) enclosed indoor area owned or operated by a state or local governmental agency and used by the general public; (ii) an enclosed indoor area used by the general public and is an educational facility, a home for the aged, nursing home, hospice, or hospital long-term care unit, auditorium, arena, theater, museum, concert hall, or any other facility during the period of its use for a performance or exhibit of the arts; (iii) unless otherwise exempted, a place of employment. Place of employment means an enclosed indoor area that contains one or more work area for one or more persons employed by a public or private employer.

**How are multi-unit apartment buildings and condominium buildings affected by the smoke-free law?**

## **Bars, Restaurants, and Other Food Service Establishments**

### **What is a food service establishment?**

A food service establishment is defined in section 1107(n) of the food law of 2000, 200 PA 92, MCL 289.1107 as: a fixed or mobile restaurant, a coffee shop, a cafeteria, short order café, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, nightclub, drive-in, industrial feeding establishment, private organization serving the public, rental hall, catering kitchen, delicatessen, theater, commissary, food concession, or similar place in which food or drink is prepared for direct consumption through service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public.

### **Where is smoking prohibited in a restaurant?**

Smoking is not allowed in any indoor area as well as outdoor areas such as patios or rooftops where patrons are intended to receive service or consume food, beverages, or both.

### **Where are restaurant guests or employees permitted to smoke?**

Smoking may be allowed in outdoor areas where food, beverages, or both are not intended to be served or consumed.

### **My establishment only has a liquor license, does the smoke free law still apply to me?**

Yes, your establishment is still considered a food service establishment under the Food Law Act No. 92 of 2000 as amended.

### **What do food service establishment operators need to do to comply with this law?**

Food service establishment operators shall prohibit smoking in areas where it is not permitted. Compliance is determined by the following:

- Clearly and conspicuously post "no smoking" signs or the international "no smoking" symbol at each entrance and in other areas where smoking is prohibited under this act. These other areas may include outdoor areas such as patios or rooftops where patrons are intended to receive service or consume food, beverages, or both.
- Removing ashtrays and other smoking paraphernalia from anywhere where smoking is prohibited. "Smoking paraphernalia" means any equipment, apparatus, or furnishing that is used in or necessary for the activity of smoking.



PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 2817 Van Alstyne as requested by American Legion Post 217 (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at 2817 Van Alstyne, 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 26, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 36 persons
9. Approval by the Wyandotte City Council for the use of City -Owned Property.

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED

PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 152 Elm as requested by Magdaleno Ristorante (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Private Property at 152 Elm, 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 January 26, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 46 persons

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED

PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 6 Perry Place as requested by Seaway Boat Club of Wyandotte (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Private Property at 6 Perry Place, 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 General Business (B-2) 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 24, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 56 persons

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED



PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 633-639 Ford Avenue as requested by VFW #1136 (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Private Property at the rear of 633-639 Ford 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 General Business District (B-2) 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 March 5, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 25 persons

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED

PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 2910 Van Alstyne as requested by Wine Dotte Bistro (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at the front of and in the City No. 1 Parking Lot at 2910 Van Alstyne, 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 28, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 4 persons for the smaller café and 40 persons for the café in Parking Lot No. 1.
9. Approval by the Wyandotte City Council for the use of Parking No. 1.

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED

PLANNING COMMISSION  
RESOLUTION MARCH 15, 2018

RESOLUTION BY COMISSIONER BENSON

SUPPORTED BY COMMISSIONER PARKER

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WYANDOTTE, that the Commission reviewed the renewal application and plan for the outdoor café at 130 Maple as requested by Sushi Bar (Appellant);

AND BE RESOLVED that the Permit for an Outdoor Café on Public Property at the front of 130 Maple, 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 22, 2018.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to 12 midnight with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by the City Council 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 32 persons.

I move adoption of the foregoing resolution.

| <u>YEAS</u> | <u>MEMBERS</u> | <u>NAYS</u> |
|-------------|----------------|-------------|
| X           | ADAMCYK        |             |
| X           | BENSON         |             |
| X           | DURAN          |             |
|             | LUPO (Absent)  |             |
| X           | MAYHEW         |             |
| X           | PARKER         |             |
| X           | PASKO          |             |
| X           | RUTKOWSKI      |             |
| X           | SARNACKI       |             |

MOTION PASSED

## WYANDOTTE RECREATION COMMISSION

A meeting of the Wyandotte Recreation Commission was called to order on Wednesday, April 11, 2018 pm at 5:30 pm in the Harold Popp Warming Room at the Benjamin F. Yack Center.

### **Members Present:**

President Margaret Loya  
Vice President Ronco  
Commissioner Wally Merritt  
Secretary Ron Adams

### **Excused:**

Commissioner Tom DeSana

### **Also Present:**

Sup't of Recreation Justin N. Lanagan  
Recreation Secretary Aimee Garbin

A motion was made by Vice President Ronco and supported by Secretary Adams to approve the minutes of the previous meeting.

### **PERSONS IN THE AUDIENCE:**

None

### **CORRESPONDENCE:**

1. Thank you card from Hope for Hearts for the golf course gift certificate donation.
2. Thank you letter From the Tin Can Tourists for the hospitality members were shown during the Third Friday event in October 2017.

### **INTERDEPARTMENTAL:**

None

### **COUNCIL RESOLUTIONS:**

1. Council Resolution dated March 19, 2018 approving Wyandotte Museums to reserve the use of Yack Arena and City Hall Parking lots on Saturday, June 23, 2018 for the Munchkin Market Mom2Mom Sale.
2. Council Resolution dated March 19, 2018 approving the Benjamin F. Yack Arena contract for Timeless Vintage Market event in the amount of \$1,300.00 per day including all associated rental costs. Event is to be held on April 29, 2018.

### **REPORTS AND MINUTES:**

Arena Report January 2018: \$259.00 Open Skating.....\$24,971.00 Ice Rental..... \$5,356.86 Concession.

Account Breakdown Pay Period ending 3/4/2018 & 3/18/2018

Tele-care: March 2018

Senior Friendship Club February Treasurers Report: Savings Account Balance \$575.19 & Checking Account Balance \$5,400.99

Golf Report: January 2018, \$306.25....February 2018, \$1676.00...March 2018, \$5,137.00

### **SPECIAL ORDER:**

Commission discussed with Superintendent Lanagan:

- Superintendent Lanagan stated the golf course opened on March 26, 2018. A suggestion was made of offering a discount for multiple golf memberships purchased for persons in the same household. Twelve memberships were sold in 2017 and currently ten memberships have been sold in early 2018. Rates have been set at \$400.00 for seniors age 55 & Older and \$550.00 for persons 54 & under. Memberships will not be allowed for use on outings, however it can be used to cover League Green fees. Vice President Ronco recommended a



50% discount and Superintendent Lanagan recommended 25%. Commission agreed and it was established to offer a 30% discount for this season. Superintendent Lanagan and Commission will evaluate the discount at the end of the current season. Superintendent Lanagan concluded if a person is 50 and their spouse is 55, the discount applies to the lower price membership and not the higher priced. Vice President Ronco motioned, President Loya seconded. Motion passed unanimously.

- Superintendent Lanagan discussed a golf league called "The Others" from Grosse Ile who demanded that it be stipulated in the contract that if anyone withdraws due to medical reasons that we offer a pro-rated refund based on the amount of time they miss. Superintendent Lanagan informed him that refunds would not be issued, Commission agreed.
- Superintendent Lanagan discussed the Special Events Update. The third Friday event in April is based on Earth Day and recycling held at the old theatre lot. Currently, Special Events is working on the Komaki program coming up in May as well as the Street Fair.
- Superintendent Lanagan presented a rendering of a possible development by the City of Riverview along the property between Pennsylvania Road and the Grosse Ile Toll Bridge, projects included a kayak launch, Riverwalk, and wetlands conservancy.

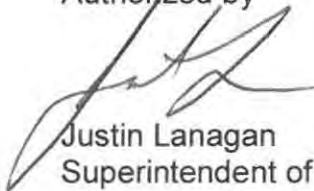
There being no further business to discuss, a motion was made by Vice President Ronco and supported by Secretary Adams to adjourn the meeting at 6:15 pm.

Minutes Prepared by



Aimee Garbin  
Recreation Secretary

Authorized by



Justin Lanagan  
Superintendent of Recreation

2018 Wyandotte Recreation Commission Meetings @ Yack Arena

**2<sup>nd</sup> Wednesday @ 5:30 pm**

May 9<sup>th</sup>

June 13<sup>th</sup>

**\*\*July 18<sup>th</sup> (Third Wednesday)**

August 8<sup>th</sup>

December 12<sup>th</sup>

**2<sup>nd</sup> Tuesday @ 7:30 pm**

September 11<sup>th</sup>

October 9<sup>th</sup>

November 13<sup>th</sup>



## **RETIREMENT COMMISSION MEETING MINUTES**

**Friday, March 16, 2018**

Meeting called to order at 9:00 a.m. by Chairman Browning

### **ROLL CALL:**

**PRESENT:** Commissioners Brohl, Browning, Harkleroad, LaManes, Roberts and Szczechowski

**ABSENT:** Commissioner Lyon and Lawrence Stec – City Clerk/Secretary to Retirement Commission  
Tanner Robinson—Oppenheimer & Company

**ALSO PRESENT:** William Look – City Attorney

Frank Deeter—Oppenheimer & Company

Susan Schultz

**MOTION** by Commissioner Brohl, **SUPPORTED** by Commissioner LaManes

**RESOLVED** that the minutes held under the date of February 16, 2018 be approved as recorded without objection.

**MOTION UNANIMOUSLY CARRIED**

### **PRESENTATIONS:**

**MOTION** by Commissioner Brohl, **SUPPORTED** by Commissioner LaManes

**RESOLVED** by the Wyandotte Employees Retirement Commission that the monthly report from

Mr. Frank Deeter of Oppenheimer & Company, Inc. regarding the February 2018 market segment fluctuations be received and placed on file.

**MOTION UNANIMOUSLY CARRIED**

Mr. Frank Deeter highlighted the following items:

- Last month (February 2018) volatility returned
- Steel and aluminum tariffs were proposed which could lead to a Trade war
- Brings about negativity for Domestic and Abroad—counter-productive to any economy
- Note: Fixed Income Segment—Osterweis – High Yield outperformed their benchmarks
- Next week the Federal Reserve is expected to increase short-term rates by ¼%
- Next month we will be raising cash funds of \$950,000 for the next three months disbursements

### **COMMUNICATIONS:**

**MOTION** by Commissioner Harkleroad, **SUPPORTED** by Commissioner Brohl

**RESOLVED** by the Wyandotte Employees Retirement Commission that an extended invitation was sent to Todd Drysdale to provide necessary analysis and data to render a decision on the distribution of the 13<sup>th</sup> check; **AND** **FURTHERMORE**, a response memo from Todd Drysdale regarding the 13<sup>th</sup> check stating “It certainly makes sense to make it at the end of the fiscal year (9/30/xx)” be received and placed on file.

**MOTION UNANIMOUSLY CARRIED**

**MOTION** by Commissioner Harkleroad, **SUPPORTED** by Commissioner Brohl

**RESOLVED** by the Wyandotte Employees Retirement Commission that we leave the 13<sup>th</sup> check ordinance the same as of now; **AND**

**FURTHERMORE**, Commissioner Brohl verified the date of the September 21, 2018, Retirement Meeting and stated if changes needed to be made, we would have time to do so.

**MOTION UNANIMOUSLY CARRIED**

ADJOURNMENT:

MOTION by Commissioner LaManes, SUPPORTED by Commissioner Brohl

RESOLVED, that the meeting be adjourned at 9:20 a.m.

MOTION UNANIMOUSLY CARRIED

Handwritten signatures of Susan Schultz and Lawrence S. Stec.

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Susan Schultz in for Lawrence S. Stec, Secretary  
Wyandotte Employee's Retirement Commission  
March 16, 2018