



Minutes - August 11, 2008

Wyandotte, Michigan August 11, 2008

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor James R. DeSana presiding.

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

Absent: None

COMMUNICATIONS MISCELLANEOUS-

August 7, 2008

Wyandotte Mayor and City Council c, 3131 Biddle Avenue
Wyandotte, MI 48192

Dear Honorable Mayor and City Council,

Please repeal the Massage Ordinance that went into effect May 2008. The ordinance does not fit the needs of the City of Wyandotte, Michigan. The previous massage ordinance better supports the economical and health needs of our city.

1. I disagree with the statement "massage is more pervasively associated with illegal activity in Michigan than elsewhere in our nation". Therefore, I ask REPEAL THE RECENT MESSAGE ORDINANCE IMPLEMENTED ASAP! Five months of bills remain prior to potential passage of a State License regulation.
2. Since the ordinance was passed, I have DECLINED MESSAGE BUSINESS OPPORTUNITIES in the City of Wyandotte IN ORDER TO ADHERE TO THAT REGULATION. Shamefully, I have declined to raise money for the Detroit homeless to be in adherence to that ridiculous ordinance!
3. I want to publicly thank the surrounding suburbs for providing revenue toward my basic needs. Thank you Trenton! Thank you Riverview! Thank you Taylor! Thank you Grosse Ile! Thank you Brownstown! Thank you thrift stores in Southgate and Lincoln Park. Thank you Ecorse for the hope you are providing and have provided. LEADERS of WYANDOTTE: "As a resident of this city and a business owner, how can I buy "local" when you restrict my earning opportunity and what benefits are provided to those whom are forced out of this city due to lack of opportunity within city limits?"
4. No BAD LAW has to be followed.

In summary, I ask the Wyandotte Mayor and City Council: Please do not place our community in the awkward position of working around ordinances that do not suit the needs of our community, REPEAL THE EXISTING MESSAGE ORDINANCE NOW!

Sincerely,

Mary Lenerville-Harris, LMT, Owner, Body Relief 4U
P.O. Box 255
Wyandotte, MI 48192

August 3rd 2008

To Mayor DeSana and city council representatives,

This is a formal request for permission to permanently bolt two decorative shrub urns in front of the door of my residence at 3017 Biddle Avenue. I believe these urns will enhance curbside appeal to the downtown business district.

I have also consulted with Maria Dominguez, owner of Traffic Jam Boutique, who shares the lower level of the building at 3019 Biddle Avenue. She happily agrees.

Please consider honoring this request as I am eager to begin the decorating process. I'm a Wyandotte resident who takes pride in his home as well as the well being of our beautiful town.

Sincerely yours,

Phillip W. Hubbard, 3017 Biddle Ave., Wyandotte, MI 48192
313-778-1676

PERSONS IN THE AUDIENCE

Mary Lenerville-Harris, 2088 – 5th, regarding budget session. Feels she is being restricted from her job. Be innovative.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

August 5, 2008

The Honorable City Council City of Wyandotte
Gentlemen and Madam:

I had the opportunity to attend a meeting recently convened by Mayor Kim Priebe, City of Taylor, with regard to an effort currently underway to make significant and important changes to Public Act 312 of 1969.

Enclosed is a copy of a letter I received from Mayor Priebe which includes a summary of the issues they are attempting to address with regard to Public Act 312, as well as a request for contributions from concerned public officials and the municipalities they represent to help fund the cost of hiring an agency to provide consulting and other services. Also enclosed is a sample resolution that supports this grass roots effort to modify Public Act 312 and also approves funding for this campaign.

It is important to understand that adopting this resolution and approving the funding to ensure our participation in these discussions is only the first step in the process. I am very familiar with the process in Lansing, and know well that the unions impacted by Public Act 312 will be very well represented at the discussions.

Thanking you in advance for your consideration of this request, I remain

Sincerely,

James R. DeSana, Mayor

July 28, 2008

The Honorable City Council
City of Wyandotte

Gentlemen and Madam:

Downriver Community Conference is applying for two different grants through the State of Michigan's Centers for Regional Excellence program. The grants are for \$25,000 each over a two-year periods. You may recall that DCC applied for and was awarded one of these grants a couple of years ago and the funds were used to facilitate the Downriver Fire Authority.

The first grant is for the Municipal Benefits Cooperative which is the initiative through which the communities of DCC and Conference of Western Wayne, and the Wayne County Airport Authority are pursuing cooperative purchasing of life and accidental death, long and short-term disability and dental and vision insurance. The second grant is for DCC member communities and is with regard to the DPS Collaborative Purchasing Program.

A formal resolution from each community is required as part of the application package. Draft resolutions are attached for your information. Adopted resolutions must be returned to DCC no later than August 20, 2008 so the proposals can be finalized and submitted in a timely fashion.

Sincerely,

James R. DeSana, Mayor

August 7, 2008

Mayor James R. DeSana and City Councilmembers
3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: 118 Sycamore

Dear Mayor and Councilmembers:

An application was received from the Michigan Liquor Control Commission relative to a request for a new outdoor service (1 Area) on 2008 Class C and SDM licensed business, located at Sycamore Plaza (118 Sycamore) and the addition of Panagiotis O. Marangos as member thru transfer of 50% interest from existing member Dimitrois O. Marangos.

Copies have been referred to the Department of Municipal Service, City Engineer, City Treasurer, Police and Fire Chiefs and Legal Department; copies of which are attached.

In view of the above, said application is being forwarded to you for your consideration.

Sincerely yours,

William R. Griggs, City Clerk

July 29, 2008

The Honorable Mayor James R. DeSana And City Council
City Hall

RE: Amendment No. 1 to Brownfield Redevelopment Plan No. 9 – BASF Property at 1609 Biddle Avenue and Substation Property for Wyandotte Municipal Services

Dear Mayor and Council,

The enclosed resolution sets Monday, September 8, 2008, as the public hearing date to consider approval of the enclosed amended Brownfield Plan.

To summarize, the Plan proposes to capture tax increment from two non-school millages totaling 3.4643 mills on the new BASF Joncryl Polymers Plant ("JPP") Project at 1609 Biddle. The tax increment will be used to assist Wyandotte Municipal Services (WMS) with expenses associated with constructing a new electrical substation in the area generally bounded by Alkali, Clark, McKinley and the railroad tracks. The substation will address the increasing need for electrical power from the JPP Project, as well as residential, commercial and industrial customers in the north end of Wyandotte. The brownfield tax increment captured by the Plan will be approximately \$2.2 million over 30 years, with approximately \$2.1 million allocated to WMS and \$83,000 to the Wyandotte Brownfield Redevelopment Authority's (WBRA) Administrative Operating Fund. The BASF Corporation will contribute \$1 million towards construction of the substation.

It should be noted that no school millages are proposed for capture under the Plan, and further, that no other local millages are proposed for capture because the Consolidated Tax Increment Finance Authority (TIFA) already captures all other available increment on property within the area. A Reimbursement Agreement between the WBRA and WMS will be prepared and presented to the Authority after approval of the Plan by the City Council.

The undersigned recommends that the Mayor and Council adopt the following resolution authorizing the undersigned and the City Clerk to complete the procedural items necessary to consider adopting said Plan.

Very truly yours,

Todd A. Drysdale
Director of Financial and Administrative Services

August 5, 2008

Mayor James DeSana & City Council
City of Wyandotte
Michigan

Dear Mayor DeSana & City Council:

The Senior Alliance (TSA) has provided services to seniors in 34 communities in Southern and Western Wayne County including Wyandotte since 1980.

Accompanying this letter you will find a copy of the TSA FY2009 Annual Implementation Plan (AIP). This plan has been previously approved by the TSA Board of Directors. At the present time, Recreation Commissioner Margaret Loya is serving as our representative on this Board.

Each of the 34 local units of government must approve the AIP under the requirements of the Office of Services to the Aging.

After review of this document, it is the recommendation of the undersigned that your honorable body approve the TSA FY2009 AIP as presented.

Sincerely yours,

Fred Pischke
Superintendent of Recreation

August 7, 2008

The Honorable James R. DeSana and City Council Members
3131 Biddle Avenue
Wyandotte, Michigan 48192

Dear Mayor DeSana and City Council Members,

Attached you will find a proposed returned check policy. The policy is for payments made to the city that are not honored by the city's bank. The \$20.00 fee is consistent with the amount that the Department of Municipal Service currently charges for returned checks. In addition, the fee will also assist in offsetting bank charges as well as any additional collection costs.

The undersigned recommends concurrence with the proposed returned check policy. Sincerely,

Robert J. Szczechowski
Deputy Treasurer/Assistant Finance Director

TO: Honorable Mayor and City Council
FROM: Department of Legal Affairs
DATE: July 30, 2008
RE: Proposed First Reading of Ordinance Concerning Pit Bulls

Dear Mayor and City and Council:

The Chief of Police has requested that I submit the attached Ordinance for a first reading. The Ordinance would require the owner of a Pit Bull or any dog of a mixed or cross breed with a Pit Bull to be implanted with a identification microchip, and would be required to be maintained in a securely enclosed area when outside and also to have a muzzle over its jaws when out of the secured area.

Respectfully submitted,

Department of Legal Affairs
LOOK, MAKOWSKI and LOOK, Professional Corporation

William R. Look

LATE ITEM

August 11, 2008

The Honorable Mayor James R. DeSana and City Council
City Hall, Wyandotte, Michigan

Dear Mayor and Council Members:

Attached please find a purchase agreement for the City to acquire the following property:

339 4th Street - \$17,000.00 TIFA Area Funds – Single Family Dwelling

If this meets with your approval, I recommend that the Department of Legal Affairs be directed to prepare the necessary sale documents and the Mayor and Clerk be authorized to execute same. I further recommend that the undersigned be authorized to demolish same.

Very truly yours,

Mark A. Kowalewski, City Engineer

PETITION

PETITION TO CLOSE THE ALLEY BETWEEN MARSHALL AND LUDINGTON
AND 16TH AND 17TH STREET IN THE CITY OF WYANDOTTE

REPORTS AND MINUTES AND CASH RECEIPTS

Financial Daily Cash Receipts August 4, 2008
DDA Oversight Subcommittee July 29, 2008
27th District Court Joint Management Meeting August 6, 2008
Zoning Board of Appeals & Adjustments July 16, 2008
Fire Commission Meeting July 1, 2008
Wyandotte Recreation Commission July 30, 2008
Beautification Commission Meeting July 8, 2008
Municipal Service Commission July 1, 2008

CITIZEN PARTICIPATION

No response.

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

Absent: None

HEARINGS

HEARING RELATIVE TO AMEND SPECIAL ASSESSMENT
DISTRICT # 928
GRADING AND PAVING APPROACHES ON NORTHLINE ROAD

No objections

HEARING RELATIVE TO ESTABLISH
OBSOLETE PROPERTY REHABILITATION DISTRICT #10
3033-35 BIDDLE AVENUE

August 5, 2008

The Honorable Mayor James R. DeSana And City Council
City Hall

Re: Resolution to establish Obsolete Property Rehabilitation District No. 10 – 3033-35 Biddle Ave.

Dear Mayor and Council,

In accordance with a Council resolution adopted on July 21, 2008, and the Obsolete Property Rehabilitation Act, a public hearing has been scheduled on August 11, 2008, to consider establishing an Obsolete Property Rehabilitation District for the property at 3033-35 Biddle Ave. This action was initiated by the request of the property owner. Per the enclosed letter and related material from the City Assessor (see Exhibit No. 1), the property qualifies as an obsolete property.

The Act allows for a reduction in property taxes to encourage rehabilitating obsolete commercial property. Establishing the District is the first step in the process. The next step involves filing an application for an exemption certificate that must be approved by both the Council and the State Tax Commission. The application will include detailed information on the nature and extent of the rehabilitation.

If the District is created and a certificate is eventually approved, a tax known as the Obsolete Properties Tax would be levied upon the building for 1-12 years, with the actual duration to be determined by the Council. The exemption would not apply to the taxable value of the land or any new personal property.

The undersigned recommends that the Council establish an Obsolete Property Rehabilitation District to encourage the redevelopment of the building. If you concur with this recommendation, the appropriate resolution is enclosed (Exhibit No. 2).

Very truly yours,
Todd A. Drysdale
Director of Financial and Administrative Services

August 5, 2008

The Honorable Mayor James R. DeSana And City Council
City Hall

RE: 3033-35 Biddle Avenue – Functional Obsolescence Determination Dear Mayor and Council:

According to my knowledge of the property at 3033-35 Biddle, the enclosed inspection report of the property prepared by the City of Wyandotte's Department of Engineering and Building (Enclosure 1), and the enclosed letter from John Wilkie of Wilkie & Zanley, Architects (Enclosure 2), the enclosed "Statement of Obsolescence" was prepared (Enclosure 3).

Based upon the enclosed statement, it's my opinion as City Assessor that the property suffers in excess of 50% functional obsolescence. It is further my opinion that due to the functional obsolescence, the property qualifies as a "functionally obsolete property" as defined in the Obsolete Property Rehabilitation Act, Act 146 of 2000, and the Brownfield Redevelopment Financing Act, Act 381 of 1996.

Should you have any additional questions, please feel free to contact the undersigned. Sincere

Colleen A. Keehn, City Assessor

No objections

FIRST READING OF ORDINANCES

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE
CITY OF WYANDOTTE CODE OF ORDINANCES
BY ADOPTING SEC 4-28.1 ENTITLED "PIT BULLS"

FINAL READING OF ORDINANCE

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
CITY OF WYANDOTTE BY ADOPTING SEC. 25-60.1
Entitled "INTRUSION UPON ADJOINING PROPERTY"

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption of Section 25-60.1 Entitled "Intrusion Upon Adjoining Property".

Sec. 25-60.1 INTRUSION UPON ADJOINING PROPERTY

A. Definitions.

Complainant-any property owner who has had his property damaged or intruded upon as defined in this ordinance.

Contractor-any person, corporation, or any other legal entity who performs any work upon the property of another and at the direction of the property owner.

Damage-any destruction, injury, harm or impairment of value caused to property.

Intrude-to encroach upon the property of another without permission or lawful authority.

Property Owner-any person having any interest in real property including the owner in fee simple, land contract vendee, tenant, or other occupant.

Work-any construction, repairs, maintenance or other similar type activity.

B. It is the legal responsibility of any contractor, property owner or any other person when performing any work upon any property to do it in such a manner so as to not intrude upon or cause damage to any adjoining property. Any person who causes damage or intrudes upon any adjoining property while in the course of making repairs, alterations, additions or doing any other work upon any property in the City of Wyandotte, shall be responsible for a municipal civil infraction.

C. Any property owner whose property has been damaged or intruded upon as set forth in this ordinance may file a written complaint with the City Engineer's Office as the complainant. The City Engineer's Office shall send a written notice to the property owner who is either performing work upon his property or who has directed a contractor to perform work upon his property and to any contractor hired by the property owner, if the City Engineer's Office determines that the property owner or contractor has intruded upon or caused damage to the complainant's adjoining property. The notice shall set forth the nature of the complaint and advise them that if the matter is not resolved with the complainant within ten (10) days of the notice, then a written citation may be issued under this ordinance.

D. If the matter is not resolved, a citation may be issued at the direction of the City Engineer's Office and served upon the property owner and/or contractor responsible for the intrusion or damage.

E. If the citation proceeds to court and the property owner or contractor is found responsible, then a fine and cost may be assessed not to exceed \$500. The court when assessing any fine or costs may take into consideration any corrective action that has been taken by the Defendant, including the payment of any restitution.

Sec. 2 Severability

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

Sec. 3 Effective date

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and this ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption.

On the question, "SHALL THIS ORDINANCE NOW PASS?", the following vote was recorded:

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

ABSENT: None

I hereby approve the adoption of the foregoing ordinance this 11th day of August, 2008.

CERTIFICATE

We, the undersigned, JAMES R. DESANA and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the 11th day of August, 2008.

Dated August 11, 2008

JAMES R. DESANA, Mayor
WILLIAM R. GRIGGS, City Clerk

RESOLUTIONS

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from Mary Lenerville-Harris, LMT Owner, Body Relief 4U relative to the present massage ordinance in the City of Wyandotte is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the request from Phillip W. Hubbard, 3017 Biddle Avenue to permanently bolt two decorative shrub urns in front of his residence is hereby referred to the City Engineer and Department of Legal Affairs for a review and report back to Council in one week.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that

WHEREAS, in 1969, Public Act 312 was enacted to provide compulsory arbitration in regard to mandatory subjects of bargaining for local, county and State police officers and firefighters in exchange for an agreement not to strike;

WHEREAS, while the initial intent of Public Act 312 was to provide a fair process for arriving at collective bargaining agreements, while at the same time promoting the safety and well-being of the public through the avoidance of strikes, the Act recently has been used as a tool to substantially drive up the costs associated with employee benefits, thereby reducing funds available for other municipal services;

WHEREAS, a grass roots effort is underway at the local and State level to modify the provisions of Public Act 312 to ensure that it is applied fairly to all parties involved and to ensure that there is accountability and a substantive basis for decisions rendered as part of the Act 312 process;

WHEREAS, as part of this grass roots effort, a variety of issues as set forth in Public Act 312 are being addressed, including concerns over the ability to pay, the requirement that strong consideration be given to internal comparables, as well as placing restrictions on arbitrator-ordered mandates that require a municipality to utilize funds for police and fire benefits as opposed to addressing other needed public services;

WHEREAS, in order to fulfill the goals of this grass roots effort to modify Public Act 312, funding is required to ensure that the general public is made aware of the significant concerns regarding the application of Public Act 312, as well as the appropriate modifications needed to fix this process;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City of Wyandotte supports and CONCURS with the above-discussed grass roots efforts to make important modifications to Public Act 312 to ensure appropriate fairness and accountability;

IT IS FURTHER RESOLVED that the City of Wyandotte authorizes payment of \$5,000 to Advance Strategies, who has been retained to assist in ensuring that the general public is made aware of the significant concerns regarding the application of Public Act 312 and why the Act needs to be modified.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
YEAS: Councilpersons Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: Councilperson Browning

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that

WHEREAS, the Downriver Community Conference (DCC) and the Conference of Western Wayne (CWW), consortiums of 34 Wayne County communities whose total population exceeds 1,000,000 and is an area that hosts a major percentage of Michigan citizens and businesses, and are organizations that have consistently joined in efforts to improve local government and enhance the quality of life for area residents through municipal cooperation; and WHEREAS, in our ongoing collaboration it is evident that the services we offer are important to the fabric of our community and often attract people to move to our communities and remain in our cities and townships, and WHEREAS, regional collaboration affords flexibility in budgeting without diminishing the way of life in our community, and WHEREAS, regional collaboration with the potential establishment of a large benefits/insurance cooperative will help our member communities save money as well as provide equal or improved benefits for municipal employees, and WHEREAS, regional collaboration in a project of this nature, that will include opt in and opt out provisions, creates a guaranteed winning strategy for long range cost savings; and WHEREAS, DCC and CWW communities will become even more economically competitive and economically stable if the cooperative can be successfully established; NOW THEREFORE BE IT RESOLVED, that the City of Wyandotte hereby strongly supports the grant application submitted by DCC and CWW to the Governor's Center for Regional Excellence Program, and NOW THEREFORE BE IT FURTHER RESOLVED that the City of Wyandotte will designate a representative from the existing formulation committee to attend discussion meetings for the Governor's Center for Regional Excellence Program and additionally will keep our citizens informed about the project and have avenues for their comments and questions, and BE IT FURTHER RESOLVED that the City of Wyandotte looks forward to participation in the Governor's Center for Regional Excellence Program in order to successfully create a formal municipal benefits/insurance cooperation.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that

WHEREAS, we recognize that the services we offer are important to the fabric of our community and often attract people to move here, and our current residents so stay here, and WHEREAS, regional collaboration is one avenue to pursue to continue to maintain or enhance some of the services we now offer, and WHEREAS, regional collaboration may afford flexibility in budgeting without diminishing the way of life in our community, and WHEREAS, regional collaboration may help save money as well as provide effective and efficient services, and WHEREAS, regional collaboration already helps both our community and our region be more economically competitive, and may improve in this regard, WHEREAS, the Downriver Community Conference, of which we are a member community, was founded on the concept of regional collaboration and has developed many programs and services over the years to meet the needs of member communities; WHEREAS, several of the member communities of the Downriver Community Conference, including the City of Wyandotte have already adopted resolutions supporting the concept of collaborative bidding and purchasing of commodities used by Departments of Public Works/Services, and WHEREAS, this collaborative process, in a test case, showed cost savings for participating communities, NOW THEREFORE BE IT RESOLVED that the City of Wyandotte, agrees to participate in the Centers for Regional Excellence program, to achieve collaboration in Department of Public Works/Services purchasing and resource sharing and maximization, BE IT FURTHER RESOLVED that the Downriver Community Conference will coordinate the participation of all interested partners in this effort, and BE IT FURTHER RESOLVED, that the citizens of Wyandotte will be kept fully informed and provided opportunities for input into the process.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council hereby APPROVES the request for a new outdoor service (1 Area) on 2008 Class C and SDM licensed business, located at Sycamore Plaza (118 Sycamore) and the additional of Panagiotis O. Marangos as member thru transfer of 50% interest from existing member Dimitrois O. Marangos.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

**RESOLUTION TO HOLD A PUBLIC HEARING TO CONSIDER
A BROWNFIELD PLAN & PROVIDE NOTICE**

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

At a regular session of the City Council of the City of Wyandotte.

WHEREAS on August 26, 1997, the City Council of the City of Wyandotte adopted a resolution creating a Brownfield Redevelopment Authority and establishing a Brownfield Redevelopment Zone that

encompasses the boundaries of the City pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended (Act 381); and

WHEREAS the Brownfield Redevelopment Authority will present to the City Council an amended Brownfield Plan for Site No. 9, in accordance with Public Act 381 of 1996, as amended, consisting of three contiguous parcels as follows: Parcel 1 is a 26.8-acre portion of the larger parent parcel at 1609 Biddle; Parcel 2 will consist of a public utility easement located on property owned by both BASF and the City of Wyandotte. Utility and transmission lines will utilize the public utility easement to connect the substation property (Parcel 3) to Parcel 1. Parcel 3 will consist of the property necessary to accommodate the substation project and associated improvements, and is generally bounded by Alkali, Clark, and McKinley Streets, and the railroad tracks.

WHEREAS before acting upon said Brownfield Plan the City Council is required, in accordance with Section 13(10) of Act 381, as amended, to provide to the public a reasonable opportunity to express their views and recommendations regarding the Plan at a public hearing or in writing; and

WHEREAS it is the desire of the City Council that such a hearing shall be held on the 8th day of September 2008, at 7:00 p.m. in the Wyandotte City Hall Council Chambers at 3131 Biddle Avenue, Wyandotte, Michigan.

NOW THEREFORE, BE 11. RESOLVED THAT the City Clerk shall cause notice of such hearing to be published twice in a newspaper of general circulation in the City, not less than 10 or more than 40 days before said hearing; and

BE IT FURTHER RESOLVED THAT the City Clerk shall immediately inform the City Assessor, the applicant, and the legislative body of each taxing unit which levies ad valorem taxes subject to capture in the City of Wyandotte, of the Public Hearing.

BE IT FURTHER RESOLVED THAT at said hearing interested persons shall have the opportunity to be heard relative to the Brownfield Redevelopment Plan.

I move the adoption of the foregoing Resolution.

COUNCILPERSON Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council hereby adopts the FY2009 Annual implementation Plan for the Senior Alliance (TSA), Area Agency on Aging 1-C as submitted by the Superintendent of Recreation. AND BE IT FURTHER RESOLVED that a copy of said resolution be forwarded to the Senior Alliance.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS in the recommendation of the Deputy Treasurer/Assistant Finance Director and hereby APPROVES the following returned check policy as follows:

1. Payments made by check to the City of Wyandotte that are not honored by the city's bank will incur a returned check fee of \$20.00. In addition, the payment will be reserved from the appropriate account when a check is returned by the bank. 2. Returned check reimbursement payments must be in the form of cash,

cashier's check, certified check or money order. 3. The City of Wyandotte will not accept checks as payment if two checks are returned for insufficient funds.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from the Department of Legal Affairs relative to the proposed First Reading of an Ordinance Concerning Pit Bulls is hereby made a part of the file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 339-4th Street in the amount of \$17,000.00 to be appropriated from TIFA Area Funds; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and City Attorney, William R. Look, are hereby authorized to sign said documents; AND FURTHER that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the Petition as submitted by Jean Miller 4211-17th Street relative to the request to close the alley between Marshall and Ludington and 16th and 17th Streets is hereby referred to the City Engineer and Department of Municipal Service for a review and report back in four weeks.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

RESOLUTION TO AMEND SPECIAL ASSESSMENT DISTRICT NO. 928

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that

WHEREAS, it has been determined by this Council to be advisable and necessary to grade and pave the concrete approaches hereinafter described, in the City of Wyandotte, and to pay all or a part of the cost thereof by special assessment on the lots, parts of lots, and parcels of land abutting thereon as well as benefiting therefrom, excepting from said assessment, the improvement expense attributable to alley and street intersection, City-owned land, owner occupied single family dwellings, owner occupied multi-family rental dwellings will be assessed in that proportion that the property is used for purposes other than that of the owner occupying same in comparison to the total assessable portion of the entire property, and other property not assessable by law, the expense of which, together with any improvement expenses remaining after the aforesaid assessment, shall be defrayed from the General Fund of the City; and

WHEREAS, the time and place having been fixed for the hearing of objections to the proposed grading and paving of concrete approaches in the City of Wyandotte, and to pay part of the cost thereof, to-wit:

Approach at 1332 Ford Avenue abutting:.,

Lots 61 thru 64, both inclusive, Bennett's Boulevard Park Subdivision, T. 3 S., R. 11 E., as recorded in Liber 46 of Plats, Page 97, Wayne County Records.

Approach at 1447 Ford Avenue abutting:

Lot 73, Killbuck Sub., T. 3 S., R. 11 E., as recorded in Liber 29 of Plats, Page 57, Wayne County Records.

WHEREAS, due notice of said hearing having been given by first class mail in accordance with the statute in such case made and provided; and said hearing having taken place in accordance with said notice as mailed, and no objections having been brought to the attention of this Council; and

WHEREAS, after such hearing this Council, still being of the opinion that said improvement is advisable and necessary, and that it is still deemed advisable and necessary to proceed with said grading and paving,

NOW, THEREFORE, BE IT RESOLVED, that the maps, plans and diagrams of said concrete approaches shall be added to Special Assessment District No. 928, which shall be amended, as hereinafter described to pay part of the cost thereof as evidenced by the Engineer's estimate for such construction accepted by this Council, be approved and confirmed and the improvement constructed accordingly;

Lots 61 thru 64, both inclusive, Bennett's Boulevard Park Subdivision, T. 3 S., R. 11 E., as recorded in Liber 46 of Plats, Page 97, Wayne County Records.

Lot 73., Killbuck Sub., T. 3 S., R. 11 E., as recorded in Liber 29 of Plats, Page 57, Wayne County Records.

RESOLVED FURTHER, that the City Assessor is directed to prepare an assessment roll pursuant to the City Charter requirements.

I move the adoption of the foregoing Resolution.

Motion by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION APPROVING THE ESTABLISHMENT OF AN OBSOLETE PROPERTY REHABILITATION DISTRICT PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE OBSOLETE PROPERTY REHABILITATION ACT, PUBLIC ACT 146 OF 2000, AS AMENDED

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilmember Sheri Fricke

RESOLVED BY THE CITY COUNCIL THAT:

WHEREAS, on June 6, 2000, Public Act 146 of 2000, known as the Obsolete Property Rehabilitation Act (the Act), was signed into law; and

WHEREAS, as of June 15, 2007, the City of Wyandotte was a Qualified Local Governmental Unit under Section 2 (k) of the Act; and

WHEREAS, the City Council concurs with the determination of the City Assessor dated August 5, 2008, that the building at 3033-35 Biddle Ave. suffers in excess of 50% functional obsolescence and qualifies as a "functionally obsolete property" as defined in the Obsolete Property Rehabilitation Act, Act 146 of 2000, and the Brownfield Redevelopment Financing Act, Act 381 of 1996. More specifically, the building meets the criteria for obsolescence as outlined in the City Assessor's Statement of Obsolescence.

WHEREAS, said property complies with the definition of commercial property provided in the Addendum to said Act; and

WHEREAS, said property is obsolete property in an area characterized by obsolete commercial property; and

WHEREAS, on July 17, 2008, the property owner submitted a letter requesting the establishment of an Obsolete Property Rehabilitation District for the property at 3033-35 Biddle Ave.; and

WHEREAS, on July 21, 2008 the City Council adopted a resolution authorizing the City Clerk to complete the actions necessary for the Council to consider establishing an Obsolete Property Rehabilitation District for said property; and

WHEREAS, a public hearing notice was published not less than 10 days or more than 30 days before the date of the hearing and written notice was sent via certified mail to the owners of all real property within the proposed Obsolete Property Rehabilitation District notifying them of a public hearing to be held on August 11, 2008; and

WHEREAS, the City of Wyandotte is authorized under the provisions of PA 146 of 2000 to establish Obsolete Property Rehabilitation Districts by resolution;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds and determines that the property at 3033-35 Biddle Ave. is an obsolete commercial property in an area characterized by obsolete commercial property; and

BE IT FURTHER RESOLVED, that Obsolete Property Rehabilitation District No. 10 is hereby established for the property at 3033-35 Biddle Ave., said property more fully described as:

S 21.9 FT OF LOT 7 EUREKA IRON AND STEEL WORKS RE-SUB T3S R1 1E L22 P49, WAYNE COUNTY RECORDS.

I move the adoption of the foregoing resolution.

MOTION by Councilmember Sheri Fricke

Supported by Councilmember Patrick Sutka

YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan August 11, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the total bills and accounts in the amount of \$1,814,995.70 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

ADJOURNMENT

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
That we adjourn
Carried unanimously.
Adjourned at 9:35 PM
August 11, 2008

William R. Griggs, City Clerk
