

Wyandotte, Michigan January 25, 2010

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor Joseph R. Peterson presiding.

ROLL CALL

Present: Councilpersons Browning, DeSana, Fricke, Galeski, Stec

Absent: Councilperson Sabuda

COMMUNICATIONS MISCELLANEOUS

January 20, 2010

Mayor Joseph Peterson and City Councilmembers 3131 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor and Council:

Due to the Wilson Junior High School traffic my alley behind my home is being used as a roadway to avoid the Stop sign at 15th and Goddard. This is very dangerous and destructive to our property adjacent to our alley. Please help with the alleviation of this problem.

Thank you. Clifford Miller, 1515 Goddard, Wyandotte, Michigan 48192

January 12, 2010

The Honorable Mayor Joseph Peterson And Members of the City Council  
City of Wyandotte, 3131 Biddle Avenue, Wyandotte, MI 48192

Dear Mayor Peterson and Members of the City Council:

While we are still in the grips of winter, thoughts of warmer spring weather are not far behind.

It is my pleasure to inform you that the Hebda Cup Rowing Regatta will be contested on Saturday April 24th, 2010, and the Wyandotte High Schools Rowing Regatta will follow on Saturday May 1st. In case of bad weather both regattas will run on the following day.

We are expecting both boys' and girls' high school rowing teams to compete from around the mid-west region and Canada at these regattas.

We ask your permission to use the BASF Waterfront Park for these dates and also ask for your support in providing the same type of superb assistance as has been afforded us in the past by the Division of Public Services and the Recreation Department.

We once again ask that Biddle Avenue be closed between Pine and Third Streets during the regattas to provide parking and storage for the visiting schools busses and shell-trailers. We will work with the DPS to minimize the time that the street will be closed.

We also look forward to the Mayor and Council members presenting the City of Wyandotte's Mayor's Trophy to the overall winning crew at the end of the Wy-Hi Regatta.

We consistently receive complements every year about BASF Park and the city from the visiting crews, and are proud to play host to these dedicated high school male and female athletes.

In addition we do hear from local businesses that these events bring in extra business and dollars for our city.

Sincerely yours,

For The Wyandotte Boat Club, Fred Mekolon Jr., Regatta Chair

January 14, 2010

William Griggs, Clerk City of Wyandotte 3131 Biddle Avenue Wyandotte, MI 48192

Dear Mayor Peterson and Council:

Many Downriver citizens are once again preparing for a special anniversary celebration. Although this anniversary is not well known, it is gaining prominence because of your past participation. The Anniversary day is March 4th or Constitution Celebration Day. The day is significant to our Republic because it was the day Congress in 1789, first convened under the Laws of the U.S. Constitution. This day, until 1936, was the day the U S President was inaugurated into office.

Last year eighteen Downriver community municipalities passed proclamations declaring MARCH 4, 2009 as "Constitution Celebration Day" in their communities. I am asking for your support in issuing a proclamation declaring MARCH 4, 2010 as "Constitution Celebration Day" in your City/Twp.

A sample copy of a proclamation is enclosed or you may choose to write your own. I ask you to please call me when this matter is scheduled on the agenda, so I can arrange for a member of our committee to be present.

A special Constitution Day Celebration will take place on Wednesday, March 4, 2010 at 6:00 p.m. at the Epicurean House in Trenton. The Keynote speaker is Dr. Paul Moreno, Associate Professor of American History, Hillsdale College, Hillsdale, Michigan.

If you have any questions or want additional information regarding this Constitution Celebration Day event, please call Mary Jarosz, DRGO Executive Director at (734) 479-0156.

Respectfully,

Rick Jarosz, Event Chairman  
Downriver Republican Grassroots Organization  
P O Box 727, Trenton, MI 48183

December 16, 2009

Dear Mayor and City Council,

This letter is to request that you recognize the Wyandotte Indians Junior Football Club as non-profit organization operating within the city of Wyandotte, This will enable the organization to obtain a charitable gaming license from the state of Michigan.

Thank you,

Christie Neal  
Wyandotte Indians Fundraising Chairperson

To: Wyandotte City Council

This letter is in response to the proposal to eliminate full time positions in the area of code enforcement. While I appreciate that we are looking for ways to cut our cities budget, it is my judgment that anyone who has a badge, and authority, and the sensitive job of levying fines to the citizens of Wyandotte should at least be vested to the city in a full time capacity.

I think we can expect a number of problems with a part time work force in this area of law enforcement. One we won't be able to attract the competent people we need for this job with the offer of low wages, and part time hours with no insurance. Two we will have a work force that is always looking for a better job. Three we will have a work force that is always in transition, and therefore inexperienced, and less knowledgeable. Four we will have a work force that may not be concerned about holding up the highest work and ethical standards for Wyandotte (because it's only a part time job). Five, should citizens like myself be expected to trust someone making minimal wages, but is given the authority to levy hundreds of dollars worth of fines. Six the possibility of corruption when balancing a part time wage against potential bribes. Seven a work force not having the maturity to balance the city's laws with the public's trust.

We certainly would not hire a part time handy man to work on our cities electrical or plumbing systems and I don't think it is sound judgment to have a transitional part time work force representing Wyandotte in code enforcement and the levying of fines to us the citizens. I'm sure we could give my sixteen year old nephew a badge and five dollars an hour and he could write tickets and this would look great on a paper budget. But would it work in the real world where judgment, knowledge, and experience are needed? So please save part time positions for cleaning windows, sweeping floors, cutting grass and such jobs of no consequence.

While we may appear to be saving money on paper I believe we are taking a permanent step in the wrong direction when we don't seek, and keep the best possible people for the sensitive and important law enforcement positions in our city.

Sincerely,  
Joseph Youngs, Occupational Therapist  
1270 13<sup>th</sup>, Wyandotte, MI 48192

#### PERSONS IN THE AUDIENCE

Richard Miller, 1202 – 2<sup>nd</sup>, Budd Lynch Dinner was a , thanked the Mayor and Councilman Galeski, it was a big success. Thanked Congresswoman Kilpatrick for the great job.

#### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

January 15th, 2010

City of Wyandotte Mayor & City Council 3131 Biddle Avenue  
Wyandotte, MI 48192

Dear Mayor & City Council,

I would like to make the citizens of the City of Wyandotte aware of the upcoming Census 2010, and to encourage the public to fill out their forms when they receive them. Currently, it is anticipated that the forms will be mailed out March 15<sup>th</sup>, 2010, so the public should be receiving the forms shortly thereafter.

Census 2010 is important:

- Census affects funding in our community. Census data directly affect how more than \$400 billion per year in federal and state funding is allocated to communities for neighborhood improvements, public health, education, transportation, and much more.
- Census affects our voice in Congress. Data are used to apportion seats in the U.S. House of Representatives.
- Census affects our representation in state and local government. Census data are used to define legislature districts and school district assignment areas.
- Census informs our community's decisions. Data about changes in our community are crucial to many planning decisions, such as where to provide services for the elderly, where to build new roads and schools, and where to locate job training centers.
- It's easy. The Census 2010 form will have 10 easy questions, such as name, sex, age, race, marital status, etc. It takes only a few minutes to answer and return by mail.
- It's confidential. Your responses are protected by law. All Census Bureau employees have taken an oath to protect confidentiality and are subject to a jail term, a fine - or both - for disclosing information that could identify a respondent or household. The Census Bureau cannot share the answers with any agencies, even the FBI, IRS and INS.
- It's required by law. The information gathered will provide summary statistical data that are used by various local, state, and federal agencies.

Sincerely,  
Brandon E. Wescott, Director, Wyandotte Downtown Development Authority

January 22nd, 2010

City of Wyandotte Mayor & City Council 3131 Biddle Avenue  
Wyandotte, MI 48192

Dear Mayor & City Council,

Ms. Holly Steele of the Census Bureau has contacted the DDA office and asked if the City would consider providing space to function as a Questionnaire Assistance Center. This activity would occur in City Hall for 15 hours a week. My initial suggestion would be to use the DDA conference space in the DDA office as it is easy to find, and secondly it is adequately set up to engage the public.

I see this request as providing two things: first an opportunity to get the most accurate Census Count possible, and second this would provide a temporary job for someone within our organization.

I would like to ask if this is something the City of Wyandotte would be interested in before I contact Ms. Steele and make preparations to assist in this matter.

Respectfully,  
Brandon E. Wescott, Director, Wyandotte Downtown Development Authority

January 20, 2010

Mayor Joseph R. Peterson and City Councilmembers 3131 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor and Council:

An application was received from the Michigan Liquor Control Commission relative to the following: A request from Hickey Enterprises, Inc. to transfer all stock in a 2008 Class C licensed business with dance permit, located at 232 Maple, Wyandotte, Mi. 48192, Wayne County, from existing stockholders, Jeffrey K. Hickey and James B. Hickey, III (500 shares each) to new stockholder, Paul M. Hickey.

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

Sincerely yours,  
Maria Johnson, Deputy City Clerk

January 20, 2010

The Honorable Joseph R. Peterson, Mayor and City Council Members  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor Peterson and City Council Members,

At the Budget Committee meeting held on January 11, 2010, the undersigned was directed to place the following resolution on the City Council Agenda:

Resolved by the City Council that the Council concurs in the recommendation of the Mayor and the Director of Financial/Administrative Services to approve the \$467,240 of recommended adjustments to the 2010 FY General Fund (Operating) Budget as outlined in the correspondence dated December 21, 2009 and

Further instructs the Director of Financial/Administrative Services to implement the 21 recommendations included in the aforementioned budget material.

Attached for your review and approval are the related 2010 Fiscal Year budget amendments as outlined in the recommendations presented at the Budget Committee meeting. These recommendations are consistent with the Goals and Objectives identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to creating fiscal stability and being financially responsible.

The undersigned recommends that the City Council approve the budget amendments as outlined on Attachment A of this communication. If you should have any questions, comments or concerns, please do not hesitate to contact me.

Sincerely,  
Todd A. Drysdale  
Director of Financial & Administrative Services

January 19, 2010

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

Dear Honorable Mayor and City Council:

Attached you will find a quote/invoice from Gorno Ford, Inc. for the purchase of two (2) 2010 Ford Crown Vics for use as Police Patrol Vehicles. As in recent years, Gorno Ford has been selected as the vendor for the State of Michigan police car purchases, and our quote is part of that bid award. If approved, these vehicles have already been budgeted for in our Police "Vehicles" account.

Thank you for your consideration in this matter.

Sincerely,  
WYANDOTTE POLICE DEPARTMENT  
Daniel J. Grant, Chief of Police

Mayor & City Council, City of Wyandotte  
3131 Biddle Ave., Wyandotte, MI 48192

Wednesday, January 20, 2010  
Honorable Mayor and City Council Members:

In response to the resolution dated December 22nd, 2009, please find attached to this letter a chart relating the requested process and time frame for the establishment of a local historic district in the City of Wyandotte.

For the purposes of this preliminary research, a draft of the district map is also attached, which includes the Downtown business district, the Museums Cultural Campus, and 81 Chestnut.

Please feel free to contact me should you have any questions regarding the attached material.

Sincerely,  
Jody Chansuolme

Mayor & City Council, City of Wyandotte  
3131 Biddle Ave., Wyandotte, MI 48192

Wednesday, January 20, 2010  
Honorable Mayor and City Council Members:

On behalf of the Wyandotte Cultural and Historical Commission, I would like to bring to your attention the schedule for the upcoming 2010 Heritage Event Series. The Commission is proud to be able to feature the recently established and restored Museums campus as a historic showpiece representing Wyandotte's unique and diverse past. These events give more of our citizens an opportunity to visit, enjoy and learn about our heritage with frequent, diverse, and quality offerings.

Heritage Event Series 2010!

Saturday, April 24 and, Sunday, April 25 - Artistic Creator's Guild Art Show

Saturday, May 15, and Sunday, May 16 - City Wide Garage Sale

Saturday, June 5 - 1920s Spring Speakeasy

Sunday, June 13 - Pie & Ice Cream Social

Saturday, July 17 - Historic Home & Garden Trolley Tour

Sunday, August 15 - Victorian Mad Hatter Tea Party

Saturday, September 4 - Wyandotte Stars Vintage Base Ball Match: Annual Home Classic

Friday, October 8 and Sunday, October 9 – Historic Cemetery Walk

Friday, October 15 – Halloween Open House (Oct. 15 in cooperation with the WBA's 3rd Friday event)

Saturday, December 11 - Victorian Holiday Evening

Friday, December 17, & Saturday, December 18 - Christmas Open House (Dec. 17 in cooperation with the WBA's 3rd Friday event)

These multiple programs allow for freedom in taking advantage of different and exciting opportunities to expand our volunteer base and local audience. The Museum is also further able to engage in cultural and tourism marketing opportunities that highlight the city and our many public event offerings, working with other city departments, commissions, and business organizations.

Attached, please find the year long event poster with the above mentioned dates. Various marketing materials will be generated using this year's chosen design elements, including postcards, magnets, and other related advertisements.

Please feel free to contact me should you have any questions regarding the above material. Thank you for your continual support of our Museums and events!

Sincerely, Jody Chansuolme

Mayor & City Council City of Wyandotte 3131 Biddle Ave.  
Wyandotte, MI, 48192

Wednesday, January 20, 2010

Honorable Mayor and City Council Members;

This past summer, a new special event program was launched from the Department of Recreation, Leisure and Culture: Flicks on Bricks. This special event series consisted of an outdoor movie night on the grounds of the old Wyandotte Theatre at Elm and First Streets, and took the place of the Waterside Concert Series and Gospel Fest Concerts.

In the spirit of the many movie houses that once graced the streets of Downtown Wyandotte, the Flicks on Bricks event concept allowed us to expand our special program offerings and enhance activity in the Downtown area. This afforded increased foot traffic, as well as quality entertainment value for Wyandotte families - so necessary with our current economic climate.

As you may recall, we featured a variety of family friendly films, including 'Shrek,' 'Hotel for Dogs,' and 'Willy Wonka and the Chocolate Factory.' The program was successful and very well-received. As such, we look forward to continuing this series for the 2010 event season.

Below, please find the proposed schedule for the 2010 Flicks on Bricks outdoor movie screenings (none of which fall on a 3rd Friday):

June 11th - The Muppet Movie, rated G

July 23rd - Kung Fu Panda, rated PG

August 13th - Little Giants, rated PG

September 10th - Viewer's Choice to be determined via on-line poll at wyandotte.net

For the 2010 event schedule, we recommend contracting the same outdoor screening service provider as was used for the inaugural year of the program: Richard Paul and Associates. This company is also the preferred vendor for the Wayne County Parks system, and was recommended to us as such in 2009. Outdoor film screening services on this large scale are a unique offering, and Richard Paul is a quality, dependable vendor out of Macomb, Michigan. There were no known local providers of this service.

Attached, please find the contracts for the 2010 Flicks on Bricks event series. Please consider authorization of these contracts by Mayor Peterson or the City Clerk, Mr. Griggs.

Additionally, we would like to request that the Public Works Department be notified to close the following public streets and parking areas:

Elm Street from Biddle Avenue to First Street.

Elm Street from First Street to the alley between First and Second Streets.

The parallel parking spaces on the west side of First Street between Oak and Elm.

For the 2009 season, the closure outlined above proved the most appropriate and convenient for event go-ers and local businesses. It permits First Street to remain open for through traffic to access to local businesses, yet maintains a safe and confined area for the event.

Closure times for each of the preceding bulleted Friday dates should be approximately 3:00 PM. Parking notices should be posted on applicable areas of Elm and First Streets on the Wednesday immediately before each of the aforementioned dates.

Thank you for supporting the inaugural year of this program and we look forward to your continued support in 2010.

Sincerely,  
Jody Chansuolme

January 14, 2010

The Honorable Mayor Joseph R. Peterson and City Council  
City Hall, Wyandotte, Michigan

Dear Mayor Peterson and Council Members:

In accordance with the Wayne County, Department of Public Services procedures, it is necessary for the City to execute an Annual Permit for the following activities in the County Right-of-Way:

1. Sanitary sewer inspection, repair, and routine maintenance.
2. Water main inspection, repair, routine maintenance and installation of residential and commercial water service connections.
3. Application of dust palliatives.
4. Repair and replacement of existing sidewalks.
5. Special Events

Please find attached a proposed resolution authorizing the City Engineer to sign such permit.

Very truly yours,  
Mark A. Kowalewski City Engineer

LATE ITEM

Dear Wyandotte City Counsel,

My friend Janel and I are film students at the Motion Picture Institute in Troy. We have an upcoming project and we were hoping to get the city of Wyandotte's permission to do a little filming there. Janel's project would be filmed on the 2<sup>nd</sup> of February on Biddle outside of The Grind from 9 am to 4 pm. My project would be filmed on February 14<sup>th</sup> in front of the log cabin in Bishop Park from 10 am to 12 pm. These would be small productions and we would do our best not to disrupt the flow of your town.

We have received permission to film outside of the Grind.

Thank you for your time,

Kayla Kristy  
email: [kaylakristy@gmail.com](mailto:kaylakristy@gmail.com)  
cell phone: 734-552-2911

CITIZEN PARTICIPATION

Richard Miller, 1202 – 2<sup>nd</sup>, regarding items #5 & #8. Congratulations to “Women of Wyandotte”.

Frank Madlow, 1204 – 7<sup>th</sup>, regarding the need for a full time Code Enforcement Officer.

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, DeSana, Fricke, Galeski, Stec

Absent: Councilperson Sabuda



HEARING

HEARING TO RECEIVE SUGGESTIONS OR COMMENTS RELATIVE  
TO ESTABLISHING A COMMERCIAL REDEVELOPMENT  
DISTRICT FOR THE PROPERTY AT 3450 BIDDLE AVENUE

No objections

January 19, 2010

The Honorable Mayor Joseph R. Peterson And City Council  
City Hall

RE: Establishing a Commercial Redevelopment District for property at 3450 Biddle Ave.

Dear Mayor and Council:

In accordance with a Council resolution adopted on November 23, 2009, and the Commercial Redevelopment Act, Public Act 255 of 1978, a public hearing has been scheduled on January 25, 2010, to consider establishing a Commercial Redevelopment District for the property at 3450 Biddle Avenue. This action was initiated by the request of Joseph S. Daly, Daly Merritt Properties, Inc., 100 Maple Street, Wyandotte, Michigan.

The Act allows for a reduction in property taxes to encourage redeveloping commercial property in a qualified downtown revitalization district. Establishing the District is the first step in the process. The next step involves the property owner 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 construction to be undertaken and economic advantages expected from the project. Enclosed is a summary of the Act prepared by the Michigan Municipal League.

This action is consistent with the Goals and Objectives identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to downtown revitalization and an economic development strategy that emphasizes commercial expansion in this area.

The undersigned recommends that the Council establish a District to encourage and assist with redeveloping the property. If you concur with this recommendation, the appropriate resolution is enclosed.

Sincerely,  
Todd A. Drysdale, Director of Finance and Administration

FINAL READING OF ORDINANCE

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE  
ZONING ORDINANCE OF THE CITY OF WYANDOTTE BY  
AMENDING SUBPARAGRAPH (8) OF PARAGRAPH (S) - "OUTDOOR CAFE"  
OF SECTION 2200, BY AMENDING ARTICLE II - DEFINITIONS  
(PARAGRAPH 210 - "SPECIFIC TERMS") BY ADDING PARAGRAPH 155A  
"WIND ENERGY SYSTEM" AND BY ADDING ARTICLE XXVIII  
"CONDITIONAL REZONING"

Section 1. Amendment of Sections 2200 Special Land Uses by Amending Subparagraph (8) of Paragraph S "Outdoor Café"

Section 2200 Special Land Uses.

S. Outdoor Café.

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.

Section 2. Adoption of A New Article XXVIII.A. Conditional Rezoning.

Article XXVIII.A. CONDITIONAL REZONING

It is recognized that there are certain instances where it would be in the best interests of the City, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for rezoning. It is the intent of this Section to provide a process consistent with the provisions of Section 405, Michigan Zoning Enabling Act 110 of 2006 (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

2800A. Application and Offer of Conditions.

A. An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed, or may be made at a later time during the rezoning process.

B. The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this Section.

C. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.

D. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.

E. Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of the ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.

F. Any use or development proposed as part of an offer of conditions that require variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this ordinance.

G. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.

H. The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

2800A1. PLANNING COMMISSION REVIEW: Planning Commission, after public hearing and consideration of the factors for rezoning, recommend approval, approval with recommended changes or denial of the rezoning, provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner.

2800A2. CITY COUNCIL REVIEW. After receipt of the Planning Commission's recommendations, the City Council shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. This City Council's deliberations shall include, but not be limited to, a consideration of the factors for rezoning of this ordinance. Should the City Council consider amendments to the proposed conditional rezoning advisable and if such a contemplated amendments to the offer of conditions are acceptable to and thereafter offered by the owner, then the City Council shall, in accordance with Section 405 of the Michigan Zoning Enabling Act (MCL 125.3405), refer such amendments to the Planning Commission for a report thereon within a time specified by the City Council and proceed thereafter in accordance with said statute to deny or approve the conditional rezoning with or without amendments.

2800A3. APPROVAL.

A. If the City Council finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written Statement of Conditions acceptable to the owner and conforming in form to the provisions of this Section. The Statement of Conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the City Council to accomplish the requested zoning.

B. The Statement of Conditions shall:

1. Be in a form recordable with the Register of Deeds of the County or, in the alternative, be accompanied by a recordable Affidavit, or Memorandum prepared and signed by the owner giving notice of the Statement of Conditions in a manner acceptable to the City Council.
2. Contain a legal description of the land to which it pertains.
3. Contain a statement acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land.
4. Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions. If any such documents are incorporated by reference, the reference shall specify where the documents may be examined.
5. Contain a statement acknowledging that the Statement of Conditions or an Affidavit or Memorandum giving notice thereof may be recorded by the City with the Register of Deeds of the County.
6. Contain the notarized signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the Statement of Conditions.

C. Upon rezoning taking effect, the Zoning Map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a Statement of Conditions. The City Clerk shall maintain a listing of all lands rezoned with a Statement of Conditions.

D. The approved Statement of Conditions or an Affidavit or Memorandum giving notice thereof shall be filed by the City with the Register of Deeds of the County. The City Council shall have authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the recording of such a document would be of no material benefit to the City or to any subsequent owner of the land.

E. Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the Statement of Conditions.

2800A4. COMPLIANCE WITH CONDITIONS.

A. Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set for in the Statement of Conditions. Any failure to comply with a condition contained within the Statement of Conditions shall constitute a violation of this Zoning Ordinance and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

B. No permit or approval shall be granted under this ordinance for any uses or development that is contrary to an applicable Statement of Conditions.

#### 2008A5. TIME PERIOD FOR ESTABLISHING DEVELOPMENT OR USE.

Unless another time period is specified in the ordinance rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months after the rezoning took effect and thereafter proceed diligently to completion. This time limitation may upon written request be extended by the City Council if (1) it is demonstrated to the City Council's reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the City Council finds that there has not been a change in circumstances that would render the current zoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

#### 2008A6. REVERSION OF ZONING.

If approved development and/or use of the rezoned land do not occur within the time frame specified under Subsection 2008A5 above, then the land shall revert to its former zoning classification as set forth in the Michigan Zoning Enabling Act (MCL 125.3405). The reversion process shall be initiated by the City Council requesting that the Planning Commission proceed with consideration of rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall thereafter be the same as applies to all other rezoning requests.

#### 2008A7. SUBSEQUENT REZONING OF LAND.

When land that is rezoned with a Statement of Conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Statement of Conditions, whether as a result of a reversion of zoning pursuant to the Subsection 6 above or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the City Clerk shall record with the Register of Deeds of the County that the Statement of Conditions is no longer in effect.

#### 2008A8. AMENDMENT OF CONDITIONS.

During the time period for commencement of an approved development or use specified pursuant to Subsection 2008A5 above or during any extension thereof granted by the City Council, the City shall not add to or alter the conditions in the Statement of Conditions.

#### 2008A9. CITY RIGHT TO REZONE.

Nothing in the Statement of Conditions nor in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this ordinance and the Michigan Zoning Enabling Act (MCL 125.3405).

#### 2008A10. FAILURE TO OFFER CONDITIONS.

The City shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect the owner's rights under this ordinance.

Section 3. Amendment of Article II –Definitions, Paragraph 201 "Specific Terms' by Adding Subparagraph 155A "Wind Energy System" to replace wind turbines.

#### 155A. Wind Energy System

Wind energy system means a wind conversion system which converts wind energy into electricity through use of a wind turbine generator and includes the turbine, blades, and tower as well as related electrical equipment.

Section 4. Amendment of Article XXII "Special Land Uses" by Adopting Paragraph JJ "Wind Energy Systems" to Section 2202 "Special Land Use Designated"

ARTICLE XXII – SPECIAL LAND USES  
 2202. SPECIAL LAND USE DESIGNATED  
 JJ. Wind Energy Systems

1. Height and type.
  - a. Only monopole construction shall be permitted.
  - b. The total height of a wind energy system tower, including maximum extension of the top of the blade, shall not exceed the maximum height for structures permitted in the zoning district.
  
2. Setback. A wind energy systems tower shall be set back a distance equal to one and one half (1 1/2) times its' total height from:
  - a. Any public road right-of-way, unless written permission is granted by the governmental entity having jurisdiction over the road.
  - b. Any overhead utility lines, unless written permission is granted by the affected utility.
  - c. All property lines, unless written permission is granted from the affected landowner or neighbor.
  - d. Support cables, if provided, shall be anchored to the ground no closer than ten (10) feet to any property line.
  - e. In instances where such wind energy system is located abutting the Detroit River a setback of one hundred (100) feet shall be required.
  
3. Access.
  - a. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
  - b. The tower shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
  
4. Speed controls. Each wind turbine system shall be equipped with both manual and automatic controls to limit the rotational speed of the blade below the design limits of the rotor. The application shall include a statement by a registered professional engineer certifying that the rotor and over speed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. The engineer shall certify the structural compatibility of towers with rotors and equipment.
  
5. Sound Pressure Level. Wind energy systems shall not exceed 55 dB(A) at the property line closest to the wind energy systems. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 55dB(A), the standard shall be ambient dB(A) plus 5 dB(A).
  
6. Electrical Wires. All electrical wires associated with a wind energy system, other than those necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires, shall be located underground.
  
7. Code compliance. Wind energy systems including towers shall comply with all of the applicable construction codes, electrical codes, and the National Electric Code.
  
8. Discontinued use. Any wind energy system that is discontinued for a period of twelve (12) consecutive months shall be considered abandoned, and the owner of such tower shall remove same within ninety (90) days from receipt of notice from the City. The City may remove the tower at the Owner's expense.

Section 5. 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.

Section 6. Effective date

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and this ordinance or a summary 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, DeSana, Fricke, Galeski, Stec

NAYS: None

ABSENT: Councilman Sabuda

I hereby approve the adoption of the foregoing ordinance this 25<sup>th</sup> day of January, 2010.

#### CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON 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 25<sup>th</sup> day of January, 2010.

Dated January 25, 2010

JOSEPH PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

#### RESOLUTIONS

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

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 Lawrence S. Stec

Supported by Councilperson James R. DeSana

ROLL ATTACHED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Clifford Miller, 1515 Goddard, Wyandotte regarding the traffic in his alley behind his residence is hereby referred to the Chief of Police, Traffic Bureau and Department of Public Service for sign placement coordination with a review and report back in two (2) weeks.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

ROLL ATTACHED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby APPROVES the request of Fred Mekolon Jr. Regatta Chairman, Wyandotte Boat Club for the use of the BASF Waterfront Park for the Hebda Memorial Cup Regatta to be held on Saturday, April 24, 2010, and the Wyandotte High Schools Rowing Regatta to be held on Saturday, May 1, 2010 (in case of bad weather both regattas will run on the following day); subject to the execution of a Hold Harmless Agreements as prepared by the Department of Legal Affairs. AND BE IT FURTHER RESOLVED that the Department of Public Service and Recreation Department is directed to provide assistance during these events and that the Chief of Police is hereby designated and authorized to sign said street closing permit documents on behalf of the City of Wyandotte and further that the City of Wyandotte hereby holds harmless the County of Wayne for the closure of said street with responsibilities for all damage claims that may arise from said street closing to be assumed by the City of Wyandotte and further that a copy be forwarded to the Wyandotte Fire Department.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that WHEREAS, the preamble of the U.S. Constitution state "We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." WHEREAS, March 4, 2010 marks the 221st anniversary of the day our first United States Congress convened under a constitutionally limited republic; and WHEREAS, the Constitution is described as "The Supreme Law of the Land"; the fulfillment of the promise made in the Declaration of Independence; and WHEREAS, the recognition of Constitution Day has given us opportunity to recall the high ideals and devotion to liberty of the individuals who framed our Constitution; and WHEREAS, all of us need to be inspired to rededicate ourselves to our country and to the support and defense of our Constitution, and to a greater involvement in responsible citizenship. NOW, THEREFORE, BE IT RESOLVED that the City of Wyandotte, State of Michigan does herein proclaim as a City in these "United States of America" the day March 4, 2010 as "CONSTITUTION CELEBRATION DAY" encourages the citizens to renew their dedication to the preservation of the ideals upon which this great nation was founded. Given under my hand and seal in concert with our Council and all of our Citizenry on this 25th day of January in the year of Our Lord, Two Thousand Ten, City of Wyandotte Mayor Joseph Peterson.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

ROLL ATTACHED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Christie Neal, Wyandotte Indians Fundraising Chairperson is hereby received and placed on file. AND BE IT FURTHER RESOVLED that the Mayor and Council hereby recognize the Wyandotte Indians Junior Football Club as a non-profit organization operating within the City of Wyandotte and directs the City Clerk to complete the necessary documentation for the organization to obtain a charitable gaming license from the State of Michigan.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Joseph Youngs, 1270-13th Street, Wyandotte relative to the proposed elimination of a full time code enforcement officer is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

ROLL ATTACHED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of the Wyandotte Downtown Development Authority regarding the 2010 Census is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Mayor and Council encourages the citizens of the City of Wyandotte to complete and return their census forms in a timely fashion for the betterment of their community.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council APPROVES the request of the Director of the Wyandotte Downtown Development Authority to assist the Census Bureau and provide space in City Hall to function as a questionnaire assistance Center for 15 hours a week resulting in a temporary job for someone within their organization. AND BE IT FURTHER RESOLVED that Mr. Wescott will coordinate same with the Census Bureau.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None



Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby CONCURS in the recommendation as set forth by the Deputy City Clerk to APPROVE the request from Hickey Enterprises, Inc. to transfer all stock in a 2008 Class C licensed business with dance permit, located at 232 Maple, Wyandotte, MI. 48192, Wayne County, from existing stockholders, Jeffrey K. Hickey and James B. Hickey, III (500 shares each) to new stockholder, Paul M. Hickey.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council CONCURS in the recommendation of the Mayor and the Director of Financial and Administrative Services to APPROVE the \$467,240 of recommended adjustments to the 2010 FY General Fund (Operating) Budget as outlined in the correspondence dated December 21, 2009 and further instructs the Director of Financial and Administrative Services to implement the 21 recommendations included in the aforementioned budget material and further that Council hereby CONCURS in the recommendations of the Director of Financial and Administrative Services and approves the necessary 2010 Fiscal Year Budget amendments as outlined in this communication dated January 20, 2010 and further, in order to implement the first recommendation the Council hereby rescinds the resolution dated March 11, 2008, that approved of general wage increases for non-union employees consistent with the collective bargaining agreement reached with AFSCME Local #894 for the period of February 1, 2010 through January 31, 2013.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby GRANTS permission to the Chief of Police to purchase two (2) 2010 Ford Crown Vics from Gorno Ford, Woodhaven, Michigan for use as Police Patrol Vehicles in the amount of \$48,370 and strobes in the amount of \$490.00 for a total amount of \$48,860 for both cars complete.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of Museums and Cultural Affairs regarding the establishment of a local historic district in the City of Wyandotte is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of Museums and Cultural Affairs regarding the 2010 Heritage Events Series is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

ROLL ATTACHED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of Museums and Cultural Affairs relative to the Flicks on Bricks special event series to be held in the City of Wyandotte is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the Department of Public Service be directed to coordinate the Flicks on Bricks evenings as outlined in said communication and further that the Mayor and City Clerk are hereby directed to execute said contracts for the Flicks on Bricks series.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

RESOLUTION AUTHORIZING EXECUTION  
OF ANNUAL MAINTENANCE PERMITS

RESOLUTION DATED: January 25, 2010

At a regular meeting of the City of Wyandotte, City Council on January 25, 2010 the following resolution was offered:

WHEREAS, the City of Wyandotte (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs and annual maintenance work on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq, the County permits and regulates such activities and related temporary road closures;

NOW THEREORE, in consideration of the County granting such Permit, the Community agrees and resolves that:

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its offers, agents and employees to the extent of the City of Wyandotte's insurance coverage;

from any and all claims and losses occurring or resulting to any and all permits, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities; and

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right of seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by this County of this resolution as part of a Permit does not prevent the County for requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force for this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authored to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title
Mark A. Kowalewski		City Engineer

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence Stec  
 Supported by Councilperson James R. DeSana  
 YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Stec  
 NAYS: None  
 MEMBERS ABSENT: Councilman Sabuda

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council or the City of Wyandotte, County of Wayne, Michigan on January 25, 2010.

William R Griggs, City Clerk

RESOLUTION AUTHORIZING EXECUTION  
 OF ANNUAL SPECIAL EVENTS PERMITS

RESOLUTION DATED: January 25, 2010

At a Regular Meeting of the City of Wyandotte, City Council on January 25, 2010 the following resolution was offered:

WHEREAS, the City of Wyandotte (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") to temporarily close a County road for a parade, event, celebration, block party or similar activity or, to erect a banner within the County road right-of-way, and the County road or road-right-of-way is located entirely within the boundaries of the Community;

WHEREAS, pursuant to Act 200 of 1969, being MCL 247.323 et seq, the County permits and regulates such activities, banners and related temporary road closures;

NOW THEREORE, in consideration of the County granting such an Annual Permit, the Community agrees and resolves that:

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its offers, agents and employees to the extent of the City of Wyandotte's insurance overage;

from any and all claims and losses occurring or resulting to any and all permits, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance overage; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance overage except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities; and

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right of seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

The resolution shall stipulate that the requesting city, incorporated village or township shall at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force for this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authored to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title
Mark A. Kowalewski		City Engineer

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec  
 Supported by Councilperson James R. DeSana  
 YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Stec  
 NAYS: None  
 MEMBERS ABSENT: Councilman Sabuda

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council or the City of Wyandotte, County of Wayne, Michigan on January 25, 2010.

William R Griggs, City Clerk

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Kayla Kristy and Janel Koslowski relative to filming in the City of Wyandotte is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council hereby GRANTS permission to Kayla Kristy and Janel Koslowski to film on February 2, 2010 and February 14, 2010 at the designated locations provided that a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs and that no further City assistance will be needed to achieve same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec  
 Supported by Councilperson James R. DeSana  
 YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec  
 NAYS: None

RESOLUTION ESTABLISHING A COMMERCIAL REDEVELOPMENT DISTRICT FOR  
3450 BIDDLE PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE  
COMMERCIAL REDEVELOPMENT ACT, ACT 255 OF 1978, AS AMENDED

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilmember Lawrence S. Stec

RESOLVED BY THE CITY COUNCIL THAT:

WHEREAS, pursuant to the Commercial Redevelopment Act, Act 255 of 1978, as amended (Act 255), the City of Wyandotte has the authority to establish "Commercial Redevelopment Districts" within the City of Wyandotte at request of a commercial business enterprise or on its own initiative; and

WHEREAS, Joseph S. Daly, Daly Merritt Properties, Inc., 100 Maple Street, Wyandotte, Michigan, has filed a written request with the clerk of the City of Wyandotte requesting the establishment of a Commercial Redevelopment District for property at 3450 Biddle Avenue located in the City of Wyandotte hereinafter described; and

WHEREAS, the City Council finds that property within the District is cleared or vacant land included within a redevelopment plan adopted by a downtown development authority pursuant to the Downtown Development Authority Act, Act 197 of 1975, as amended, and hereby determines that the District meets the requirements set forth in Section 5 (1) of Act 255; and

WHEREAS, the City Council has provided for walkable non-motorized interconnections, including sidewalks and streetscapes throughout the District, as required in Section 4 (2)(b)(iii)(B) of Act 255; and

WHEREAS, written notice has been given by certified mail to all owners of real property located within the proposed District as required by Section 5 (3) of Act 255; and

WHEREAS, on January 25, 2010, a public hearing was held and all residents and taxpayers of the City of Wyandotte were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Wyandotte to establish the Commercial Redevelopment District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council that pursuant to the provisions of Act 255, Commercial Redevelopment District No.9 is hereby established for the property at 3450 Biddle Avenue, said property more fully described as:

The following described parcel(s) of land situated in the City of Wyandotte, Wayne County, and State of Michigan, to wit:

NE PT OF LOT 4 DESC AS BEG AT THE NE COR OF SAID LOT 4 TH S19D 38M 35SECW 159.27FT - TH WEST 178.54FT - TH NORTH 150.00FT - TH EAST 232.08FT TO THE POB (IRA J KREGER URBAN RENEWAL PLAT T3S R11E L90 P83 84 WCR) - K - 0.71. Parcel Number: 82-57-020-01-0004-304

WLY PT OF LOT 4 DESC AS BEG WEST 232.08FT FROM THE NE COR OF SAID LOT 4 - TH SOUTH 150.00FT - TH WEST 50.00FT - TH SOUTH 150.00FT - TH WEST 100.89FT - TH NORTH 300.00FT - TH EAST 150.89FT TO THE POB (IRA J KREGER URBAN RENEWAL PLAT T3S R11E L90 P83 84 WCR) - K - 0.87. Parcel Number: 82-57-020-01-0004-303

I move the adoption of the foregoing resolution.

MOTION by Councilmember Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

MEMBERS ABSENT: Councilman Sabuda

Wyandotte, Michigan January 25, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the total bills and accounts in the amount of \$2,578,499.90 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilmember Lawrence S. Stec

Supported by Councilperson James R. DeSana

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Stec

NAYS: None

ADJOURNMENT

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

That we adjourn

Carried unanimously.

Adjourned at 9:30 p.m.

January 25, 2010

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Maria Johnson, Deputy City Clerk