

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, January 23, 2017, and was called to order at 7:00pm with Honorable Mayor Joseph R. Peterson presiding.

The meeting began with the Pledge of Allegiance, followed by roll call.

Present: Councilpersons Sheri Fricke, Daniel Galeski, Leonard Sabuda, Donald Schultz, and Kevin VanBoxell

Absent: Councilperson Ted Miciura

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

PRESENTATIONS

None

UNFINISHED BUSINESS

None

COMMUNICATIONS MISCELLANEOUS

Discussion regarding Resolution #2017-18

PERSONS IN THE AUDIENCE

None

NEW BUSINESS (ELECTED OFFICIALS)

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

Discussion regarding Resolution #2017-19 thru 2017-27

PRESENTATION OF PETITIONS

None

REPORTS & MINUTES

City Council	January 9, 2017
Beautification Commission	Nov. 9 & Dec. 14, 2016 and Jan. 11, 2017
Daily Cash Receipt	January 6 & 13, 2017
Fire Commission	December 13, 2016
Municipal Services Commission	January 11, 2017
Police Commission & Police Statistics Reports	December 13, 2016 & January 10, 2017
Retirement Commission	January 19, 2017

CITIZENS PARTICIPATION

None

RECESS

RECONVENE

Present: Councilpersons Fricke, Galeski, Sabuda, Schultz, VanBoxell, and Mayor Joseph R. Peterson

Absent: Councilperson Miciura

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

HEARINGS

None

FIRST READING OF AN ORDINANCE

- #1445: 1128 Eureka Rezoning, B-1 (Neighborhood Business) to B-2 (General Business)

FINAL READING OF AN ORDINANCE

None

RESOLUTIONS**2017-17 MINUTES**

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED that the minutes of the meeting held under the date of January 9, 2017, be approved as recorded.

Motion unanimously carried.

2017-18 CITY PROPERTY USE REQUEST – METAL DETECTION, G. HICKS

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that Council permits Mr. George and Kameron Hicks to metal detect city parks and vacant city lots as identified and approved by the Department of Engineering and Building.

BE IT FURTHER RESOLVED that Mr. Hicks will complete a Hold Harmless agreement, as prepared by the Department of Legal Affairs

Motion unanimously carried.

2017-19 DDA REAPPOINTMENTS – L. STEVENSON & R. DESANA

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the City Council hereby CONCURS in Mayor Joseph Peterson's recommendation in the following re-appointments to the Downtown Development Authority, terms to expire June 2020:

- Rick DeSana
- Leo Stevenson

Motion unanimously carried.

2017-20 CHARTER AMENDMENTS – MEETING DATES

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the recommendation of the City Administrator to place the charter amendment relative to the City Council Regular Meetings to require City Council meetings to be scheduled for 2 regular meetings each month (rather than weekly) at times and dates to be determined by City Council resolution is received and placed on file; AND

BE IT FURTHER RESOLVED that Council concurs with the recommendation and requests that the Department of Legal Affairs prepare the necessary ballot language which must be approved by the Attorney General and Governor and the City Council; AND

BE IT FURTHER RESOLVED that Council instructs this information be presented back to the City Council once approved by the Attorney General's Office for final approval by the City Council and the Governor and then placed at the next available election (to be determined by the State of Michigan and Wayne County).

Motion carried.

YEAS: Fricke, Sabuda, Schultz, VanBoxell, and Mayor Peterson

NAYS: Galeski

2017-21 CHARTER AMENDMENTS – ASSESSOR POSITION

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the recommendation of the City Administrator to place the charter amendment relative to eliminating the City Assessor as an elective officer and to have the City Assessor appointed by the Mayor, subject to confirmation by the City Council, is received and placed on file; AND

BE IT FURTHER RESOLVED that Council concurs with the recommendation and to have the Department of Legal Affairs prepare the necessary ballot language which must be approved by the Attorney General and Governor and the City Council; AND

BE IT FURTHER RESOLVED that Council instructs this information to be presented back to the City Council once approved by the Attorney General's office for final approval by the City Council and the Governor and then placed at the next available election (to be determined by the State of Michigan and Wayne County).

Motion carried.

YEAS: Fricke, Sabuda, Schultz, VanBoxell, and Mayor Peterson

NAYS: Galeski

2017-22 LICENSE REQUEST – NEW BREW PUB, 1175 EUREKA

By Councilperson Fricke, supported by Councilperson Sabuda

WHEREAS Mr. Mark Skehan of MS Management LLC (DBA: The Rockery) at 1175 Eureka has applied for a New Brew Pub License with the Michigan Liquor Control Commission and the Commission is requiring the review and recommendation of the Mayor and Council of the City of Wyandotte.

BE IT RESOLVED that the Council recommends that the application from Mr. Mark Skehan of MS Management LLC (DBA: The Rockery) at 1175 Eureka for a New Brew Pub License be considered for approval by the Michigan Liquor Control Commission and directs the City Clerk to complete Form LCC-106 accordingly and forward to the Michigan Liquor Control Commission.

BE IT FURTHER RESOLVED that, under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Motion unanimously carried.

2017-23 HFWH BENEFIT WALK

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that Council hereby approves the use of city sidewalks per the request of Ann Abrahamson, M.D. and the Center of Rehabilitation for Henry Ford Wyandotte Hospital to hold their annual benefit walk on Saturday, September 9, 2017 at 10:00 a.m., commencing at the hospital by Bishop Park and utilizing city sidewalks throughout Downtown Wyandotte between Bishop Park, Eureka Rd., 5th Street, and HFWH, as recommended by the Special Event Coordinator, Fire Chief, Police Chief, and Recreation Superintendent.

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

2017-24 2017 WBA THIRD FRIDAY CITY PROPERTY USE REQUESTS

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of city streets and property (in detail below) for the events held on the following days, in conjunction with the 2017 Wyandotte Business Association's Third Fridays:

Fire & Flannel Festival - Jan 20 - 5p.m. - 9 p.m.

- Street Closures:
 - Maple (Biddle to Sports Brew Pub)
 - 1st (Maple to Elm)
 - Sycamore (Biddle to Coastal Thai)

Mannequin Challenge - Feb 17 - 5p.m. - 8 p.m.

- Street Closures:
 - Maple (Biddle to Sports Brew Pub)
 - 1st (Maple to Elm)

St. Patrick's Day - March 17 - 9a.m. - 9 p.m.

- Street Closures:
 - Elm (Biddle to Parking Lot on Water)
- Use of parking lot behind Whiskey's to put up a tent

Ladies Night Out - April 21 - 6p.m. - 9p.m.

- Street Closures:
 - Sycamore (Biddle to Coastal Thai)
- Stage: YES

BBQ Throw down - May 19 & 20 (times TBD)

- Street Closures :
 - Elm (Biddle to East Parking Lot)
 - Full access to the Parking Lot Behind Whiskey's
 - Park Access for kid's activities
 - Theatre Lot and Parking lot at Oak & 1st
 - Motor Cycle Parking TBD
- Stage:

Bark on Biddle: June 16 - 12 noon to 9p.m. / June 17 - 10 a.m. - 9 p.m.

- Street Closures:
 - Biddle Avenue between Oak and Eureka Road
 - Sycamore from Biddle to Alley – East
 - Maple from Biddle to Alley – East
 - Elm to Biddle to Alley – East
 - Sycamore and Biddle to just past Coastal Thai
 - Maple from Biddle to alley
 - Elm from Biddle to the Alley – West
 - First Street behind Chelsea's Menswear
- Old Theater Lot
- Stage: YES

Throwback to the 80's Fest: July 21 - 6p.m. - 11 p.m.

- Street Closures
 - Elm (Biddle to Alley)
 - 1st (Oak to Elm)
- Theatre lot
- Stage: YES

Wine Crawl: Aug 18 - 6p.m. - 10 p.m.

- Street Closures
 - Biddle Avenue between Oak and Eureka Road
 - Sycamore from Biddle to Alley – East

- Maple from Biddle to Alley – East
- Elm to Biddle to Alley – East
- Sycamore and Biddle to just past Coastal Thai
- Maple from Biddle to alley
- Elm from Biddle to the Alley – West
- First Street behind Chelsea's Menswear
- Gravel parking lot at the former City Hall 3131 Biddle
- Stage: YES

Beer Fest: Sept 15 - 6p.m. - 12 mid

- Street Closures
 - Biddle Avenue between Oak and Eureka Road
 - Sycamore from Biddle to Alley – East
 - Maple from Biddle to Alley – East
 - Elm to Biddle to Alley – East
 - Sycamore and Biddle to just past Coastal Thai
 - Maple from Biddle to alley
 - Elm from Biddle to the Alley – West
 - First Street behind Chelsea's Menswear
- Gravel parking lot at the former City Hall 3131 Biddle
- Stage: YES

Fall Festival: Oct 20 - 5p.m. - 10 p.m.

- Street Closures
 - Elm (Biddle to Alley)
- 1st (Oak to Elm)
- Theatre Lot - Tent
- Stage: YES

Cookie Crawl: Nov 17 - 5p.m. - 9 p.m. / Dave & Chuck .5k - Nov 18 - 7a.m. - 6 p.m.

- Street Closures
 - Elm (Biddle to Alley)
 - 1st (Oak to Elm)
- Theatre Lot - Tent
- Stage: YES

Santa Pub Crawl: Dec

- Street Closures: NO

BE IT FURTHER RESOLVED that Council grants permission to allow the use of city sidewalks listed below for same:

- Biddle Avenue, Eureka to Chestnut Street
- Oak Street, Van Alstyne to Third Street
- Elm Street, Van Alstyne to Third Street
- Maple Street, Van Alstyne to Third Street
- Sycamore Street, Van Alstyne to Third Street
- Eureka Road, Van Alstyne to Third Street
- First Street, Oak to Maple

BE IT FURTHER RESOLVED that the WBA will comply with the following:

- That any costs for any city staff/material/property for said event, will be the responsibility of the WBA to be paid no later than 30 days after said event date.
- Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- The WBA will be responsible for clean up before, during (glass, spills, broken items, etc.), and after the event.
- The WBA must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement.

Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial.

Motion unanimously carried.

2017-25 FORMER MCKINLEY SCHOOL BID

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the communication from the City Engineer regarding the proposal received for the sale of the former McKinley School Site at 640 Plum Street is hereby received and placed on file; AND

BE IT RESOLVED that Council accepts the proposal from Coachlight Properties LLC/Jonesboro Investments Corp. and authorizes the City Engineer and City Attorney to negotiate a Purchase Agreement to be presented to Mayor and Council within 30 days of today's date (February 22, 2017).

Motion unanimously carried.

2017-26 COUNTY RIGHT-OF-WAY PERMITS

By Councilperson Fricke, supported by Councilperson Sabuda

**COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
WAYNE COUNTY PERMITS**

Resolution No. 2017-26

At a Regular Meeting of the Wyandotte City Council (*Name of Community Governing Board*) on January 23, 2017 (*date*), the following resolution was offered:

WHEREAS, the Wyandotte City Council (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, annual maintenance work, and for other purposes 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 noted above and related temporary road closures;

NOW THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the "Permit"), the Community agrees and resolves that:

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.

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 to 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 the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community 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 Control Devices.

This Resolution stipulates that the requesting Community 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 from the date of execution 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.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time a permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED, that the following individual(s) is/are authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way on behalf of the Community.

Name	Title
<u>Mark A. Kowalewski</u>	<u>City Engineer</u>
<u>Dan Grant</u>	<u>Police Chief</u>

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/**City Council**] of the Wyandotte City Council (*name of Community*), County of Wayne, Michigan, on January 23, 2017

Motion unanimously carried.

2017-27 CDBG PUBLIC HEARING SCHEDULING

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that Council concurs with the City Engineer regarding Community Development Block Grant (CDBG) Funds; **AND**

BE IT FURTHER RESOLVED that Council has set a Public Hearing for February 13, 2017 and February 27, 2017, to hear public comments on the proposed distribution of 2017 Community Development Block Grant (CDBG) Funds.

Motion unanimously carried.

2017-28 PURCHASE OF TORO GROUNDSMASTER - DPS

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the communication from the City Engineer regarding purchasing one (1) Toro Grounds-master is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council approves the purchase of said Toro Grounds-master thru National IPA from Spartan Distributors, Sparta, Michigan, in the amount of \$43,106.54 from account no.101-448-850-530 (\$26,000.00) and 101-448-850-540 (\$17,106.54).

Motion unanimously carried.

2017-29 BILLS & ACCOUNTS

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED that the total bills and accounts of \$1,962,513.32 as presented by the Mayor and City Clerk are hereby APPROVED for payment.


Motion unanimously carried.

2017-30 ADJOURNMENT

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:24 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk