

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION  
MONDAY, AUGUST 12th, 2013 , 7: 00 PM  
PRESIDING: THE HONORABLE JOSEPH R. PETERSON, MAYOR  
CHAIRPERSON OF THE EVENING: THE HONORABLE LEONARD SABUDA

ROLL CALL: FRICKE, GALESKI, MICIURA, SABUDA, SCHULTZ, STEC

COMMUNICATIONS MISCELLANEOUS:

1. Communication from Joseph Lukawski, President KIWANIS 1000 requesting to solicit funds on September 13 and 14 2013 at the corner of Fort and Eureka.

2. Communication from Jeremy Sladovnik, Joe's Hamburgers, 125 Elm requesting to utilize the theatre lot on Elm and First on Saturday, October 5, 2013 to hold Joe's Hamburgers Cheeseburger festival to honor their 4th anniversary between the hours of 10:00 a.m. until 10:00 p.m.

PERSONS IN THE AUDIENCE

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

3. Communication from Mayor Peterson submitting an appointment of Arthur Oberg, Pastor as Chaplain for the Police and Fire Departments.

4. Communication from the City Assessor submitting the July Board of Review Minutes.
  
5. Communication from the Municipal Service Commission President, Jim Figurski submitting approval and recommendation of a Step Raise for Rod Lesko, General Manager Municipal Service.
  
6. Communication from William Weirich, Water Department Superintendent relative to the acceptance of a Bid for the 20th Street Water Main project in the City of Wyandotte.
  
7. Communication from the City Engineer regarding the sale of city-owned properties.
  
8. Communication from the City Engineer regarding Neighborhood Enterprise Zone (NEZ) Certificates for 322 Pine; 430 Pine and 3812-9th Street.
  
9. Communication from the Deputy City Treasurer/Assistant Finance Director relative to the Brownfield Redevelopment Authority Fund Amended Deficit Elimination Plan.
  
10. Communication from the City Administrator submitting a 2013 Fiscal Year Budget Amendment.
  
11. Communication from the City Administrator relative to the SEMCOG Report-Fire Consolidation.
  
12. Communication from the City Administrator regarding Legal fees-Zoo/DIA Millage Legal Appeal.

CITIZENS PARTICIPATION:

FINAL READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE BY AMENDING  
ARTICLE XXIII-DESIGN REVIEW SECTION 2300 B.2 MEMBERSHIP

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts	August 7, 2013	\$153,414.00
Wyandotte Cultural & Historical Commission	June 6, 2013	
Wyandotte Cultural & Historical Commission	May 9, 2013	

# **NOTICE**

**The Mayor & City Council  
will hold a Study Session  
on the budget for the  
2013-2014 Fiscal Year**

**Monday, August 12, 2013  
5:00 p.m.**

**Council Chambers  
3200 Biddle Avenue  
3rd Floor of City Hall**

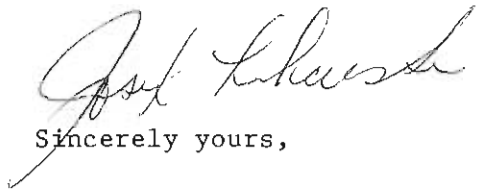
1

August 2, 2013

Mayor Joseph R. Peterson & City Councilmembers  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor Peterson and City Councilmembers:

I am requesting to solicit funds for Wyandotte 1000 KIWANIS on  
September 13th and 14th , 2013 at the corner of Fort and Eureka.



Sincerely yours,

Joseph Lukawski  
President  
4179 Agnes  
Lincoln Park, Michigan 48146

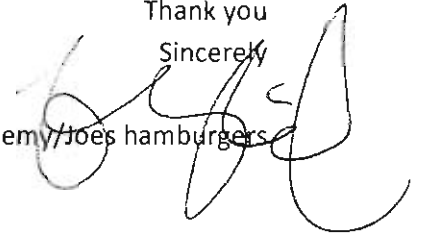
2

Dear mayor Peterson and Council

My name is Jeremy Sladovnik and I am the owner of Joes hamburgers located at 125 elm downtown Wyandotte, I am writing you to ask permission for the use of the theatre lot on elm and first on Saturday October 5<sup>th</sup> 2013 to hold Joes Hamburgers Cheeseburger festival to honor our 4<sup>th</sup> anniversary between the hours of 10am - 10pm this event would set up across from my restaurant on the lot and would not need any road closing or barricades service. My insurance is up to date and I have the city of Wyandotte listed on my policy as an additional insured. I would not be opposed to signing the normal hold harmless as in the past that the city has required before. This lot would be clean and restored to its normal state after the event. If there are any questions please feel free to contact me at 734-285-0420

Thank you  
Sincerely

Jeremy/Joes hamburgers



2013 AUG - 9 - 11:08

WYANDOTTE CITY CLERK

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

3

**MEETING DATE:** August 12, 2013

**AGENDA ITEM #** \_\_\_\_\_

**ITEM:** Appointing a Chaplain for the Police and Fire Department

**PRESENTER:** Mayor Joseph R. Peterson

**INDIVIDUALS IN ATTENDANCE:** Mayor Joseph R. Peterson

**BACKGROUND:** I feel there is a need for spiritual guidance at the Police and Fire Departments. Arthur Oberg, Pastor of the First Presbyterian Church of Wyandotte, has volunteered for this service. I would like to appoint Rev. Oberg to assist these departments in their hour of need.

**STRATEGIC PLAN/GOALS:** n/a

**ACTION REQUESTED:** Receive and place on file

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Inform the Police Chief and Fire Chief that Pastor Oberg is available when needed.

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shydale*

**LEGAL COUNSEL'S RECOMMENDATION:** n/a

**MAYOR'S RECOMMENDATION:** *OK [Signature]*

**LIST OF ATTACHMENTS:** Resume for Arthur Oberg

cc: Police Chief Dan Grant  
Fire Chief Jeffrey Carley

MODEL RESOLUTION WYANDOTTE CITY CLERK

RESOLUTION 2013 AUG -8 P 3:42

Wyandotte, Michigan  
Date: August 12, 2013

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

BE IT RESOLVED THAT the communication from the Mayor regarding appointing Pastor Arthur Oberg as the Chaplain to the Police and Fire Departments is hereby received and placed on file.

I move the adoption of the foregoing resolution.

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

Supported by Councilperson \_\_\_\_\_

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____



8-6-13

Greetings Mayor Peterson,

I am interested in volunteering for the position of chaplain for the Wyandotte Fire Department (and depending on time available possibly the police department as well). I have been praying for a few months now about ways that I can serve the citizens of Wyandotte, and this is an area that I really think I would enjoy and am well prepared for. In addition to my 11 years of ordained ministry, I have 5 units of Clinical Pastoral Education (CPE) which translates into 1 and ¼ years of experience in the field. CPE is a supervised intensive training program for chaplaincy. My first CPE experience was at Wedgewood Christian Youth home where I trained and worked with troubled youth for one summer. My next experience was a year long CPE residency at Fort Wayne Lutheran hospital. It was through these experiences that I learned if I am attentive to the needs of the people I am serving and to the leading of God, God can and will bring comfort through my presence during times of crisis in every situation. I have been there with families at the times of the highest anxiety, confusion, and fear, and my presence was always helpful in some way to them.

I desire to use my talents in a way that will benefit the citizens of the City of Wyandotte. This seems to me to be a good fit for my skills and experience. It would be my honor to be there for our firefighters and police officers in their hour of need, and to help them in any way I can. Thank you for considering me for the position of volunteer chaplain for the fire department. I would greatly appreciate the chance to talk to you further to see exactly what this position would entail and the best way to utilize my gifts for the greater good of our fair city. Attached is my resume for your review.

In the name of our Lord, Jesus Christ,

Rev. Arthur Oberg



4/02-5/04 Pastor (solo) Westminster Presbyterian Church Flint, MI  
Under 100 members Urban

8/00-8/01 CPE Chaplain Lutheran Hospital of Indiana Fort Wayne,  
IN

6/99-8/99 CPE Chaplain Wedgewood Youth Home Grand Rapids, MI

**Please list your other service to the Church or denomination for the past 10 years:**

Currently a member of Detroit Presbytery (6/04-present)

Currently a member of the New Church Development Administrative Commission (NCD/AC) (9/10 to present)

Chair of (NCD/AC) 2011

Hands on Mission Committee (3/09 to 8/10)

Helped organize local health fair with the Synod mobile health team for the last four summers (7/10, 7/11, 7/12, and 7/13)

Member of the Wyandotte Ministerial Association (WMA) (9/07 to present)

Vice President WMA (2010)

President WMA (2011)

Vice President WMA (2013)

Member of the board of the Hemophilia Foundation of Michigan

Member of the Milan Ministerial Association (2004-2007)

Member of Lake Huron Presbytery for two years (4/02-5/04)

Served as a member of Lake Huron Presbytery's committee on church growth

Member of the Flint Cluster of Churches (2002-2004)

**Please enter up to six references here:**

- | <u>Name</u>                                 | <u>Relation to you</u>             | <u>Phone</u>              | <u>Address</u>       | <u>E-Mail</u> |
|---|------------------------------------|---------------------------|----------------------|---------------|
| 1. <u>Al Timm</u>                           | <u>Executive Presbyter Detroit</u> | <u>313-345-6550</u>       |                      |               |
| <u>allen@detroitpresbytery.org</u>          |                                    |                           |                      |               |
| 2. <u>Carvil Kulberg</u>                    | <u>Church member</u>               | <u>313-443-2278</u>       | <u>Wyandotte, MI</u> |               |
| <u>kakulberg@yahoo.com</u>                  |                                    |                           |                      |               |
| 3. <u>Jim Kresin</u>                        | <u>Church member</u>               | <u>734-281-6548</u>       | <u>Wyandotte, MI</u> |               |
| <u>jimmyk1936@gmail.com</u>                 |                                    |                           |                      |               |
| 4. <u>Dixie Elam</u>                        | <u>Committee On Ministry chair</u> | <u>Detroit Presbytery</u> | <u>734-464-3016</u>  |               |
| <u>Livonia, MI</u> <u>Dixie@twmi.rr.com</u> |                                    |                           |                      |               |
| 5.  | _____                              |                           |                      |               |
| 6.  | _____                              |                           |                      |               |

X I hereby authorize those inquiring into my suitability to contact my references.

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

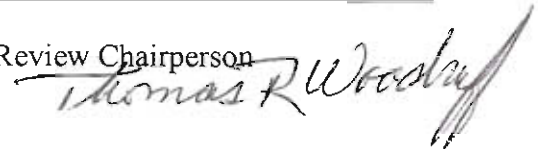
④

MEETING DATE: August 5, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** July Board of Review Minutes \*ON FILE IN THE CITY CLERK'S OFFICE

**PRESENTER:** Thomas R. Woodruff, City Assessor/Board of Review Chairperson



**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** The July Board of Review may be convened to correct a qualified error (Tuesday after the third Monday in July). MCL 211.53b. The governing body of the city or township may authorize, by adoption of an ordinance or resolution, 1 or more of the following alternative meeting dates for the purposes of this section. An alternative meeting date during the week of the third Monday in July. MCL 211.53b(7)(b). An owner of property that is a "Principal Residence" on May 1 may appeal to the July Board of Review in the year for which an exemption was claimed or in the immediate succeeding 3 years if the exemption was not on the tax roll. For taxes levied after December 31, 2011 an owner who owned and occupied a principal residence on June 1 or November 1 for which the exemption was not on the tax roll may file an appeal with the July or December Board of Review in the year for which the exemption was claimed or in the immediate succeeding three years if the exemption was not on the tax roll. MCL 211.7cc(19). An owner of property that is Qualified Agricultural Property on May 1 may appeal to the July Board of Review for the current year and the immediately preceding year if the exemption was not on the tax roll. MCL 211.7ee(6). July BOR may hear appeals for current year only for poverty exemptions, but not poverty exemptions denied by the March Board of Review. MCL 211.7u, page 12 of STC Bulletin No. 12 of 1997.

**STRATEGIC PLAN/GOALS:** Commitment to fair and equitable taxation. July Board of Review allows for correction to the assessed, capped and taxable values or to the Principal Residence Exemption as clerical errors or mutual mistakes of fact.

**ACTION REQUESTED:** Approve the attached resolution accepting and filing July Board of Review Minutes, Summary and Department of Treasury Forms with a copy sent to the City Treasurer.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** N/A

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:**

**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:**



**LIST OF ATTACHMENTS:**

- 1. Summary of July Board of Review Minutes
- 2. Michigan Department of Treasury Forms 4031/4031a
- 3. July Board of Review Minutes.

**MODEL RESOLUTION:**

Receive and place on file the July Board of Review Minutes along with Michigan Department of Treasury Forms 4031 and 4031a and the original minutes to be held in with the Assessing Officer and a copy sent to the City Treasurer.

Wyandotte, Michigan

\_\_\_\_\_, 2013

RESOLUTION by Councilmember \_\_\_\_\_

RESOLVED BY THE CITY COUNCIL THAT:

I move the adoption of the foregoing resolution.

MOTION by Councilmember \_\_\_\_\_

SUPPORTED by Councilmember \_\_\_\_\_

YEAS

COUNCIL

NAYS

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

Browning  
DeSana  
Fricke  
Galeski  
Sabuda  
Stec

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

ABSENT \_\_\_\_\_

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**



MEETING: August 12, 2013

AGENDA ITEM #

**ITEM:** Resolution to concur with the Municipal Service Commission approval and recommendation of a Step Raise for Rod Lesko

**PRESENTER:** Jim Figurski, Municipal Service Commission President

**INDIVIDUALS IN ATTENDANCE:** Rod Lesko, Municipal Service General Manager

**BACKGROUND:** Rod Lesko was appointed to the permanent position of General Manager on July 8, 2013. There was an initial adjustment made to his salary when he was appointed as Acting General Manager but his salary remains below normal for his position as the permanent General Manager.

**STRATEGIC PLAN/GOALS:** To provide Rod Lesko, General Manager a 2.5% raise now with his selection as the permanent General Manager. His performance should then be reviewed and salary adjusted if appropriate in January 2014 and then annually each subsequent January.

**ACTION REQUESTED:** Concur with Municipal Service Commission Resolution # 08-2013-01 approving and recommending 2.5% raise for DMS General Manager Rod Lesko retroactive to July 8, 2013.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** None – General Manager position is fully budgeted.

**IMPLEMENTATION PLAN:** Attached both Commission and Council signed resolutions to appropriate paperwork and forward to HR/Payroll Department for implementation.

**COMMISSION RECOMMENDATION:** Municipal Services Commission adopted resolution # 08-2013-01 at the August 6, 2013 regular meeting approving and recommending a 2.5% raise.

**CITY ADMINISTRATOR'S RECOMMENDATION:** *J. Hyslop*

**MAYOR'S RECOMMENDATION:** *OK JD*

**LEGAL RECOMMENDATION:** N/A

**LIST OF ATTACHMENTS**

- Signed Municipal Service Commission Resolution

**RESOLUTION:** BE IT RESOLVED by the City Council that Council Concurs with the Wyandotte Municipal Service Commission recommendation in the following resolution.

A Resolution approving the recommendation by the Wyandotte Municipal Services Commission that Mr. Rod Lesko, General Manager of the Department of Municipal Services be given a 2.5% salary increase bringing the total annual General Manager's salary to \$ 107,625.00.

I move the adoption of the foregoing resolution.

MOTION by  
Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
	Stec	
	Sabuda	
	Sutherby-Fricke	
	Galeski	
	Schultz	
	Miciura Jr.	



RESOLUTION AUTHORIZING A 2.5% STEP RAISE TO THE GENERAL MANAGER EFFECTIVE JULY 8, 2013.

BE IT ORDAINED BY THE MUNICIPAL SERVICES COMMISSION OF THE CITY OF WYANDOTTE, STATE OF MICHIGAN:

WHEREAS, the City of Wyandotte, ("MUNICIPALITY") owns and operates an electric, water, cable TV, internet, phone, steam and geothermal utilities for the sale for the benefit of its citizens and taxpayers; and

WHEREAS, the General Manger is the executive officer supervising all operations of every utility owned and operated by the City of Wyandotte, and

WHEREAS, the Wyandotte Municipal Service Commission recommends to the Wyandotte City Council that a 2.5% step raise be given to Mr. Rod Lesko, General Manger of Wyandotte Municipal Services, for a total annual increase of \$2,625.00, bringing the General Manager's annual salary to \$107,625.00.

BE IT RESOLVED, by the Wyandotte Municipal Service Commission, that the Commission approves and recommends to the City Council of the City of Wyandotte, that Mr. Rod Lesko, General Manger of Wyandotte Municipal Services, be given a 2.5% salary increase, for a total annual increase of \$2,625.00. Bringing the General Manager's annual salary to \$107,625.00.

I move the adoption of the foregoing resolution.

MOTION by Commissioner MIKE SADOWSKI

Supported by Commissioner ~~MIKE SADOWSKI~~ LESLIE Lupo

<u>YEAS</u>	<u>COMMISSIONER</u>	<u>NAYS</u>
✓	Figurski	
✓	Sadowski	
✓	Lupo	
✓	Delisle	
✓	Cole	

ADOPTED this

ATTEST:

WYANDOTTE MUNICIPAL SERVICE COMMISSION

By: James S. Figurski  
President

By: [Signature]  
Secretary

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

6

MEETING DATE: 8/12/13

AGENDA ITEM#

**ITEM: Resolution authorizing the approval to accept the bid award for the 20<sup>th</sup> St water main project for the Water Department**

**PRESENTER:** William Weirich, Water Department Superintendent

**INDIVIDUALS IN ATTENDANCE:**

**BACKGROUND:** The general plan and goal of the Water Department is to replace 1% of the 110 miles of water main in service each year, this is equal to 5,280 feet of main replacement each year. The current project will be on 20<sup>th</sup> St from Grove to Marshall. We chose this area due to a request from Wyandotte's Fire Department for an increase in fire protection in that area because of the school located at the corner of 20<sup>th</sup> and Grove. At first we were going to add an additional fire hydrant but because of its age and a history of having numerous main breaks in that area, the decision was made to replace the water main.

Bids were received from three companies with the following results:

Macomb Pipeline and Utilities Company-----\$143,000.00

G.V. Cement Contracting Co. -----\$151,350.00

Pamar Enterprises-----\$224,290.00

**STRATEGIC PLAN/GOALS:** The project will replace approximate 1,100 ft of 6" water main with a new 8" water main, replace two hydrants, add two additional fire hydrants, remove and replace three valves, upgrade 25 residential water services lines to 1", upgrade the schools water service line and restore the area to its existing conditions.

**ACTION REQUESTED:** Adopt the resolution from the commission and WMS management authorizing to accept the bid from Macomb Pipeline and Utilities Company of Sterling Hts, Michigan in the amount of \$143,000.00.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Bid award will be allocated to the approved fiscal 2013 Water Department capital budget for Water Mains-Asset account #592-000-100-020-001- Capital project #1030WA

**IMPLEMENTATION PLAN:** Proceed with the awarding of the bid to Macomb Pipeline and Utilities Company after the adoption of the commission resolution by council and forwarding of all necessary documents.

**CITY ADMINISTRATOR RECOMMENDATION:** – Review completed no comments. *Drysdale*

**MAYOR'S RECOMMENDATION:** N/A

**LIST OF ATTACHMENTS:**

- Signed Commission resolution
- Memo from Water Department to General Manager

**MODEL RESOLUTION:** Be it Resolved by the City Council that Council Concurs with the Wyandotte Municipal Service Commission in the following resolution.

A Resolution authorizing the approval for awarding the bid for the water main project on 20<sup>th</sup> St to the lowest qualified bidder Macomb Pipeline and Utilities Company in the amount of \$143,000.00.

I move the adoption of the foregoing resolution.

MOTION by Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

Council

NAYS

Stec

Sabuda

Sutherby-Fricke

Galeski

Schultz

Miciura Jr.

**CITY OF WYANDOTTE – Department of Municipal Services**  
**REQUEST FOR COMMISSION ACTION**

MEETING DATE: 7/23/2013

RESOLUTION # 07-2013-03

**ITEM: Approval to award bid for water main project on 20<sup>th</sup> St from Grove to Marshall**

**PRESENTER:** William Weirich

**INDIVIDUALS CONSULTED:** Rod Lesko, Paul LaManes

**BACKGROUND:** The general plan and goal of the Water Department is to replace 1% of the 110 miles of water main in service each year, this is equal to 5,280 feet of main replacement each year. The current project will be on 20<sup>th</sup> St from Grove to Marshall. We chose this area due to a request from Wyandotte's Fire Department for an increase in fire protection in that area because of the school located at the corner of 20<sup>th</sup> and Grove. At first we were going to add an additional fire hydrant but because of its age and a history of having numerous main breaks in that area, the decision was made to replace the water main.

Bids were received from three companies with the following results:

Macomb Pipeline and Utilities Company-----\$143,000.00

G.V. Cement Contracting Co. -----\$151,350.00

Pamar Enterprises-----\$224,290.00

**STRATEGIC PLAN/GOALS:** The project will replace approximate 1,100 ft of 6" water main with a new 8" water main, replace two hydrants, add two additional fire hydrants, remove and replace three valves, upgrade 25 residential water services lines to 1", upgrade the schools water service line and restore the area to its existing conditions.

**ACTION REQUESTED:** Permission to award the bid to Macomb Pipeline and Utilities Company of Sterling Hts. Michigan in the amount of \$143,000.00 as recommended by WMS Management.

**BUDGET IMPLICATIONS:** This project was approved in the 2013 Water Department's capital budget for 2013 in the amount of \$350,000.00.

**IMPLEMENTATION PLAN:** Award Macomb Pipeline and Utilities Company the bid after approval from the Commission and City Council.

**GENERAL MANAGER REVIEW:** Memo attached

**CITY ADMINISTRATOR REVIEW** – Review completed, no comments.

**LEGAL COUNSEL REVIEW:** N/A

**LIST OF ATTACHMENTS:** N/A

**RESOLUTION:**

**WHEREAS**, the Wyandotte Municipal Service Commission approved awarding the bid from Macomb Pipeline and Utilities Company in the amount of \$143,000.00 for the water main replacement project on 20<sup>th</sup> St., and

**WHEREAS**, the bid award will proceed so that the construction process can be added to Macomb Pipeline and Utilities Company construction schedule and

**BE IT RESOLVED**, by the Wyandotte Municipal Service Commission, a majority of its members thereto concurring, with moving forward to awarding the low bid for the water main project on 20<sup>th</sup> St to Macomb Pipeline and Utilities Company.

I move the adoption of the foregoing resolution.

MOTION by Commissioner JERRY COLE

Supported by Commissioner VESLIE LUPO

<u>YEAS</u>	<u>COMMISSIONER</u>	<u>NAYS</u>
✓	Cole	
✓	Figurski	
✓	Sadowski	
✓	Lupo	
✓	Delisle	

ADOPTED this

ATTEST: 23<sup>RD</sup> OF JULY 2013

**WYANDOTTE MUNICIPAL SERVICE COMMISSION**

By: James S. Figurski  
President

By: Paul Miller  
Secretary

Municipal Service Commission  
Gerald P. Cole  
Frederick C. DeLisle  
James S. Figurski  
Leslie G. Lupo  
Michael Sadowski



Electric, Steam, Water  
Cable Television and High Speed Internet  
Service since 1889

Roderick J. Lesko  
Acting General Manager and Secretary  
3200 Biddle Avenue, P.O. Box 658  
Wyandotte, MI. 48192-0658  
Telephone: (734) 324-7100  
Fax: (734) 324-7119

Mr. Rod Lesko  
General Manager  
Wyandotte Municipal Services

July 15, 2013

Dear Mr. Lesko,

The general plan and goal of the Water Department is to replace 1% of the 110 miles of water main in service each year, this is equal to 5,280 feet of main replacement each year. The current project will be on 20<sup>th</sup> St from Grove to Marshall. We chose this area due to a request from Wyandotte's Fire Department for an increase in fire protection in that area because of the school located at the corner of 20<sup>th</sup> and Grove. At first we were going to add an additional fire hydrant but because of its age and a history of having numerous main breaks in that area, the decision was made to replace the water main. The project will replace approximate 1,100 ft of 6" water main with a new 8" water main, replace two hydrants, add two additional fire hydrants, upgrade 25 residential services to 1" water lines and upgrade the schools water service line.

Bid file #4623 –Water main project at 20<sup>th</sup> St from Grove to Marshall was advertised for two weeks in the local newspaper and on the MITN website.

The scope of the work for the project is the following:

The project will replace approximate 1,100 ft of 6" water main with a new 8" water main, remove and replace two hydrants, remove and replace three valves, add two additional fire hydrants, upgrade 25 residential services to 1" water lines and upgrade the schools water service line.

The bids were received and opened on July 2, 2013; we received three bids from the following companies:

Macomb Pipeline and Utilities Company-----	\$143,000.00
G.V. Cement Contracting Co. -----	\$151,350.00
Pamar Enterprises-----	\$224,290.00

The lowest "qualified bid", was from Macomb Pipeline and Utilities Company with bid of \$143,000.00. The appropriate bid bond or a performance/labor bond for the proposed work was supplied, and a certificate of insurance was submitted. All references and communities that Macomb Pipeline had installed water mains for were contacted and we received no negative comments.

My recommendation is to utilize Macomb Pipeline and Utilities Company as they have a clear understanding of the project, were able to follow the criteria established within the bid documents and are the low bidders for the project.

This project was approved and planned for in the 2013 budget year with a capital project amount of \$350,000.00 budgeted.

Should you need any additional information from me, please don't hesitate to contact me.

Sincerely,

William Weirich  
Water Department Superintendent

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

⑦

MEETING DATE: August 12, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** Sale of City Owned Properties

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski*  
8-7-13

**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:** April 30, 2013, the City entered into a Purchase Agreement with Option to Acquire Real Estate with Joseph Daly and Joseph DiSanto to acquire five (5) lots. The acquisition will include the former 320 Pine, 428 Pine, 3820-22-9<sup>th</sup> Street, 1155 Chestnut and 1242 Chestnut. Attached for your review are the elevations for the construction of single family homes. The features of the homes are as follows:

320 Pine – 2 story colonial, 1,650 square feet, 3 bedrooms, brick to the first floor band the remaining exterior to be vinyl siding, cultured stone around front door, detached garage and full basement.

428 Pine – 1 story ranch, 1,450 square feet, 3 bedrooms, brick to the first floor band the remaining exterior to be vinyl siding, detached garage and full basement.

3820-22 9<sup>th</sup> Street – 2 story colonial, 1,650 square feet, 3 bedrooms, brick to the first floor band the remaining exterior to be vinyl siding, cultured stone around front door, attached side entrance garage and full basement.

1155 Chestnut – 2 story colonial, 1,650 square feet, 3 bedrooms, brick to the first floor band the remaining exterior to be vinyl siding, detached garage and full basement.

1242 Chestnut - 1 story ranch, 1,450 square feet, 3 bedrooms, brick to the first floor band the remaining exterior to be vinyl siding, detached garage and full basement.

**STRATEGIC PLAN/GOALS:** Provide the finest services and quality of life to it residents by: 1. Fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas. 2. Ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods.

**ACTION REQUESTED:** Approve elevations for the homes at the former 320 Pine, 428 Pine, 3820-22-9<sup>th</sup> Street, 1155 Chestnut and 1242 Chestnut.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Purchasers to apply for Building Permits, close on properties and start construction.

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Dysdale*

**LEGAL COUNSEL'S RECOMMENDATION:** n/a

**MAYOR'S RECOMMENDATION:** *OK [Signature]*

**LIST OF ATTACHMENTS:** Elevations for the proposed homes.



**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: August 12, 2013

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

BE IT RESOLVED by the Mayor and City Council that the communication from the City Engineer regarding the sale of the City owned property at former 320 Pine, 428 Pine, 3820-22-9<sup>th</sup> Street, 1155 Chestnut and 1242 Chestnut is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council approves the elevations for the construction of single family homes at former 320 Pine, 428 Pine, 3820-22-9<sup>th</sup> Street, 1155 Chestnut and 1242 Chestnut as presented to Council.

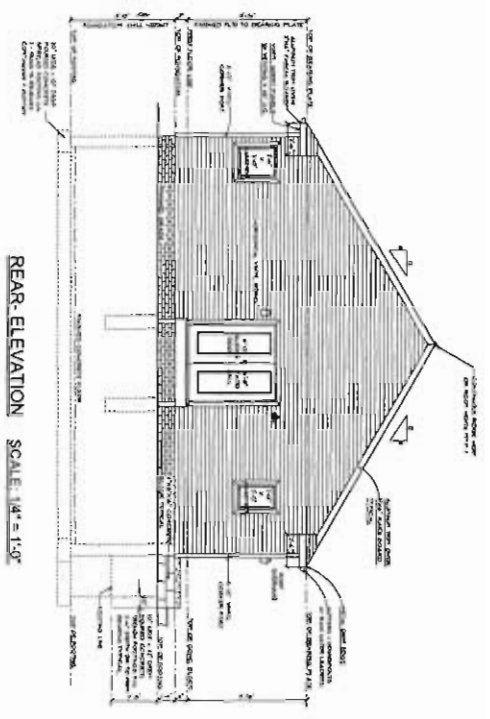
I move the adoption of the foregoing resolution.

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

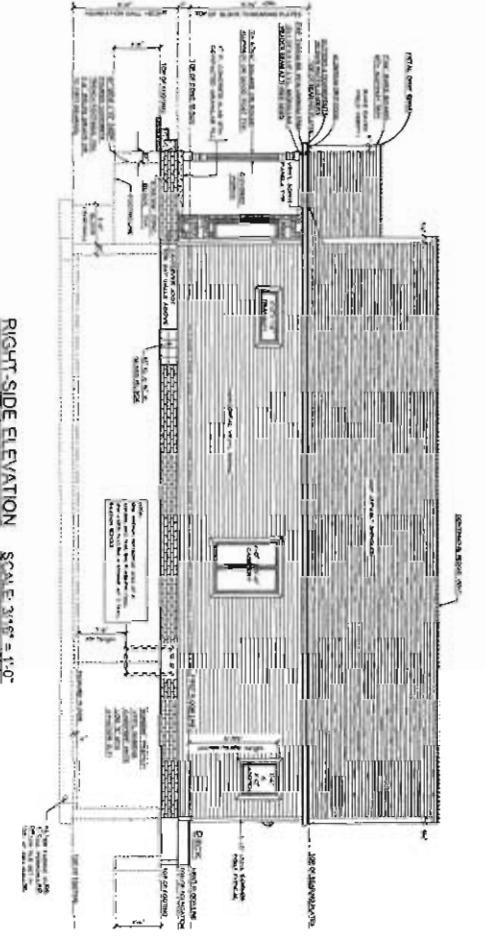
Supported by Councilperson \_\_\_\_\_

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

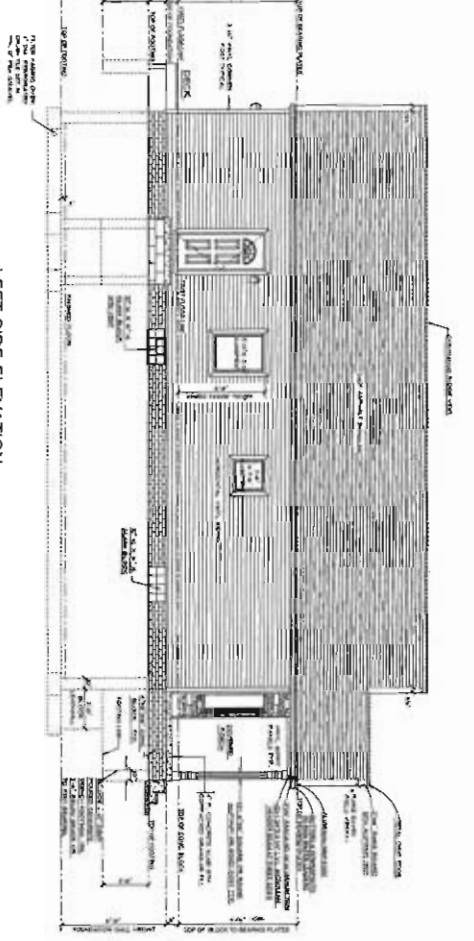




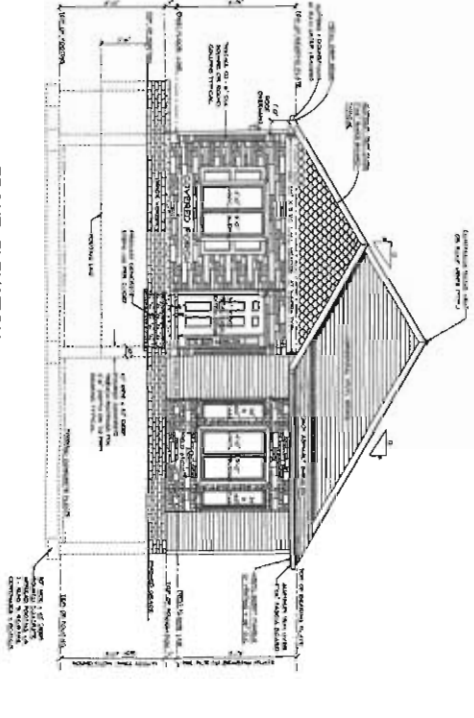
REAR ELEVATION SCALE: 1/4" = 1'-0"



RIGHT-SIDE ELEVATION SCALE: 3/16" = 1'-0"



LEFT-SIDE ELEVATION SCALE: 3/16" = 1'-0"



FRONT ELEVATION SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATIONS  
FRONT, LEFT-SIDE  
REAR & RIGHT-SIDE

DATE  
AUGUST 07  
2013

DRAWING NO  
877

SHEET NO  
A-3

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE:** August 15, 2013

**AGENDA ITEM #** 

**ITEM:** Neighborhood Enterprise Zone (NEZ) Certificate for 322 Pine, 430 Pine and 3812-9<sup>th</sup> Street

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski 07-13*

**BACKGROUND:** Council approved Joseph Daly and Joseph DiSanto to purchase the former 320 Pine, 428 Pine and 3820-22-9<sup>th</sup> Street now known as 322 Pine, 430 Pine and 3812-9<sup>th</sup> Street. These lots are located in an NEZ Area. The Developers are now ready to secure the Building Permits for these single family homes. Once the homes are completed, they must be owner occupied to be eligible for the NEZ.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the Goals and Objective identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to historic preservation, the establishment of a long-term vision and strategy for preservation planning, and the importance of pursuing external funding of historical and legacy initiatives from federal, state, and private sources.

**ACTION REQUESTED:** Adopt a resolution concurring with recommendation to approve the NEZ application.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** Execute application and submit same to the State of Michigan.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shuydale*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *OK [Signature]*

**LIST OF ATTACHMENTS:** Application for Neighborhood Enterprise Zone

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: August 15, 2013

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

RESOLVED BY THE CITY COUNCIL that Council concurs with the recommendation of the City Engineer regarding the Application for a Neighborhood Enterprise Zone Certificate for 322 Pine, 430 Pine and 3812-9<sup>th</sup> Street; AND

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to execute said application for a 12 year Neighborhood Enterprise Zone Certificate.

I move the adoption of the foregoing resolution.

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

Supported by Councilperson \_\_\_\_\_

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

STC Use Only	
▶ Application No.	▶ Date Received

## Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

**Instructions:** Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction. Initially file one original application (with legal description) and two additional copies of this form with the clerk of the local governmental unit (three complete sets). The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT (LGU)		
Signature of Clerk		▶ Date received by LGU
LGU Application Number		▶ LGU Code
<b>Part 1: Owner/Applicant Information (complete all fields)</b>		
▶ Applicant Name <b>COACHLIGHT PROPERTIES, LLC</b>		Amount of years requested for exemption <b>12</b>
▶ Location of Facility (Street No., City, State, ZIP Code) <b>430 PINE STREET</b>		
<input checked="" type="checkbox"/> City of <input type="checkbox"/> Township of <input type="checkbox"/> Village of <b>WYANDOTTE</b>	County <b>WAYNE</b>	
▶ Application is <input checked="" type="checkbox"/> New <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Transfer (1 copy only)		School District where facility is located <b>WYANDOTTE</b>
Is the building owned or rented by the occupants? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented		Type of Property <input checked="" type="checkbox"/> House <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Loft <input type="checkbox"/> Apartment - No. of Units
Name of LGU that established district	▶ Name or Number of Neighborhood Enterprise Zone	▶ Date district was established
Identify who the work was completed by <input checked="" type="checkbox"/> Licensed Contractor <input type="checkbox"/> Other		Estimated Project Cost (per unit) <b>\$ 100,000</b>
Describe the general nature and extent of the rehabilitation or new construction to be undertaken. <u>Include Breakdown of Investment Cost</u> (use attachments if necessary) <b>NEW S.F. DWELLING 1450<math>\phi</math> RANCH</b>		
Timetable for undertaking and completing the rehabilitation or construction of the facility. <b>JAN 1, 2014</b>		
<b>Part 2: Applicant Certification</b>		
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.		
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.		
▶ Contact Name <b>JOE DISANTO</b>		Contact Telephone Number <b>734 341 4873</b>
Contact Fax Number <b>COACHLIGHT PROPERTIES, LLC</b>		Contact E-mail Address <b>jdisanto@sbcglobal.net</b>
Owner/Applicant Name 		Owner/Applicant Telephone Number "
Owner/Applicant Signature		Date <b>6.17.13</b>
▶ Owner/Applicant Mailing Address (Street No., City, State, ZIP Code) <b>9062. S. Pheasant Ridge Lane Saline, MI 48176</b>		Owner/Applicant E-mail Address "

<b>Part 3: LOCAL GOVERNMENT ACTION</b>	
<b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
Action taken by LGU: <input type="checkbox"/> Abatement Approved for ____ Years (6-15) <input type="checkbox"/> Abatement Approved for ____ Years (11-17 historical credits) <input type="checkbox"/> Denied (include Resolution Denying)	The State Tax Commission requires the following documents be filed for an administratively complete application: <input type="checkbox"/> 1. Original Application <input type="checkbox"/> 2. Legal description of the real property with parcel code number <input type="checkbox"/> 3. Resolution approving/denying application (include # of years) <input type="checkbox"/> 4. <b>REHABILITATION APPLICATIONS ONLY.</b> Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.
<input type="checkbox"/> Date of Resolution Approving/Denying this application	LGU Name
<b>Part 4: LOCAL GOVERNMENT CERTIFICATION</b>	
<b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.	
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.	
Print Clerk Name	Clerk Telephone Number
Clerk Fax Number	Clerk E-mail Address
Clerk's Mailing Address (Street, City, State, ZIP Code)	
Clerk Signature	Date

LGU mail original completed application and required documents to:

State Tax Commission  
 Michigan Department of Treasury  
 P.O. Box 30471  
 Lansing, MI 48909-7971

**Note:** Additional documentation will be required for the issuance of the certificate of exemption. These documents should be sent directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to your LGU Clerk.

STC Use Only	
▶ Application No.	▶ Date Received

## Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

Instructions: Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction. Initially file one original application (with legal description) and two additional copies of this form with the clerk of the local governmental unit (three complete sets). The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT (LGU)		
Signature of Clerk	▶ Date received by LGU	
LGU Application Number	▶ LGU Code	
Part 1: Owner/Applicant Information (complete all fields)		
▶ Applicant Name <b>DM PROPERTIES, INC</b>		Amount of years requested for exemption <b>12</b>
▶ Location of Facility (Street No., City, State, ZIP Code) <b>3812 - 9th</b>		
<input checked="" type="checkbox"/> City of <input type="checkbox"/> Township of <input type="checkbox"/> Village of <b>WYANDOTTE</b>	County <b>WAYNE</b>	
▶ Application is <input checked="" type="checkbox"/> New <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Transfer (1 copy only)	School District where facility is located <b>WYANDOTTE</b>	▶ School Code
Is the building owned or rented by the occupants? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented		
Type of Property <input checked="" type="checkbox"/> House <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Loft <input type="checkbox"/> Apartment - No. of Units		
Name of LGU that established district	▶ Name or Number of Neighborhood Enterprise Zone	▶ Date district was established
Identify who the work was completed by <input checked="" type="checkbox"/> Licensed Contractor <input type="checkbox"/> Other		Estimated Project Cost (per unit) <b>\$100,000</b>
Describe the general nature and extent of the rehabilitation or new construction to be undertaken. <u>Include Breakdown of Investment Cost</u> (use attachments if necessary) <b>TWO STORY - 1,650 S.F. HOME.</b>		
Timetable for undertaking and completing the rehabilitation or construction of the facility. <b>JAN 2014</b>		
Part 2: Applicant Certification		
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.		
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.		
▶ Contact Name <b>JOE DALY</b>	Contact Telephone Number <b>734 282-2180</b>	
Contact Fax Number <b>DM PROPERTIES, INC</b>	Contact E-mail Address <b>joe.daly@dalymerrett.com</b>	
Owner/Applicant Name	Owner/Applicant Telephone Number <b>---</b>	
Owner/Applicant Signature 	Date <b>6.21.13</b>	
▶ Owner/Applicant Mailing Address (Street No., City, State, ZIP Code) <b>100 MAPLE ST</b>	Owner/Applicant E-mail Address <b>---</b>	

**WYANDOTTE, MI 48192**



<b>Part 3: LOCAL GOVERNMENT ACTION</b>	
<b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
Action Taken by LGU: <input type="checkbox"/> Abatement Approved for _____ Years (6-15) <input type="checkbox"/> Abatement Approved for _____ Years (11-17 historical credits) <input type="checkbox"/> Denied (include Resolution Denying)	The State Tax Commission requires the following documents be filed for an administratively complete application: <input type="checkbox"/> 1. Original Application <input type="checkbox"/> 2. Legal description of the real property with parcel code number <input type="checkbox"/> 3. Resolution approving/denying application (include # of years) <input type="checkbox"/> 4. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.
▶ Date of Resolution Approving/Denying this application	LGU Name
<b>Part 4: LOCAL GOVERNMENT CERTIFICATION</b>	
<b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.	
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.	
Print Clerk Name	Clerk Telephone Number
Clerk Fax Number	Clerk E-mail Address
Clerk's Mailing Address (Street, City, State, ZIP Code)	
Clerk Signature	Date

LGU mail original completed application and required documents to:

State Tax Commission  
 Michigan Department of Treasury  
 P.O. Box 30471  
 Lansing, MI 48909-7971

**Note:** Additional documentation will be required for the issuance of the certificate of exemption. These documents should be sent directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

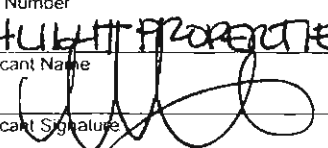
Any questions concerning the completion of this application should be directed to your LGU Clerk.

STC Use Only	
▶ Application No.	▶ Date Received

## Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

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TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT (LGU)		
Signature of Clerk		▶ Date received by LGU
LGU Application Number		▶ LGU Code
Part 1: Owner/Applicant Information (complete all fields)		
▶ Applicant Name <b>COACHLIGHT PROPERTIES, LLC</b>		Amount of years requested for exemption <b>12</b>
▶ Location of Facility (Street No., City, State, ZIP Code) <b>322 PINE STREET</b>		
<input checked="" type="checkbox"/> City of <input type="checkbox"/> Township of <input type="checkbox"/> Village of <b>WYANDOTTE</b>	County <b>WAYNE</b>	
▶ Application is <input checked="" type="checkbox"/> New <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Transfer (1 copy only)		School District where facility is located <b>WYANDOTTE</b>
Is the building owned or rented by the occupants? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented		▶ School Code
Type of Property <input checked="" type="checkbox"/> House <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Loft <input type="checkbox"/> Apartment - No. of Units		
Name of LGU that established district	▶ Name or Number of Neighborhood Enterprise Zone	▶ Date district was established
Identify who the work was completed by <input checked="" type="checkbox"/> Licensed Contractor <input type="checkbox"/> Other		Estimated Project Cost (per unit) <b>\$100,000</b>
Describe the general nature and extent of the rehabilitation or new construction to be undertaken. <b>Include Breakdown of Investment Cost</b> (use attachments if necessary) <b>NEW 1,650 SF S.F. DWELLING (2 STORY)</b>		
Timetable for undertaking and completing the rehabilitation or construction of the facility. <b>JAN 1 2014</b>		
Part 2: Applicant Certification		
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.		
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.		
▶ Contact Name <b>JOE DISANTO</b>		Contact Telephone Number <b>734-341-4873</b>
Contact Fax Number <b>COACHLIGHT PROPERTIES</b>	Contact E-mail Address <b>jdisanto@slcglobal.net</b>	
Owner/Applicant Name 	Owner/Applicant Telephone Number <b>---</b>	
Owner/Applicant Signature	Date <b>6.17.13</b>	
▶ Owner/Applicant Mailing Address (Street No., City, State, ZIP Code) <b>9062 S Pheasant Ridge Lane Saline, MI 48176</b>		Owner/Applicant E-mail Address <b>---</b>

<b>Part 3: LOCAL GOVERNMENT ACTION</b> <b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
Action taken by LGU: <input type="checkbox"/> Abatement Approved for ____ Years (6-15) <input type="checkbox"/> Abatement Approved for ____ Years (11-17 historical credits) <input type="checkbox"/> Denied (include Resolution Denying)	The State Tax Commission requires the following documents be filed for an administratively complete application: <input type="checkbox"/> 1. Original Application <input type="checkbox"/> 2. Legal description of the real property with parcel code number <input type="checkbox"/> 3. Resolution approving/denying application (include # of years) <input type="checkbox"/> 4. <b>REHABILITATION APPLICATIONS ONLY.</b> Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation
▶ Date of Resolution Approving/Denying this application	LGU Name
<b>Part 4: LOCAL GOVERNMENT CERTIFICATION</b> <b>LGU Clerk must complete this section before submitting to the State Tax Commission</b>	
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.	
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.	
Print Clerk Name	Clerk Telephone Number
Clerk Fax Number	Clerk E-mail Address
Clerk's Mailing Address (Street, City, State, ZIP Code)	
Clerk Signature	Date

LGU mail original completed application and required documents to:

State Tax Commission  
 Michigan Department of Treasury  
 P.O. Box 30471  
 Lansing, MI 48909-7971

**Note:** Additional documentation will be required for the issuance of the certificate of exemption. These documents should be sent directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to your LGU Clerk.

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

9

**MEETING DATE:** August 8, 2013

**AGENDA ITEM #** \_\_\_\_\_

**ITEM:** City of Wyandotte Brownfield Redevelopment Authority Fund Amended Deficit Elimination Plan

**PRESENTER:** Robert J. Szczechowski, Deputy Treasurer/Assistant Finance Director

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** For the fiscal year ending 9/30/10, the Brownfield Redevelopment Authority Fund reported a deficit in unrestricted net assets. The Michigan Department of Treasury requires a deficit elimination plan documenting the elimination of the deficit within five years. The state is requiring an update to the plan since our original plan did not meet the 9/30/12 projection.

**STRATEGIC PLAN/GOALS:** To comply with all the requirements of our laws and regulations. The amended plan will achieve the goal of eliminating the deficit within the five year period.

**ACTION REQUESTED:** Adopt the attached budget amendments and resolution concurring with the Deputy Treasurer/Assistant Finance Director's recommendation of the Amended Brownfield Redevelopment Authority Fund Deficit Elimination Plan.

**BUDGET IMPLICATIONS & ACCOUNT NUMBERS:** See attachment C.

**IMPLEMENTATION PLAN:** The resolution and all necessary documents will be forwarded to the Michigan Department of Treasury for its approval.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur with recommendation. *Dupdale*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** Concur with recommendation.

- LIST OF ATTACHMENTS:**
1. Actual and Budget Projections (Attachment A)
  2. Unrestricted Net Asset Calculation (Attachment B)
  4. Budget amendments (Attachment C)
  3. State of Michigan request

**MODEL RESOLUTION:**

ADOPTING AN AMENDED DEFICIT ELIMINATION PLAN FOR THE BROWNFIELD  
REDEVELOPMENT AUTHORITY FUND

WHEREAS, The financial statements of the City of Wyandotte show a deficit in the Brownfield Redevelopment Authority Fund net assets; and

WHEREAS, The City of Wyandotte is required to adopt a Deficit Elimination Plan that addresses said deficit in the Brownfield Redevelopment Authority Fund's net assets; and

WHEREAS, Staff has prepared the attached proposed Amended Deficit Elimination Plan along with budget amendments to address the requirement; now therefore

BE IT RESOLVED BY CITY COUNCIL, That Council adopts the attached Amended Deficit Elimination Plan, approves the budget amendments; and

BE IT FURTHER RESOLVED BY CITY COUNCIL, That the Deputy Treasurer/Assistant Finance Director be and hereby is directed to make any necessary filings of the Amended Deficit Elimination Plan to ensure compliance with accounting requirements.

City of Wyandotte  
 Analysis of Brownfield Redevelopment Authority Fund  
 Actual and Budget Projections  
 August 8, 2013

Attachment A

	Actual 2012	Amended Budget 2013	Projected Budget 2014	Projected Budget 2015
231-000-411-003 School Taxes #3				
231-000-411-014 School Taxes #14	4,950.47	5,337.00	5,133.29	5,133.29
231-000-421-004 Non-School Taxes #4	56,824.54	55,811.00	58,768.00	55,959.00
231-000-421-007 Non-School Taxes #7	15,695.87	15,113.00	31,337.00	34,885.00
231-000-421-008 Non-School Taxes #8	28,071.43	30,788.00	34,112.00	32,761.00
231-000-421-009 Non-School Taxes #9	6,847.16	6,809.00	6,809.00	6,809.00
231-000-421-010 Non-School Taxes #10	2,168.50	2,079.00	2,545.00	2,424.00
231-000-421-011 Non-School Taxes #11	8,123.98	8,089.00	7,995.00	7,995.00
231-000-421-014 Non-School Taxes #14	955.11	996.00	937.09	937.09
231-000-655-010 Interest Earnings	0.15			
231-000-655-040 Miscellaneous Revenue	130,363.23	79,091.00	100,810.00	109,674.00
<b>Total Revenue</b>	<b>254,000.44</b>	<b>204,113.00</b>	<b>248,446.38</b>	<b>256,577.38</b>
231-103-926-110 Principal Reimbursement #3				
231-103-926-120 Interest Reimbursement #3				
231-104-925-790 City-wide Remediation Fund-#4	2,500.00	-	-	-
231-104-926-110 Principal Reimbursement #4				
231-104-926-120 Interest Reimbursement #4	25,799.30	12,440.00	12,165.00	11,647.00
231-107-825-030 Due Care Activities #7				
231-107-825-040 Additional Response Activities #7	3,838.30			
231-107-925-010 Demolition #7				
231-107-926-110 Principal Reimbursement #7				
231-107-926-120 Interest Reimbursement #7	36,627.00	19,204.00	17,147.00	14,559.00
231-108-825-040 Due Care Activities #8				
231-108-925-790 City-wide Remediation Fund-#8		-		
231-108-926-110 Principal Reimbursement #8				
231-108-926-120 Interest Reimbursement #8	19,636.31	13,802.00	13,615.00	13,400.00
231-109-926-110 Principal Reimbursement #9	10,652.65	5,006.00	4,936.00	4,936.00
231-110-926-110 Principal Reimbursement #10				
231-110-926-120 Interest Reimbursement #10				
231-111-926-110 Principal Reimbursement #11	13,516.67	6,566.00	6,522.00	6,522.00
231-114-926-110 Principal Reimbursement #14	4,950.47	5,309.00	5,362.00	5,416.00
231-200-750-210 AO-Equipment and Supplies	1,000.00	500.00	-	-
231-200-750-220 AO-Training, Memberships, Travel,	1,000.00	-	-	-
231-200-750-225 AO-US EPA RLF-Training & Travel				
231-200-825-315 Legal Fees		5,000.00		
231-200-825-320 AO-Obligated Envir. Prep Activities				
231-200-925-335 AO-Project Development Services	67,966.00	-	-	-
231-200-926-110 AO-Salary	23,000.00	23,000.00	23,000.00	23,000.00
<b>Total Expenditures</b>	<b>210,486.70</b>	<b>90,827.00</b>	<b>82,747.00</b>	<b>79,680.00</b>
<b>Excess Revenue/(Expenditures)</b>	<b>43,513.74</b>	<b>113,286.00</b>	<b>165,699.38</b>	<b>176,897.38</b>
<b>Fund Balance - Beginning of Year</b>	<b>(1,406,258.62)</b>	<b>(1,362,744.88)</b>	<b>(1,249,458.88)</b>	<b>(1,083,759.50)</b>
<b>Fund Balance - End of Year</b>	<b>(1,362,744.88)</b>	<b>(1,249,458.88)</b>	<b>(1,083,759.50)</b>	<b>(906,862.12)</b>

**City of Wyandotte**  
**Analysis of Brownfield Redevelopment Authority Fund**  
**Unrestricted Net Asset Calculation**  
**Deficit Elimination Plan - Amended**  
**August 8, 2013**

Attachment B

	Audited FYE 2012	Budgeted FYE 2013	Projected FYE 2014	Projected FYE 2015
Beginning Unrestricted Net Assets (Deficit)	(1,624,127)	(1,580,613)	(1,467,327)	(1,301,628)
Change in Net Assets	43,514	113,286	165,699	176,897
Ending Unrestricted Net Assets (Deficit)	(1,580,613)	(1,467,327)	(1,301,628)	(1,124,730)
Non-current Liabilities	1,430,342	1,347,194	1,237,745	1,126,915
Net Assets (Deficit)	(150,271)	(120,133)	(63,883)	2,185

City of Wyandotte  
 Budget Amendments  
 August 8, 2013

Attachment C

2013 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
Brownfield Redevelopment Authority Fund	231-104-925-790	City-wide Remediation Fund-#4	\$2,500.00	\$0.00	(\$2,500.00)
	231-108-925-790	City-wide Remediation Fund-#8	\$1,000.00	\$0.00	(\$1,000.00)
	231-200-750-210	AO-Equipment and Supplies	\$1,000.00	\$500.00	(\$500.00)
	231-200-750-220	AO-Training, Memberships, Travel,	\$1,000.00	\$0.00	(\$1,000.00)
	231-200-925-335	AO-Project Development Services	\$30,139.00	\$0.00	(\$30,139.00)
Total Increase/(Decrease) in Expenses/(Revenues)					<u>(\$35,139.00)</u>

**Reduce line items in order to eliminate the Unrestricted Net Assets Deficit by the 9/30/15 as required by the State of Michigan Department of Treasury.**



## bob szczechowski

---

**From:** Todd Drysdale <tdrysdale@wyan.org>  
**Sent:** Wednesday, July 17, 2013 3:53 PM  
**To:** bszczechowski@wyan.org  
**Subject:** FW: Brownfield Deficit Elimination Plan

Does this make sense to you?

---

**From:** Goodrich, Harlan G. (Treasury) [<mailto:GoodrichH@michigan.gov>]  
**Sent:** Wednesday, July 17, 2013 3:02 PM  
**To:** [tdrysdale@wyan.org](mailto:tdrysdale@wyan.org)  
**Subject:** Brownfield Deficit Elimination Plan

Todd,

We're not asking for a plan to eliminate the unrestricted deficit of \$1,580,613, we certainly understand that number won't be eliminated in five years. What we're asking for is a plan to eliminate the current assets minus current liabilities deficit. This was officially implemented with our Numbered Letter 2012-1 dated February 29, 2012, which was implemented in part to address situations such as your Brownfield where there's long-term debt/advance but not a corresponding asset to offset it by.

On June 27, 2011 we approved a five year plan using the same approach that later became part of our Numbered Letter, that is having current assets exceed current liabilities. In 2010, the fiscal year for which this plan was approved, the Brownfield's CL exceeded CA by \$154,928. The plan was as follows:

2011 – CL>CA by \$151,925  
2012 – CL>CA by \$116,582  
2013 – CL>CA by \$73,274  
2014 – CL>CA by \$28,693  
2015 – CA>CL by \$17,185, deficit eliminated

In 2011, actual CL>CA by \$49,792, which beat the projection of \$151,925, so we maintained the certification from June 27, 2011. In 2012, actual CL>CA by \$150,271, which did not meet the projection of \$116,582, which is why the City heard from us. We are in need of a revised plan that does not extend beyond the original five years, through 2015, which shows CA>CL by that time.

Harlan

Harlan Goodrich, Manager - Municipal Finance Section  
Michigan Department of Treasury, PO Box 30728, Lansing, Michigan 48909  
(517) 241-1720 (Direct) \* (517) 373-0660 (Section) \* (517) 373-0633 (Fax)  
[GoodrichH@Michigan.gov](mailto:GoodrichH@Michigan.gov) \* [Michigan.gov/MunicipalFinance](http://Michigan.gov/MunicipalFinance)

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

10

**MEETING DATE:** August 12, 2013

**AGENDA ITEM #**

**ITEM:** 2013 Fiscal Year Budget Amendment

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

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** Budget amendments are required to meet General Fund and Special Revenue Fund obligations.

**STRATEGIC PLAN/GOALS:** To comply with all the requirements of our laws and regulations. The budget amendments keep the City in compliance with Public Act 621 of 1978.

**ACTION REQUESTED:** Adopt the resolution concurring with the City Administrator's recommendation of the 2013 Fiscal Year budget amendments.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** See attachment A.

**IMPLEMENTATION PLAN:** N/A

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur with recommendation.

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** Concur with recommendation.

**LIST OF ATTACHMENTS:**

1. Budget amendments (attachment A)
2. Department requests/information
3. Agreement between Downriver Consolidated Assessing Authority (DCA) and Anthony Fuoco Assessing Inc.

**MODEL RESOLUTION:**

RESOLVED BY CITY COUNCIL that Council hereby concurs in the recommendations of the City Administrator and approves the necessary 2013 Fiscal Year Budget amendments as outlined in this communication dated August 12, 2013.

City of Wyandotte  
 Attachment A  
 Budget Amendments  
 August 6, 2013

2013 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
General Fund	101-209-925-345	DCA-Contractual Services	\$0.00	\$26,666.66	\$26,666.66
	101-000-630-052	Reimbursement-DCA (Assessing)	\$0.00	\$15,973.00	<u>(\$15,973.00)</u>
Total Increase/(Decrease) in Expenses/(Revenues)					<u>\$10,693.66</u>

Appropriate amounts for contractual assessing services for the months of August & September 2013.

Downriver Consolidated Assessing  
 Estimated Cost Per Community - 2013 FY (Fuoco Contract - August & September)  
 8/5/2013

	Tax Parcel Count	% of Total	Estimated Annual Operating Costs 26,666.66	Current Cost	Saving
Riverview	5,000.00	18.1%	4,819		
Southgate	11,575.00	41.8%	11,155		
Wyandotte	11,096.00	40.1%	10,693		
Totals	27,671	100.0%	26,667	-	-
Reimbursement			15,973		

**AGREEMENT  
BETWEEN  
DOWNRIVER CONSOLIDATED ASSESSING  
AUTHORITY  
AND  
ANTHONY FUOCO ASSESSING INC.**

THIS JOINT SERVICES AGREEMENT "Agreement" is entered into by and between The Downriver Consolidated Assessing Authority "Authority" Located in Wayne County Michigan, and Anthony Fuoco Assessing " Assessor" a Michigan Corporation for the purpose of engaging in combined Assessing Services.

WITNESSETH:

**WHEREAS**, The parties are desirous of forming a partnership under the laws of the State of Michigan by execution of this Agreement for the purposes set forth herein and are desirous of fixing and defining between themselves their respective responsibilities, interests, and liabilities in connection with the performance of the before mentioned project; and

**WHEREAS**, State Statute, and the respective City Charters authorize City Governments to engage in partnerships for the intended purposes of cost reduction and service interest increases; and

**WHEREAS**, The Cities through their legislative action and power intend to engage in a combined assessing partnership in order to decrease the cost of operating independently and provide residents increased access to individual services; and

**WHEREAS**, The State of Michigan has set forth required benchmarks of increased collaboration and concentration of services to ensure that the highest return on value is realized by the residents of this State.

**NOW, THEREFORE**, in consideration of mutual agreements described hereinafter and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

ARTICLE I: General Provisions

(a) The purpose of this Agreement is to set forth the terms and conditions for the Member Cities of the Authority to enter into a combined services agreement with the Assessor for the purpose of obtaining comprehensive assessing services.

(b) The term of the Agreement shall commence upon August 1, 2013 and shall remain in full force and effect for a period of one (1) year, unless otherwise terminated in accordance with this Agreement.

## ARTICLE II – Purpose and Scope of the Agreement

(a) General Purpose: The Assessor shall be responsible for providing the Authority any and all necessary services for the purpose of assigning value to the personal and real property located within the respective corporate boundaries. The Assessor will provide the Authority all necessary means of maintaining and preparing the annual tax roll. The Assessor will be prepared for and be responsible for defending and managing any and all tax appeals through the course of this Agreement.

(b) Assessor's Obligations: The Assessor shall be responsible for establishing the work hours with the concurrence of the DCA Board as set forth in this Agreement. The Assessor shall work to maintain all of the files and storage systems of both Cities, ensuring an adequately maintained system in compliance with all state requirements. Further the Assessor shall prepare the Assessment and Tax Roll, including and all special assessment, TIFA, IFT, NEZ and any other required rolls for each community. This includes processing from the creation of the roll to the final archived roll, ensuring that all proper steps are taken and all balancing requirements are preformed. Assessing of all commercial and industrial properties, including field work for properties where permits were issued, MTT appeals and requested inspections per complaints or concerns about field sheet data. The Assessor shall handle all commercial and industrial MTT appeals for small claims and entire tribunal appeals, including preparation of evidence/appraisals and follow through to MTT hearing or settlement. Will assist with residential field work and MTT appeals as well as personal property issues. Shall prepare lot splits and combinations as required, support assist regarding any required assessing reports, meeting with government officials, board of review, and any other meetings as needed. Perform and or assist in all other work as needed.

## ARTICLE III - Term

(a) The term of the Agreement shall commence as of the date hereof and shall be terminated and dissolved upon the earliest to occur of: (i) the unanimous agreement of the Parties; (ii) the completion of one year of service; or (iii) in accordance with Article VIII of the Agreement.

(b) The Agreement may be extended for an additional three (3) years by mutual agreement of the Parties. Any such extension must be voted upon by the Authority Board and memorialized in a subsequent writing.

## ARTICLE IV –Payment of Expenses

(a) The Downriver Consolidated Assessing Board shall submit payment to the contractor on a monthly basis totaling \$160,000 per year.

## ARTICLE V – Additional Cities

(a) The Parties agree that additional Cities may be included in this Agreement, but this shall only occur upon the agreement and concurrence of the Assessor.

(b) If the Parties do agree to include an additional City(s) into the Agreement, their shall be no adjustment of the agreed upon fee unless acknowledged in writing by all Parties to this Agreement.

#### ARTICLE VI – Board Authority

(a) The management of the Agreement shall be conducted pursuant to policy established by the DCA Board.

(b) The Policy Committee shall determine the policy for the management of the shared services agreement by majority vote and, as used in this Agreement, a "majority vote" is defined to be any figure greater than one-half of the authorized votes.

(c) The Board shall have the following powers:

(1) To determine the time and place of holding its meetings and the procedures for conducting Committee Affairs.

(2) To determine and act upon the various matters, expressly or impliedly contained in other section of this Agreement, which require decision by the Board.

(3) To make all management decisions required for the effective adjudication of the Agreement however, the Assessor shall be exclusively in charge of the management of all persons and or individuals under his control.

(4) To determine and act upon any other matters of joint interest to, or requiring prompt action by the Agreement.

(d) The Board shall generally perform its duties at a meeting at which all designated representatives of the Parties are present, but where circumstances warrant, telephone communication between all party representatives or their alternatives is authorized.

#### ARTICLE VII – Accounting and Auditing

(a) it shall be the obligation of each individual party to this agreement to provide their own financial reporting and accounting.

(b) Periodic audits may be made upon said books at such time as authorized by the Board by persons designated by the same and copies of said audit shall be furnished to all Authority members .

#### ARTICLE VIII – Dissolution

(a) This Agreement shall be dissolved upon any of the following occurrences



- (1) Mutual agreement of the parties.
- (2) Failure of a Party to this agreement to meet either its conditional or financial obligations contained within this Agreement.
- (3) The occurrence of any of the Parties becoming insolvent or being ordered under the control of an Emergency Financial Manager.

ARTICLE IX– Other Provisions

- (a) This agreement constitutes the entire agreement of the parties and may not be altered, unless the same is agreed upon in writing signed and acknowledged by the parties.
- (b) This agreement is binding upon the heirs, court appointed representatives, assigns, and successors of the parties.
- (c) This agreement shall be governed by the laws of the state of Michigan.

ARTICLE X – Indemnification

The Parties to this Agreement shall have no liability to the other for any loss suffered which arises out of any action or inaction if, in good faith, it is determined that such course of conduct was in the best interests of the Agreement and such course of conduct did not constitute negligence or misconduct. The Parties to this Agreement shall each be indemnified by the other against losses, judgments, liabilities, expenses and amounts paid in settlement of any claims sustained by it in connection with the Agreement.

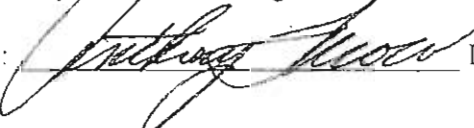
IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in their respective names by themselves or by their duly authorized corporate agents as of the day and year indicated by their signatures below. This Agreement shall become effective upon the signature of all three Parties.

Downriver Consolidated Assessing Authority

By:  Date: July 23, 2013

By:  Date: 7/23/2013

Anthony Fuoco Assessing, Inc.

By:  Date: 7-15-13

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE:** August 12, 2013

**AGENDA ITEM #** 11

**ITEM:** SEMCOG Report – Fire Consolidation

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

**INDIVIDUALS IN ATTENDANCE:** Jeff Carley, Fire Chief

**BACKGROUND:** In reaction to concerns about the viability of the current Mutual Aid agreement due to financial distress being faced by many downriver communities, the Fire Chiefs of Wyandotte and Southgate have initiated discussions with City Administration and the Fire unions of both cities to determine if there is any actions that can provide more effective fire and emergency medical response services for both communities. You were apprised of these preliminary discussions in February 2013 via our EVIP submission to the State of Michigan and the City Administrator update dated June 10, 2013.

SEMCOG, a regional planning organization, offered to perform some analysis to assist in determining if any opportunities exist to achieve this goal as well as to ascertain if any financial benefits could be realized. Attached is a copy of the report prepared by SEMCOG relative to the merits of a proposed fire department collaboration with the City of Southgate. This report includes commentary on monetary savings, manpower at fire scenes, and administrative staffing levels. Also attached are copies of a commitment to continue to support evaluation of this concept by the two labor unions involved (IAFF Southgate and IAFF Wyandotte).

At this time, it is important to determine if any additional work should be spent on this initiative. Be aware that there has not been enough analysis and negotiation performed to determine a viable direction for the City or our Fire Service. Thus, it is not possible to recommend the best form of collaboration (if any) at this time.

**STRATEGIC PLAN/GOALS:** N/A

**ACTION REQUESTED:** Authorize the City Administrator and Fire Chief to continue to explore any possible collaboration of fire and emergency medical response service with the City of Southgate.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** None at this time.

**IMPLEMENTATION PLAN:** City Administrator and Fire Chief will continue to work with representatives of the City of Southgate and the IAFF Local 356 (Wyandotte) to determine the City's best course of action.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** Concur with recommendation.

**LIST OF ATTACHMENTS**

1. Report from SEMCOG relative to Southgate & Wyandotte Fire Service
2. Letter from Southgate Fire Fighters Local 1307
3. Letter from Wyandotte Fire Fighters Local 356

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: August 12, 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council authorizes the City Administrator and Fire Chief to continue discussions with representatives from the City of Southgate and the Wyandotte Fire Fighters Local 356 relative to any potential benefits to a collaboration of fire and emergency medical response services with the City of Southgate with a report back to the City Council within ninety (90) days.

I move the adoption of the foregoing resolution.

MOTION by  
Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

# Southgate, Wyandotte

## Introduction

The cities of Southgate and Wyandotte requested assistance from the Southeast Michigan Council of Governments (SEMCOG) in evaluating a proposal to merge fire departments in order to improve or at a minimum stabilize service, and to achieve cost reductions.

This report will give an overview of each department and provide an operational and fiscal analysis of a merger in order to help determine if such a merger is feasible.

## Executive Summary

It is recommended that the merger of the Southgate and Wyandotte fire departments be pursued. The merger will result in operational and fiscal improvements that will yield long-term benefits. The rationale for this recommendation is spelled out in detail in the remainder of this report.

## Current Situation

### Southgate

The Southgate Fire Department is staffed by 28 full-time employees, operating out of one fire station, covering 6.9 square miles and serving a population of over 30,000 residents. They are a full-time fire department providing fire suppression, basic life support non-transporting EMS, fire prevention and inspection service, and specialty services such as hazardous material response and technical rescue in cooperation with regional teams. The firefighters work a 24-hour shift, resulting in an average 50.4-hour workweek and are assigned to one of two platoons. The minimum daily staffing for emergency response is 5 firefighters.

Of the 28 full-time employees, there are two sworn personnel in administration, the Fire Chief and the Fire Marshal. The chief is responsible for the overall operations of the department, as well as future and budget planning and ensuring compliance with regulations, and the fire marshal is responsible for the typical fire prevention duties, such as fire inspections, fire prevention education, fire investigation and fire code enforcement. In addition to those tasks, the fire marshal also serves as the EMS coordinator, ensuring compliance with state and regional regulations, and tracking personnel's medical license status.

## Wyandotte

The City of Wyandotte Fire Department is currently staffed by 25 full-time employees, operating out of 2 stations covering 5.3 square miles and serving a population of 23,609. The number of full-time employees will be increasing to 29, due to the award of a SAFER grant. (See the “Grant status” section below.) There is only 1 sworn personnel in administration, that being the fire chief. The chief is responsible for the overall operations of the department, as well as future and budget planning and ensuring compliance with regulations. In addition, the chief handles the fire marshal duties of inspections, investigations and fire code compliance.

Why does Wyandotte have two fire stations when Southgate only has one, covering a larger area? The number of fire stations and the placement of fire stations are dictated by several considerations. Area to be covered, any impediments to a quick response such as rivers, lakes, railroads, etc. are some of the considerations. In Wyandotte’s case, there is an active railroad that separates the city, necessitating stations on either side. The railroad consists of 4 rails, a rail yard, with approximately 24 trains per day passing through the city of Wyandotte. This has a large impact both in terms of response time and emergency response potential, with the possibility of a train derailment and/or hazardous materials response.

Wyandotte’s firefighters work the same schedule as their counterparts in Southgate, utilizing a 24-shift that results in an average workweek of 50.4 hours, with the minimum staffing covering the two stations numbering 6. Four firefighters are assigned to one station, and two to the other.

The WFD provides much the same service as Southgate, but Wyandotte also operates an advanced life support transporting EMS service (ALS). This service will become more critical as the population ages. SEMCOG projects that the population growth of Wyandotte’s residents over the age of 65 will increase 64%, from 3,576 in 2010 to 5,863 by 2040, putting increased service demands on the EMS system. For Southgate, SEMCOG predicts a 45.8% increase in population 65 and older, from 4,890 in 2010 to 7,131 by 2040. This study presumes that if a consolidation is completed, Southgate would become an ALS transporting agency as well.

Surrounding communities (including Southgate) provide a medical first response, either basic life support or medical first responder, and a private ambulance company provides ALS. It is not within the scope of this report to evaluate the service differences between public and private ALS in this case, but in general, ALS provided by the fire department results in faster response times, less turn-over in employees, more control of employees by the municipality, and deeper resources committed to the delivery of emergency medical services. In addition, the ALS

transport brings in approximately \$527,000 in cost recovery to the City of Wyandotte.

### Grant status

Both communities have been awarded SAFER grants. The SAFER grant is administered by the Federal Emergency Management Agency (FEMA). SAFER is an acronym for Staffing for Adequate Fire & Emergency Response. The purpose of the grant is defined as follows:

“The Staffing for Adequate Fire and Emergency Response Grants (SAFER) was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase the number of trained, “front line” firefighters available in their communities. The goal of SAFER is to enhance the local fire departments’ abilities to comply with staffing, response, and operational standards established by the NFPA and OSHA (NFPA 1710 and/or NFPA 1720 and OSHA 1910.134).”

The grant covers all W-2 employee costs with the exception of overtime for the employees hired under the grant. As a condition of the grant, staffing levels cannot be reduced during the period of the grant, and in some cases, staffing levels cannot be reduced for one year following the grant. This is the case for Southgate.

Southgate has approximately \$200,000 remaining on their SAFER grant, which will expire in November of 2013. Southgate is in the process of applying for a new SAFER retention grant, but the outcome will not be known for some time. Due to restrictions at the time the grant was awarded, Southgate will not be allowed to reduce staffing until one year following the grant expiration, or November of 2014.

Wyandotte was recently awarded their SAFER grant, which took effect in March of 2013 and will expire in March of 2015. The conditions of the grant have been changed, and Wyandotte is under the obligation to maintain staffing levels only during the period of the grant.

Thus, staffing levels must be maintained at their current levels in Southgate’s case until November of 2014, and in Wyandotte until March of 2015. It is unknown at this time what impact a merger would have on the grants.

In addition, it has been the experience throughout the region that other grants are meeting with more favorable responses in communities that have consolidated services. Grants have been awarded for start-up costs, apparatus purchases, equipment upgrades, and other categories for communities that have entered into mergers. In a recent letter from the State of Michigan explaining a grant rejection to a local community, it was stated, “...the grant panel wanted to encourage cooperation among multiple local units instead of internal cooperations.”

## Benchmarks and Standards

### Benchmark comparison and overview

SEMCOG has benchmarks to assist in evaluating fire service delivery. Before examining the SEMCOG benchmarks as they relate to Southgate and Wyandotte, we will first consider other fire service delivery measures.

Several outside agencies weigh in on fire service response. Some of the agencies have regulatory powers, and some are standards setting bodies with no enforcement ability. The major ones we will consider briefly are the NFPA (National Fire Protection Agency), ISO (Insurance Services Office) and MIOSHA (Michigan Occupational Safety and Health Administration).

### NFPA

The NFPA sets standards for various aspects of fire service delivery, fire safety programs, inspections and regulations, and other fire related issues. The standard that relates to fire response for full-time fire departments in terms of staffing and response time is NFPA 1710.

Standard 1710 sets the minimum fire department response time, broken down into components of response. It calls for 1 minute maximum call processing time by the dispatch center, 1 minute maximum turnout time by the fire department, (the time from which the FD receives notice of the emergency until they are responding to the scene) and a maximum 4 minute response time once enroute. This is a combined community response of 6 minutes. The fire department is required to meet this standard 90% of the time. Both departments meet the standard in the areas where they have control, those being turnout time and response time.

In terms of staffing, 1710 calls for an initial response of a minimum of 4 personnel responding together and operating under the same officer to arrive within 4 minutes, and a full alarm assignment of 15 personnel to arrive within 8 minutes. The standard then goes on to detail how those personnel should be deployed. The staffing portion of this standard has been the most criticized, as very few communities can afford the resources to comply with the standard. However, the need for this large response in order to rescue trapped occupants and/or stop property loss in structural fires has been validated in subsequent studies, most recently by the National Institute of Standards and Technology (NIST) in April of 2010. Many departments attempt to meet or come close to meeting this standard by the use of mutual or automatic aid. Meeting the standard through mutual aid is not feasible in Southgate and Wyandotte's case, as the surrounding communities are either experiencing staffing and service cuts or entirely changing the service delivery model due to their own economic difficulties.

Neither department meets the staffing standards set forth in NFPA 1710, even though both departments respond their entire complement to building fires. This is not unusual as there are very few departments in the State of Michigan that have the resources to meet this standard, however enacting this consolidation would bring the response closer to the standard. In Wyandotte's case, a full response is a minimum of 6 firefighters responding on 2 engines and 1 rescue for a residential fire and for Southgate it is a minimum of 5 firefighters responding on 2 engines. When additional resources are needed, which is the case for virtually every working fire, mutual aid is utilized. (A working fire is one that exceeds the capacity of the 500-gallon tank on the engine, and a water supply from a hydrant must be established.) Mutual aid is discussed in more detail in the section entitled "Options".

NFPA is a standards setting body and has no enforcement power, other than being the standard by which departments are measured.

## ISO

The ISO groups fire departments into fire protection classifications that are rated 1 through 10, with 1 being the best rating and 10 the worst. These classifications then may be used to determine insurance rates for businesses and residential property throughout the district. Having a lower classification has no direct benefit to the local government, but the business owners and citizens are directly affected, making communities with lower ratings more attractive places to do business and reside.

The ratings are based on three factors: The fire department, communications, and water supply. For the fire department, credit is given for items such as adequate training, sufficient staffing, quality of equipment, and station placement and response time.

The ISO is an organization that provides information to insurance companies, assisting them in determining the risk in insuring properties within a jurisdiction. It has no enforcement power other than impacting the insurance rates in a community. It should be noted that not all insurance companies utilize ISO ratings when determining rates.

Wyandotte's current ISO rating is 4, and Southgate's is 5. While there is no guarantee, with a merger, the ISO ratings could improve.

## MIOSHA

MIOSHA Part 74 has to do with firefighting. It covers areas regarding equipment type and usage, tools used by the fire service, etc. However, it is in MIOSHA Part 451, Respiratory Protection that we see what has become a huge impact on the fire service.



The Michigan Occupational Safety and Health Administration (MIOSHA) has adopted in full the OSHA requirement that has become known as “two in, two out”, and that regulation is found in Part 451. In essence it states that when emergency personnel enter an atmosphere that is immediately dangerous to life or health, (IDLH), they must do so in teams of at least two, and while they are in the IDLH there must be a team of at least two standing by to perform rescue of emergency personnel should they become endangered. It states that one of the two potential rescuers must be dedicated exclusively to this task, while the other(s) may be involved in other activities, provided those activities can be immediately abandoned to participate in the rescue efforts without endangering the other personnel on scene. An exception to this rule is allowed in the case of the need for immediate rescue of human life, but not for fire suppression.

Therefore, in order to conduct interior firefighting operations, a minimum of 4 personnel must be on scene. Many argue that the minimum is 5 personnel, as leaving the fire pump panel unattended presents a danger that could be interpreted to endanger personnel on scene.

MIOSHA possesses enforcement power. Communities can be fined for not complying, and if that non-compliance results in serious firefighter injury or death, the fines could be crippling to a community, and would sure to be followed by civil litigation. There is no option. Communities must comply with the two in, two out regulation.

### SEMCOG benchmarks

Now that standards and regulations from outside agencies have been briefly reviewed, we will look at the SEMCOG benchmarks. Below are pertinent benchmarks for Southgate and Wyandotte

### Southgate

<u>Measure</u>	<u>Benchmark</u>	<u>Southgate</u>
Fire & EMS cost per capita	\$121	\$119
Personnel per 10,000	11.9	8.6
Operating Cost per Firefighter	\$101,681	\$138,488
Fire Incidents per 1000	2.2	11.4
EMS runs per 1000	51	127
Inspections per 1000	52	23.3
Cost per response	\$535	\$866
Response time for priority one calls (minutes)	4.7	5

% of responses 4 minutes or under	90	94
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**Wyandotte**

<u>Measure</u>	<u>Benchmark</u>	<u>Wyandotte</u>
Fire & EMS cost per capita	\$121	\$112
Personnel per 10,000	11.9	9.56
Operating Cost per Firefighter	\$101,681	\$116,607
Fire Incidents per 1000	2.2	13.59
EMS runs per 1000	51	100.6
Inspections per 1000	52	15.5
Cost per response	\$535	\$976
Response time for priority one calls (minutes)	4.7	4
% of responses 4 minutes or under	90	94

It is demonstrated that the departments are fairly close to each other in the benchmark comparison, and in most categories other than personnel costs they outperform the benchmarks. For the benchmarks that the cities don't meet, the issue is the high cost of personnel. We find that to be typical throughout southeast Michigan. With many communities experiencing severe economic crisis we are seeing changes in this area. They are coming primarily through contract concessions and the instituting of two and in some cases three-tier wage and benefit systems.

Another area where the benchmark is missed by a significant number is in the number of inspections per 1000. This is not unexpected, as Southgate has only one person dedicated to this task, and that individual has several other responsibilities as well. In Wyandotte, no one person is dedicated to inspections, with the task falling under the chief, so it could not be expected that the benchmark would be met.

How do the benchmarks compare with other departments of similar size and service demographics? We will look at several departments that were deemed to be comparable in Southgate's last 312 arbitration in terms of cost per capita.\*

<u>City</u>	<u>Population</u>	<u>Fire Expense 2012</u>	<u>Cost per capita</u>
Garden City	26,142	\$2,242,911	\$86
Allen Park	28,210	\$3,677,171	\$130
Trenton	18,853	\$2,256,948	\$120
Lincoln Park	38,144	\$5,318,505	\$139

Ferndale**	22,426	\$4,526,515	\$204
Southgate	30,047	\$3,600,692	\$119
Wyandotte	25,883	\$2,886,037	\$112

\*Data taken from Munetrix.com. Data shows fire expenses for the year 2012, as reported on the State of Michigan F-65.

\*\*Includes population, expenses and income from the city of Pleasant Ridge.

While cost per capita in no way gives us a complete picture, we can get an idea that the two cities are not out of line with the rest of the region.

## Combined departments

If the two departments were to combine, would there be benefits to the communities, and would those benefits outweigh the difficulties that are sure to be encountered in achieving the combined department?

The benefits of a combined department can manifest themselves in different ways, and we will consider two major categories: Operational benefits and fiscal benefits.

### Operations

Without a doubt, there are operational benefits to combining the two departments into one, resulting in one fire department covering the approximately 12 square miles of the two cities.

When looking at NFPA 1710, clearly it is impossible for each city to even come close to compliance on their own. Even if the two departments were to combine, the new larger department would not be able to meet the goal 100% of the time, however, with the combined department fire protection could come much closer to meeting the standard. This leads us to the question, is the standard legitimate? Should attempting to come as close as possible to meeting the standard be a target worth considering? That depends on the level of service the community desires and can afford.

NFPA 1710 assumes several things. First of all, the standard was written with the most common type of fire in mind: An occupied, detached single-family dwelling. It also assumes the goal is to contain the fire to the room of origin, and to rescue trapped occupants. If that is the goal, then yes, the standard is legitimate. Fire scenes are labor-intensive operations, with multiple tasks to be performed under dangerous and difficult conditions. Some of those tasks are sequential in nature, (first A, then B) and some must be simultaneous (A and B must happen at the same time.) Despite the improvements in gear and equipment, it is still imperative to have a sufficient number of personnel on the scene to accomplish the operation.

However, due to either necessity or a philosophical decision, some communities decide to provide a different level of service. Consider the following service levels regarding fire suppression: Confine the fire to the room of origin and rescue trapped occupants; confine the fire to the floor of origin and attempt rescue; confine the fire to the building of origin and occupants self-rescue relying on smoke detectors or other warning or escape devices; or confine the fire to the block of origin. Each level of service demands differing levels of resources, and while it is entirely legitimate and reasonable to deliver a lesser level of service because of the desires and/or ability of the community, it is not reasonable to expect confine to room of origin results while providing of block of origin resources.

Could the same result be obtained by using mutual or automatic aid between the two departments and thereby not needing to go through the difficulties of combining the departments? In a perfect world, yes, that could work and many departments attempt to meet the standard by the use of mutual or automatic aid. However, in order to accomplish the goal efficiently and effectively, there needs to be a great deal of communication and cooperation. Running procedures would need to be harmonized. Equipment, especially life safety equipment such as self-contained breathing apparatus would need to be standardized. The departments would need to regularly train together. When operating as two separate departments, this is extremely difficult to accomplish.

Thus far, this section has discussed fire response. It is acknowledged that structure fires are relatively low frequency events, but it would seem that both communities have made the commitment that they desire to continue to meet that need. What about EMS? Are there operational benefits in this area to be had by combining the departments?

By the implementation of a district wide ALS transporting agency, a great deal of redundancy and back-up would be in place that would enhance the EMS service provided to the area. As mentioned earlier, as the population of the region ages, more demand will be placed on the EMS system, and by adding Southgate to the equation, the two cities will be prepared. In addition, by instituting ALS transport, with Southgate experiencing 2734 calls last year that were transported, at an average of \$326 per run, there is a potential revenue source of approximately \$700,000 to \$850,000.

The biggest expense in moving from a basic life support system to an advanced life support system is the training of personnel, including tuition, materials, and overtime for the trainees or shift coverage while in school. Fortunately Southgate already has an adequate number of licensed advanced emergency medical technicians, so this is not an issue in this case.

If these departments were to combine, what would it look like? The fire chiefs have proposed an operational model that is as follows:

- 57 total staff, including 54 line personnel and 3 staff positions. The staff positions would consist of 1 chief, 1 deputy chief/fire marshal and 1 fire inspector.
- Line personnel would operate on 3 platoons, 18 members per platoon, with 12 personnel being the number needed to meet operational objectives.
- Line personnel would operate out of 3 stations, running 3 engines, 3 ALS units, and 1 aerial device. Another ALS unit would be available but would not have dedicated staffing. When needed, personnel would leave the engine behind and respond in the ALS unit for medical emergencies, and for fire emergencies the personnel would respond on the engine leaving the ALS unit behind.

The chief's proposal looks operationally sound, but is there enough personnel to cover the needed 12-person minimum without causing an undue amount of overtime? Firefighters are scheduled for 121 24-hour shifts per year, but with FLSA required time off, vacation, sick time, duty related injuries, the average number of shifts actually worked in Wyandotte is 94.16, and in Southgate it is 84.5. Using Wyandotte's average number of shifts actually worked, the formula below indicates the number of personnel needed.

1. Identify the total number of firefighter positions needed per day. 12
2. Determine the number of 24-hour periods that need to be covered in 1 year by multiplying the number of positions by the number of days per year.  $12 \times 365 = 4380$
3. Identify the number of shifts each firefighter will be assigned per year.  $56 \text{ hours} \times 52 \text{ weeks} = 2912 \text{ hours per year}$ .  $2912 / 24 = 121 \text{ shifts per year}$ .
4. Determine the number of shifts that will actually be worked by subtracting FLSA required time off to bring work-week down to 50.4, average vacation, sick, personal time, etc.  $121 - 27 = 94$
5. Determine the number of firefighters needed by dividing the number of 24 hour periods needed (4380) by the number of 24 hour shifts actually worked (94).  $4380 / 94 = 46.6$

Using the above formula, see the results for each city factoring in the different time off usage, and the combined department, using the average of the two:

Southgate	Wyandotte	Consolidated, average of time off
1. 12	1. 12	1. 12
2. $23 \times 365 = 4380$	2. $23 \times 365 = 4380$	2. $23 \times 365 = 4380$
3. $56 \times 52 = 2912$ , $2912/24 = 121$	3. $56 \times 52 = 2912$ , $2912/24 = 121$	3. $56 \times 52 = 2912$ , $2912/24 = 121$
4. $121 - 36.5 = 84.5$	4. $121 - 27 = 94$	4. $121 - 31.75 = 89.25$
5. $4380 / 84.5 = 51.8$	5. $4380/94 = 46.6$	5. $4380/89.25 = 49$

It can be seen that the current number of 54 line personnel between the two departments is adequate to cover the operational needs as outlined by the chiefs. Adding the 3 staff positions, the department could total 52 personnel, using the average amount of time off between the 2 departments.

Currently, the two cities are primary mutual aid partners, responding to each other's major incidents, virtually all fires, and secondary runs where resources for the primary city are unavailable. In many ways, they are already acting as a combined department operationally, but they are not reaping the benefits of streamlined administration, better buying power, and safer procedures gained by unified training and standardization of equipment, etc. that would be in place if they were formally united.

# Fiscal evaluation

## Southgate & Wyandotte Fire/EMS Shared Service Analysis CONFIDENTIAL

SEMCOCG

4/6/13

(Note: Proforma data highlighted in yellow that has been estimated and must be validated by each commu

			Year 1		Year 2		Year 3	
Metric	Southgate	Wyandotte	Total/Avg.	Consol. Fire/EMS	Consol. Fire/EMS	Consol. Fire/EMS	Consol. Fire/EMS	Benchmark
<b>Personnel</b>								
# full time Fire Employees	28	29	57	60	60	53	42	
Avg. Annual Wage/fire Employee	\$62,867	\$59,181	\$60,992	\$60,992	\$60,992	\$60,992	\$60,992	\$52,000
Overtime & Other W2 Costs/Fire Empl.	\$9,466	\$7,954	\$8,697	\$7,954	\$8,697	\$7,954	\$2,600	
Fringe Benefit Costs/Fire Employee	\$15,406	\$22,022	\$18,772	\$18,772	\$18,772	\$18,772	\$12,400	
OPEB Liability/ FT FF.	\$35,000	\$22,272	\$28,524	\$28,524	\$28,524	\$28,524	\$18,667	
# FT Firefighters w/13 yrs. retirement	2	5	7	7	7	0		
Firefighter Union Representation	TBD	TBD	TBD	TBD	TBD	TBD		
Contract expiration	7/1/13	12/31/15	TBD					
<b>Equipment</b>								
# stations	1	2	3	3	3	3		
Age of the stations (range)	40	10-30	10-40	10-40	11-41	12-42		
Station Space (sq. ft.)	2200	1800 & 2750	6750	6750	6750	4950		
# pumpers	2	3	5	5	5	5		
Age of the pumpers (range)	15-25	3-23	5-24	5-24	6-25	7-26		
# aeriols	1	1	2	2	2	2		
Age of the aeriols (range)	12	10	10	10-12	11-13	12-14		
# ambulances	0	2	2	3	3	3		
Age of the ambulances (range)	N/A	3-8	3-8	1-8	2-9	3-10		
<b>Calls</b>								
Fire calls	70	73	143	143	143	143		
Hazmat Calls	101	56	157	157	157	157		
EMS calls	3814	2604	6418	6418	6418	6418		
Transport calls	2734	1617	4351	4351	4351	4351		
Other calls	173	223	396	396	396	396		
Total Calls per year	4158	2956	7114	7114	7114	7114		
Time to Respond (90%) - min.	5	4	4.5	4	4	4	5	
<b>Demographics</b>								
Population - 2010 Census	30047	25883	55930	55930	55930	55930		
Housing Units	13933	12081	26014	26014	26014	26014		
Service Area - Acres/Sq. Miles	4400/6.8	3391/5.3	7791/12.1	7791/12.2	7791/12.3	7791/12.4		
2012 Taxable Value	612,854,350	502,575,883	\$1,115,430,233	\$1,115,430,233	\$1,115,430,233	\$1,115,430,233		
<b>Financial</b>								
Personnel Cost/Yr.	\$3,436,692	\$3,231,441	\$6,668,133	\$6,974,523	\$7,019,087	\$6,160,829		
SAFER Grant	\$200,000	\$308,000	\$508,000	\$508,000	\$508,000	\$0		
Non-Personnel Cost/ Yr.	\$118,000	\$517,000	\$635,000	\$539,750	\$539,750	\$539,750		
Capital Exp./yr.	\$46,000	\$33,000	\$79,000	\$158,000	\$158,000	\$158,000		
Cost Recovery	\$0	\$527,142	\$527,142	\$1,418,426	\$1,418,426	\$1,418,426		Avg/ Transport Run \$326 for 2011
Current Net Fire/EMS Costs/yr.	\$3,800,692	\$3,562,299	\$7,362,991					
Consol. Net Fire/EMS Costs/yr.	\$3,490,388	\$3,271,459		\$6,761,847	\$6,806,411	\$5,440,153		Savings could eventually double if two tier wage & benefits costs were negotiated to benchmark levels.
Savings	\$310,304	\$290,840		\$601,144	\$556,580	\$1,922,838		26%
% Savings	8%	8%		8%	8%			
Start up costs (est.)	\$150,000	\$150,000		\$300,000				New ambulance & legal costs
Payback (months)	6	6		6				
<b>Performance Measures</b>								
Fire & EMS cost per capita	\$126.49	\$137.63	\$131.65	\$120.90	\$121.70	\$97.27	\$68.00	
Calls per 1000 population	138	114	127	127	127	127	62	
Fire & EMS pers./10,000 pop. (FTE)	9.32	11.20	10.19	10.73	10.73	9.48	7.40	
Cost per call	\$914	\$1,205	\$1,035	\$950	\$957	\$765	\$535	

## Other options for service delivery

### Maintain status quo

Should both cities decide to take no action and remain as separate entities, is that sustainable? In light of escalating costs and decreasing revenue, no this is not sustainable without reduction in force and/or significant concessions on the part of labor. Both departments are already lean in terms of staffing, and further reductions would negatively impact the ability to deliver service. Furthermore, with the SAFER grants in place, staffing reductions are not an option. The SAFER grants are helping in the short-term, but they will expire and the cities will be faced with difficult decisions

Concessions have already been gained from the unions, and a two-tier system is in place. However, significant benefits from a multi-tiered system are deferred until the time that the first tier has substantially been reduced through attrition.

### Increase reliance on mutual aid

Mutual aid is a tried and true method of delivering fire services to communities all across the country. However, some communities rely on mutual aid to deliver routine services, which is not what it is intended for. Mutual aid is best utilized for emergencies that occur that are out of the ordinary. No municipality can resource itself for every possible emergency that may occur. This is where mutual aid comes in: For emergencies that are rare and demand extensive resources, or for the occasions where the fire department is overwhelmed with multiple calls for service.

If a fire department finds itself in the position of using mutual aid for routine calls or on a frequent basis, it is time to make some decisions. Either resources need to be increased, or regionalization/collaboration should be explored.

When looking at the neighboring communities, it is clear that increasing reliance on mutual aid is not a viable option. In fact, the current status of mutual aid is in jeopardy as departments have downsized and changed operational models. They are struggling financially as well, and their resources have been diminished. Some are considering changing the service delivery model to public safety, and some already have, severely impacting their ability to respond to mutual aid requests. This does not make for good mutual aid partners.



## Change service delivery model

Some communities are considering moving to a public safety model where the same employee provides both police and fire protection. Is this an option that should be considered?

There are both financial and operational costs associated with moving to such a model. Having employees cross-trained is an expensive proposition, with training costs and overtime running into large numbers. However these are one-time expenses, and the payback period may be tolerable. It must be considered that typically the compensation for public safety officers is typically higher than that of police officers or fire fighters, and that is a long-term expense.

Operationally, there are even greater costs. Having one department provide the services of two necessitates cutting back on some services. During major fire incidents, there are few, if any officers available to respond to police calls. During normal operations, the demands weigh heavily on the police side and fire training often goes by the wayside. It is difficult enough for full-time fire departments to keep up with training requirements, let alone a department that is charged with police responsibilities as well.

That being said, there are public safety departments throughout the state that deliver service to their communities. How do they do that? For the most part, the sacrifice is made on the fire end of the equation. This may not be the case in all public safety departments, but it is the case in the majority. The organizations understandably become police oriented. Large fire runs are infrequent, and eventually are always controlled to one extent or another. The day-to-day fire runs such as medical emergencies, automatic fire alarms, smoke/odor investigations, etc. are either handled with existing resources, or contracted out. The demands of the police side understandably overwhelm the demands of the fire side. In addition, public safety directors typically come from a police background. Again, this is understandable, given the service demands. Another factor is there tends to be an imbalance in the educational background of police vs. fire personnel. It is typical for a police officer to have a bachelor's degree, and many have master's degrees, while firefighters may have certifications and perhaps an associate's degree, but bachelor degrees are much less frequently found and master's degrees are rare. With the service demands being higher on the police side, public safety directors coming typically from police ranks, it is not surprising that public safety resources in time and money are directed more towards law enforcement.

In looking at public safety departments throughout the state, with very few exceptions, they are found in communities that are smaller in size and have lower crime rates and fire service demands. Wyandotte and Southgate are both busy fire departments in areas that have a variety of hazards, such as older housing stock,

downtown areas, major roads and railroads. One exception to this is the City of Kalamazoo.

Kalamazoo has a downtown area, large older housing stock, a major university, and numerous other occupancies and hazards. They are a large community with a population of 74,262. Assuming their public safety department delivers a high level of police and fire service, how do they do it? The Kalamazoo Department of Public Safety has over 300 sworn officers, or approximately 40.4 officers per 10,000 population. Combining all police and firefighters in Wyandotte and Southgate, you don't come close to 40.4 officers per 10,000.

When considering a move to the public safety model, police departments often see it as a way to shore up core services. It is typically firefighters that raise concerns regarding the impact on services to the fire part of the equation, and while in part there may be a large degree of self-preservation, it is also because firefighters are the ones that understand the need for and delivery of quality fire service and all of its specialties.

## Options for consolidation

There are several options under Michigan law available to municipalities considering consolidation of services. The following information is taken from a presentation entitled "Intergovernmental Cooperation and Consolidation – Legal Issues and Statutes" presented by David G. Stoker of Coho, Stoker and Toskey, P.C., Lansing, Michigan.

- Intergovernmental Contracts between Public Agencies Act, MCL 124.1 et seq
  - Allows municipal corporations to contract with other municipal corporations to jointly own property, operate facilities, or perform services that each could separately own, operate or perform.
  - Established through a negotiated contractual arrangement between the public entities.
- Intergovernmental Transfers of Functions and Responsibilities Act, MCL 124.531 et seq
  - Allows political subdivisions to contract with other political subdivisions to transfer functions or responsibilities with each other, or in any combination thereof.
  - The transfer agreement must be approved by each political subdivision's governing body and filed with the Secretary of State.
  - The agreement may include establishing a joint board or commission to supervise the execution of the agreement.
- Urban Cooperation Act of 1967, MCL 124.501 et seq

- Allows public agencies to join with other public agencies to exercise jointly any power, privilege, or authority that they share in common or that each could separately exercise.
- Established through a negotiated contractual arrangement between the public entities, that must be approved by the governing entities of each public agency. The agreement must be approved by the Governor if the State is to allocate funds to carry out the agreement or if the contract includes as a party a public agency that is an agency of the United States government, or from another State or Canada. If the agreement involves tax sharing, it may also be subject to a referendum vote. The approved agreement must be filed with the Secretary of State.
- The act allows for the creation of an administrative entity to administer or carry out the contract which can be a separate public legal entity.
- The agreement can include the sharing of revenues, including the sharing of taxes levied under the general property tax laws.
- Municipal Partnership Act, MCL 124.111 et seq
  - Allows local governmental units and other public agencies to contract with other local governmental units or public agencies to jointly create a separate legal entity authority to undertake a joint endeavor that each could exercise separately.
  - Established through a negotiated contractual arrangement between the participants that is approved by each governing body.
  - The local governmental units are expressly authorized to appropriate tax dollars for the joint endeavor, including tax dollars that may have been approved for the local unit to perform the purpose that will be jointly undertaken.
  - The act allows for the joint endeavor authority to levy a millage, upon voter approval on all of a local unit, or a portion of a local unit that will receive the joint endeavor services, upon voter approval by the affected electorate.
  - The authority granted in the joint endeavor contract as authorized by this act would control over any contrary charter or local ordinance limitations.

Typically, the first two options do not result in a new entity, where the second two does result in a new entity. Making the decision as to which type of consolidation is appropriate for the communities is best left to the governing bodies, under the advise of legal counsel.

## Conclusion

The cities of Southgate and Wyandotte, along with a large part of the southeast Michigan region, are undergoing unprecedented fiscal challenges. The goal of city administrators is to continue to provide a high level of service as they face these challenges. One of the options being considered is the consolidation of the fire departments of the two cities.

This seems to be the best option available. It will result in operational improvements and fiscal efficiencies. This has been demonstrated in the region in other such arrangements such as West Bloomfield/TriCities, Wayne/Westland, and Waterford/Pontiac. While the Waterford/Pontiac merger was the result of an emergency manager and was implemented in a way that was distasteful to some, it nonetheless has had positive operational and financial results. The cities are to be commended for taking this action prior to reaching a point of desperation and being forced to take such drastic measures.

While there is much work to be done, it is recommended that the effort be put in. The resulting operational and fiscal improvements will show the effort to be worthwhile. The SEMCOG team stands ready to assist Southgate and Wyandotte with the recommended fire consolidation. As valued members of SEMCOG, there would be no cost for such services to either community.



## *Southgate Fire Fighters Local 1307*

*14730 Reaume Parkway*

*Southgate, MI 48195*

*734-258-3080*

June 20, 2013

Mr. Fournier

As a representative of Southgate Firefighters local 1307, I am informing you we are interested in continuing negotiations on a possible merger between the Southgate and Wyandotte Fire Departments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Farrah', with a long horizontal flourish extending to the right.

Michael Farrah  
President  
IAFF Local 1307



# Wyandotte Fire Fighters - Local 356

1093 Ford Avenue • Wyandotte, Michigan 48192

June 26, 2013

Todd Drysdale

City Administrator

As a representative of Wyandotte Firefighters I.A.F.F. local 356, I am informing you we are interested in continuing negotiations on a possible merger between the Wyandotte and Southgate Fire Departments.

Raymond Wagoner

President Wyandotte Firefighters local 356

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: August 12, 2013

AGENDA ITEM #

12

**ITEM:** Legal Fees – Zoo/DIA Millage Legal Appeal

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

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** At the City Council Meeting dated December 3, 2013, the City Council approved attorney fees associated with the legal action asking for a declaratory judgment regarding the rights and obligations of the local treasurer in collecting the Zoo and Detroit Institute of Arts millage. Contrary to the threat of the Wayne County Treasurer's Office, the City's position prevailed as outlined in the attached opinion and order by Judge Ryan dated June 12, 2013. The total legal defense cost of prevailing in this matter was \$45,311.10 which was split by eight (8) participating municipalities. The City of Wyandotte paid \$8,318.35 (\$2,500 General Fund, \$4,945.60 TIF Consolidated Fund, and \$872.75 DDA-TIF). In return, the City's tax increment finance districts were able to retain and capture \$109,251.51 in the 2012 Fiscal Year and prior.

The City has recently been informed that the Zoological Authority has filed an appeal of this ruling. Thus, it is necessary to appropriate funding for the defense of this appeal. It is estimated that the cost of the defense will be \$25,000 of which the City of Wyandotte's share will be approximately \$3,600. Thus, the City Council should approve a budget amendment to the TIFA Consolidated Fund and DDA-TIF Fund totaling \$3,600 (\$3,060 TIFA Consolidated, \$540 DDA-TIF) and recommend that the Tax Increment Finance Authority and Downtown Development Authority do the same.

Note that the state legislature has recently passed a law that prohibits the future capture of these millages. This will reduce the amount of tax increment revenue by approximately \$48,000 annually in the future. As such, prevailing on appeal will be solely for the purpose of preserving the aforementioned amounts captured in the prior years.

**STRATEGIC PLAN/GOALS:** N/A

**ACTION REQUESTED:** 1 – Amend the TIFA Consolidated Fund and DDA-TIF Fund budget to increase legal fees in the amounts identified above. 2 – Request the TIFA Consolidated Fund and Downtown Development Authority to also approve the budget amendments to defend a portion of their revenue capture.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** TIFA Consolidated Fund (\$3,060) and DDA-TIF Fund (\$540). The successful defense of this appeal will allow the TIFA Consolidated Fund to retain approximately \$94,559 in tax increment capture from the Zoo and DIA millage and the DDA-TIF Fund to retain \$14,693.

**IMPLEMENTATION PLAN:** City Administrator will continue to work with legal counsel and participating communities to defend our position and state law.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur

**LEGAL COUNSEL'S RECOMMENDATION:** Concur with recommendation

**MAYOR'S RECOMMENDATION:** Concur with recommendation.

**LIST OF ATTACHMENTS**

1. Council Resolution dated December 3, 2012, approving the legal fees related to defending the City's position on the tax increment capture of Zoo and DIA millage.
2. Order from the Honorable Daniel P. Ryan dated June 12, 2013, granting Summary Disposition to Plaintiffs
3. Opinion from the Honorable Daniel P. Ryan dated June 12, 2013, granting Summary Disposition to Plaintiffs



**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: August 12, 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council Concurs with recommendation of the City Administrator to approve a budget amendment to the TIFA Consolidated Fund and DDA-TIF Fund to fund the City's share of the cost of defending the legal appeal by the Zoological Authority relative to the tax increment capture of the zoo millage and

Further, recommends and request the Tax Increment Finance Authority and Downtown Development Authority, to concur in this budget amendment to protect their tax increment revenue received in 2012 and earlier.

I move the adoption of the foregoing resolution.

MOTION by  
Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keehn  
CITY ASSESSOR

December 4, 2012



RESOLUTION  
JOSEPH R. PETERSON  
MAYOR

Todd A. Drysdale  
City Administrator  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

By Councilman Daniel E. Galeski  
Supported by Councilman Todd M. Browning

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Administrator to engage Monaghan, PC to represent the City, Tax Increment Finance Authority, Downtown Development Authority, and Brownfield Redevelopment Authority in the legal action asking for a declaratory judgment regarding the rights and obligations of local treasurers in collecting the Zoo and Detroit Institute of Arts millage for their local TIF districts and to also enjoin the Wayne County Treasurer from interfering in legal obligations of the local treasurer in capturing these same millages AND FURTHER, approves the payment of the necessary retainer fee of \$2,500 from account # 101-200-825-390 and FURTHER, recommends and requests the Tax Increment Finance Authority, Downtown Development Authority, and Brownfield Redevelopment Authority to appropriate an amount to pay the remaining legal fees associated with this action to protect their tax increment revenue sources. It is FURTHER RESOLVED that this engagement only applies to the declaratory action in Circuit Court; and no further legal action on behalf of the City is authorized without prior City Council approval.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda Stec

NAYS: None

RESOLUTION DECLARED ADOPTED

I, William R. Griggs, City Clerk for the City of Wyandotte do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Mayor and Council of the City of Wyandotte, at the regular meeting held on December 3, 2012.

*William R. Griggs*  
William R. Griggs  
City Clerk

CC: Department of Legal Affairs, City Treasurer, City Assessor

COUNCIL

Todd M. Browning  
James R. DeSana  
Sheri M. Sutherby-Fricke  
Daniel E. Galeski  
Leonard T. Sabuda  
Lawrence S. Stec

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

**Tax Increment Finance Authority of the City of Dearborn Heights**, a public body corporate; **City of Dearborn Heights**, a body corporate and Home Rule City; **Downtown Development Authority for West Dearborn**, a public body corporate; **Downtown Development Authority for East Dearborn**, a public body corporate; **City of Dearborn**, a public body corporate; **City of Bellville**, a public body corporate; **City of Belleville Downtown Development Authority**, a public body corporate; **Charter Township of Van Buren Downtown Development Authority**, a public body corporate; **City of Wyandotte**, a public body corporate; **Tax Increment Finance Authority of the City of Wyandotte**, a public body corporate; **Downtown Development Authority for City of Wyandotte**, a public body corporate; **Brownfield Redevelopment Authority for City of Wyandotte**, a public body corporate; **Charter Township of Plymouth Brownfield Redevelopment Authority**, a public body corporate; **City of Romulus**, a public body corporate; **Tax Increment Finance Authority of the City of Romulus**, a public body corporate; **City of Northville**, a public body corporate; **Downtown Development Authority for the City of Northville**, a public body corporate; **City of Taylor**, a public body corporate; and **City of Taylor Tax Increment Finance Authority**, a public body corporate,

**Plaintiffs,**

-v-

**Wayne County Treasurer Raymond J. Wojtowicz**, an elected official; **Wayne County Zoological Authority**, a public body corporate; and **Wayne County Art Institute Authority**, a public body corporate,

**Defendants,**

**and**

**Case No. 13-001668-CZ**

**Hon. Daniel P. Ryan**  
13-001668-CZ

FILED IN MY OFFICE  
WAYNE COUNTY CLERK  
6/12/2013 10:22:59 AM  
CATHY M. GARRETT  
/s/ Michelle Howard

**Detroit Zoological Society, Inc.**, Michigan nonprofit Corporation; and **Detroit Institute of Arts, Inc.**, a Michigan nonprofit corporation,

**Intervening Defendants/Counter-Plaintiffs,**

-v-

**Tax Increment Financing Authority of the City of Dearborn Heights; City of Dearborn Heights; Downtown Development Authority for West Dearborn; Downtown Development Authority for East Dearborn; City of Dearborn; City of Belleville; City of Belleville Downtown Development Authority; Charter Township of Van Buren Downtown Development Authority; City of Wyandotte; Tax Increment Finance Authority of the City of Wyandotte; Downtown Development Authority for City of Wyandotte; Brownfield Redevelopment Authority for City of Wyandotte; Charter Township of Plymouth Brownfield Redevelopment Authority; City of Romulus; Tax Increment Finance Authority of the City of Romulus; City of Northville; Downtown Development Authority for the City of Northville; City of Taylor; and City of Taylor Tax Increment Finance Authority,**

**Counter-Defendants.**

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## **ORDER**

At a session of said Court held in the Coleman A. Young Municipal Center, Detroit, Wayne County, Michigan, on this:

June 12, 2013

**PRESENT: Hon. Daniel P. Ryan**

Circuit Judge

The Court being advised in the premises and for the reasons stated in the foregoing **Opinion**,

**IT IS ORDERED** that Plaintiffs' Motions For Summary Disposition are **GRANTED**.

**IT IS FURTHER ORDERED** that Defendants' Motion for Summary Disposition pursuant to MCR 2.116 (I)(2) is **DENIED**.

**IT IS FURTHER ORDERED** that all counterclaims against Plaintiffs are hereby **DISMISSED**.

**IT IS FURTHER ORDERED** that the millages levied by Defendants Wayne County Zoological Authority and Wayne County Art Institute Authority are subject to capture by Plaintiffs as set forth in this Court's accompanying Opinion.

**IT IS FURTHER ORDERED** that Defendant Wayne County Treasurer is hereby prohibited from instituting any chargebacks or taking any other punitive action against Plaintiffs for capture of the millages.

**IT IS FURTHER ORDERED** that this Final Order resolves the last pending claim and closes the case.

/s/ Daniel P. Ryan  
Circuit Judge

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

**Tax Increment Finance Authority of the City of Dearborn Heights**, a public body corporate; **City of Dearborn Heights**, a body corporate and Home Rule City; **Downtown Development Authority for West Dearborn**, a public body corporate; **Downtown Development Authority for East Dearborn**, a public body corporate; **City of Dearborn**, a public body corporate; **City of Bellville**, a public body corporate; **City of Belleville Downtown Development Authority**, a public body corporate; **Charter Township of Van Buren Downtown Development Authority**, a public body corporate; **City of Wyandotte**, a public body corporate; **Tax Increment Finance Authority of the City of Wyandotte**, a public body corporate; **Downtown Development Authority for City of Wyandotte**, a public body corporate; **Brownfield Redevelopment Authority for City of Wyandotte**, a public body corporate; **Charter Township of Plymouth Brownfield Redevelopment Authority**, a public body corporate; **City of Romulus**, a public body corporate; **Tax Increment Finance Authority of the City of Romulus**, a public body corporate; **City of Northville**, a public body corporate; **Downtown Development Authority for the City of Northville**, a public body corporate; **City of Taylor**, a public body corporate; and **City of Taylor Tax Increment Finance Authority**, a public body corporate,

**Plaintiffs,**

-v-

**Wayne County Treasurer Raymond J. Wojtowicz**, an elected official; **Wayne County Zoological Authority**, a public body corporate; and **Wayne County Art Institute Authority**, a public body corporate,

**Defendants,**  
**and**

**Detroit Zoological Society, Inc.**, Michigan nonprofit

Case No. 13-001668-CZ

Hon. Daniel P. Ryan  
13-001668-CZ

FILED IN MY OFFICE  
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CATHY M. GARRETT  
/s/ Michelle Howard

Corporation; and **Detroit Institute of Arts, Inc.**, a Michigan nonprofit corporation,

**Intervening Defendants/Counter-Plaintiffs,**

-v-

**Tax Increment Financing Authority of the City of Dearborn Heights; City of Dearborn Heights; Downtown Development Authority for West Dearborn; Downtown Development Authority for East Dearborn; City of Dearborn; City of Belleville; City of Belleville Downtown Development Authority; Charter Township of Van Buren Downtown Development Authority; City of Wyandotte; Tax Increment Finance Authority of the City of Wyandotte; Downtown Development Authority for City of Wyandotte; Brownfield Redevelopment Authority for City of Wyandotte; Charter Township of Plymouth Brownfield Redevelopment Authority; City of Romulus; Tax Increment Finance Authority of the City of Romulus; City of Northville; Downtown Development Authority for the City of Northville; City of Taylor; and City of Taylor Tax Increment Finance Authority,**

**Counter-Defendants.**

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## OPINION

This matter is before the Court on two motions for summary disposition filed by Plaintiffs and cross motions for summary disposition filed by Defendants<sup>1</sup> in their responsive pleadings. For the reasons stated below, the Court will grant Plaintiffs' motions for summary disposition and dismiss Defendants' counterclaims.

### 1. Facts and Procedural History

This action arises from a Complaint for Declaratory Judgment filed by several Wayne County municipalities and their tax increment financing authorities (TIF Authorities). Plaintiffs

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<sup>1</sup> For ease of reference, the Wayne County Treasurer, the Zoo Authority, the Art Authority, the Detroit Zoological Society, and the Detroit Institute of Arts will all be collectively referred to as "Defendants" in this opinion.

consist of three types of TIF Authorities: those legislatively created under the Downtown Development Authority Act (DDA Act), MCL 125.1651 *et seq*, those legislatively created under the Tax Increment Finance Authority Act (TIFA Act), MCL 125.1801 *et seq*, and those legislatively created under the Brownfield Redevelopment Act (BRA Act), MCL 125.2651 *et seq*. Tax increment financing is an economic development tool expressly created by the Michigan Legislature for the benefit of local municipalities and their tax increment financing authorities. The source of revenue for most TIF Authorities is the capture of *ad valorem* property taxes levied on certain properties by various taxing units. The general idea behind TIF Authorities is that capturing the funds and using them to pay for development projects within the municipality will contribute to an increase in property values. At the creation of a TIF Authority, the initial assessed value of property within the TIF Authority's boundaries is established and if the property values within its boundaries increase, the TIF Authority will capture all or a portion of the resulting increase in tax revenue. The TIF Authority then uses the increased tax revenue to pay for projects within the Authority's boundaries.

The Wayne County Zoological Authority (Zoo Authority) is a taxing jurisdiction also expressly created by the Legislature pursuant to the Zoological Authorities Act (Zoo Act), MCL 123.1161 *et seq*. The Wayne County Art Institute Authority (Art Authority) is a taxing jurisdiction expressly created by the Legislature pursuant to the Art Institute Authorities Act (Art Act), MCL 123.1201 *et seq*. The Zoo Authority and Art Authority each have the power to levy a tax, with the approval of the county electorate, on all taxable property within the county for the purpose of providing revenue to an accredited zoological institute or art institute. MCL 123.1173; MCL 123.1217. Pursuant to this legislative authority, voters in 2008 in Wayne, Macomb, and Oakland counties approved a tax of 0.1 mill for 10 years to support the Detroit



Zoo. In 2012, the voters in these counties similarly approved a tax of 0.2 mills to support the Detroit Institute of Arts. Unbeknownst to the average or objective voter at the time that he or she was voting for the respective millages, Plaintiffs contend that a portion of the Zoo and Art millages were subject to capture pursuant to pre-existing TIF legislation.

Pursuant to their alleged authority under the various TIF Acts, several Wayne County communities then began capturing a portion of the Zoo tax and the DIA tax, including Plaintiffs in the instant case. The amount captured by those TIF Authorities through 2011 from the Zoo tax totaled \$742,558.<sup>2</sup> In February and September of 2012, the Wayne County Treasurer sent two letters to those communities which were capturing the Zoo tax, informing them that the Zoo tax was not subject to capture and threatening to withhold the amounts previously captured from any settlement that occurred between the Treasurer's Office and the local municipality.

Plaintiffs then brought their Complaint for Declaratory Judgment against the Wayne County Treasurer, the Zoo Authority, and the Art Authority, asking this Court to grant declaratory relief by issuing an opinion and order that the millages levied by the Zoo Authority and Art Authority are subject to capture by Plaintiffs, and further prohibiting the Wayne County Treasurer from instituting any chargebacks or taking any other punitive action against them for any past, present or future capture of the millages. The Zoo Authority then filed counterclaims, including Count I: Declaratory Relief; Count II: Tortious Interference with Contract; Count III: Common Law Conversion; and Count IV: Statutory Conversion. The Zoo Authority's counterclaims are based on the premise that the TIF Authorities improperly captured those taxes that should have gone to the Zoo, and that the Zoo is entitled to reimbursement of those

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<sup>2</sup> The amounts collected from the Zoo tax for 2012 to the present and from the DIA tax since December 1, 2012 have not been provided to this Court.

improperly captured taxes. The Art Authority also filed a counterclaim seeking reimbursement of any monies Plaintiffs have captured from DIA taxes, but states no theory of liability.

The Detroit Zoological Society and the Detroit Institute of Arts, as beneficiaries of the millages, were permitted to intervene in this action and brought counterclaims of Count I: Declaratory Judgment and; Count II: Conversion. They are also seeking reimbursement of monies they claim the TIF Authorities improperly captured.

Presently before the Court is Plaintiffs' motion for summary disposition on their declaratory judgment action and motion for summary disposition on Defendants' counterclaims. In their responsive pleadings, Defendants also seek summary disposition on their counterclaims.

## **2. Standard of Review**

Plaintiffs bring their motions for summary disposition pursuant to MCR 2.116(C)(9) and MCR 2.116(C)(10). Summary disposition may be granted under MCR 2.116(C)(9) when “[t]he opposing party has failed to state a valid defense to the claim asserted against him or her.” A motion under MCR 2.116(C)(9) tests the sufficiency of a defendant’s pleadings by accepting all well-pled allegations as true. *Lepp v Cheboygan Area Schools*, 190 Mich App 726, 730; 476 NW2d 506 (1991). If the defenses are “so clearly untenable as a matter of law that no factual development could possibly deny plaintiff’s right to recovery,” then summary disposition under this rule is proper. *Id*, quoting *Domako v Rowe*, 184 Mich App 137, 142; 457 NW2d 107 (1990).

In reviewing a motion under MCR 2.116(C)(10), a court must consider the pleadings, admissions, affidavits, and other relevant documentary evidence submitted in the light most favorable to the nonmoving party. *Corley v Detroit Bd of Ed*, 470 Mich 274, 278; 681 NW2d 342 (2004). If no genuine issue of material fact is established, the moving party is entitled to judgment as a matter of law. *Maiden v Rozwood*, 461 Mich 109, 120; 597 NW2d 817 (1999).

“A genuine issue of material fact exists when the record, giving the benefit of reasonable doubt to the opposing party, leaves open an issue upon which reasonable minds might differ.” *West v General Motors Corp*, 469 Mich 177, 183; 665 NW2d 468 (2003).

In their various responses to Plaintiffs’ motions for summary disposition, Defendants request summary disposition relative to their counterclaims pursuant to MCR 2.116(I)(2), which provides that “[i]f it appears to the court that the opposing party, rather than the moving party, is entitled to judgment, the court may render judgment in favor of the opposing party.”

### **3. Analysis**

#### **A. Declaratory Judgment Action**

Turning first to Plaintiffs’ motion for summary disposition on their declaratory judgment action, Plaintiffs argue that the millages levied under the Zoo Act and Art Act are subject to capture by Plaintiffs under the relevant TIF Acts. Defendants assert that the Zoo tax and Art tax are not subject to capture under the TIF Acts.<sup>3</sup>

This case involves a question of statutory interpretation. The rules of statutory construction were succinctly stated in *Niles Twp v Berrien Co Bd of Comm’rs*, 261 Mich App 308, 313-314; 683 NW2d 148 (2004) as follows:

The primary goal of judicial interpretation of statutes is to discern and give effect to the intent of the Legislature; the rules of statutory construction merely serve as guides to assist in determining that intent with a greater degree of certainty. It is a fundamental principle that a clear and unambiguous statute leaves no room for judicial construction or interpretation. When a

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<sup>3</sup> The Court notes that there is remedial legislation currently pending which would specifically exempt the Zoo and DIA millages from capture by the TIF Authorities. HB NO. 4458 would amend the Tax Increment Financing Act, 1980 PA 450, HB No. 4459 would amend the Downtown Development Authority Act, 1975 PA 197, and HB No. 4460 would amend the Brownfield Redevelopment Financing Act, 1996 PA 381. This legislation has been approved by the Michigan House and Senate and is currently before the Governor for approval.

legislature has unambiguously conveyed its intent in a statute, the statute speaks for itself and there is no need for judicial construction; the proper role of a court is simply to *apply* the terms of the statute to the circumstances in a particular case. Thus, this Court may engage in judicial construction only if it determines that statutory language is ambiguous.

Where the language in a statute is ambiguous, a court may go beyond the statute's words in order to ascertain legislative intent. An ambiguity of statutory language does not exist merely because a reviewing court questions whether the Legislature intended the consequences of the language under review. An ambiguity can be found only where the language of a statute as used in its particular context has more than one common and accepted meaning. If reasonable minds can differ with respect to the meaning of a statute, that statute may be considered ambiguous and judicial construction is appropriate. [citations omitted][emphasis in original].

Each of the TIF Acts at issue here provide that the municipal and county treasurers “shall” transmit to the authority “tax increment revenues.” See MCL 125.1665(1); MCL 125.1814(1); and MCL 125.2666(1). “Tax increment revenues” is defined in relevant part in each of the TIF Acts as follows.

Pursuant to the DDA Act:

(cc) “Tax increment revenues” means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of *all taxing jurisdictions* upon the captured assessed value of real and personal property in the development area, subject to the following requirements:

(i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.

\* \* \*

(iii) Tax increment revenues do not include any of the following:

(A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.

(B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.

(C) Ad valorem property taxes exempted from capture under section 3(3) or specific local taxes attributable to such ad valorem property taxes. [MCL 125.1651(cc)] [emphasis added].

Pursuant to the TIFA Act:

(aa) "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of *all taxing jurisdictions* upon the captured assessed value of real and personal property in the development area, subject to the following requirements:

(i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.

\* \* \*

(iii) Tax increment revenues do not include any of the following:

(A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.

(B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes. [MCL 125.1801(aa)] [emphasis added].

Pursuant to the BRA Act:

(ii) “Tax increment revenues” means the amount of ad valorem property taxes and specific taxes attributable to the application of the levy of *all taxing jurisdictions* upon the captured taxable value of each parcel of eligible property subject to a brownfield plan and personal property located on that property, *regardless of whether those taxes began to be levied after the brownfield plan was adopted*. . . . Tax increment revenues attributable to eligible property also exclude the amount of ad valorem property taxes or specific taxes captured by a downtown development authority, tax increment finance authority, or local development finance authority if those taxes were captured by these other authorities on the date that eligible property became subject to a brownfield plan under this act. [MCL 125.2652(ii)] [emphasis added].

The term “all taxing jurisdictions” is not defined in the three TIF Acts. Plaintiffs argue that the term “all taxing jurisdictions” includes those taxing jurisdictions, such as the Zoo and Art Authorities, which were created and levied taxes after the various TIF Authorities in this case were created. Defendants argue that “all taxing jurisdictions” refers only to those taxing jurisdictions which existed prior to the creation of the relevant TIF authorities and because the Zoo and Art Authorities were created after the TIF authorities, funds raised through a levy of property tax millages by the Zoo and Art authorities are not subject to capture.

In essence, Defendants are arguing that “all taxing jurisdictions” means only those “taxing jurisdictions in existence at the time the TIF Authority is created.” In interpreting a statute, the first step is to examine the plain language of the statute itself. *In re MCI Telecom Complaint*, 460 Mich 396, 411; 596 NW2d 164 (1999). The Legislature is presumed to have intended the meaning it plainly expressed. *Pohutski v City of Allen Park*, 465 Mich 675, 683;

641 NW2d 219 (2002). If the statutory language is clear and unambiguous, the court presumes that the Legislature intended the meaning plainly expressed, and further judicial construction is not permitted. *Atchison v Atchison*, 256 Mich App 531, 535; 664 NW2d 249 (2003). When reviewing a statute, all non-technical “words and phrases shall be construed and understood according to the common and approved usage of the language,” MCL 8.3a, and, if a term is not defined in the statute, a court may consult a dictionary to aid it in this goal, *Oakland Co Bd of County Rd Comm’rs v Mich Prop & Gas Cas Guaranty Ass’n*, 456 Mich 590, 604; 575 NW2d 751 (1998).

Defendants ask this Court in some instances to fill gaps to read the statutes broadly to comport with the “intent or spirit of the statutes” or, alternatively, to interpret “all taxing jurisdictions” narrowly to include only those jurisdictions which were created after the TIF Authorities were created. Specifically, they argue that because each of the TIF Acts contain provisions allowing taxing jurisdictions in existence at the time of the creation of the TIF Authority notice and an opportunity to be heard regarding creation of the TIF Authority, see e.g., MCL 125.1653,<sup>4</sup> and, thus, an opportunity to exert influence over the amount, if any, of taxes

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<sup>4</sup> The DDA Act provides in relevant part:

(1) When the governing body of a municipality determines that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation where possible in its business district, to eliminate the causes of that deterioration, and to promote economic growth, the governing body may, by resolution, declare its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for the holding of a public hearing on the adoption of a proposed ordinance creating the authority and designating the boundaries of the downtown district. . . . Not less than 20 days

that would be paid to the TIF Authority, the legislature intended only those jurisdictions' taxes to be subject to capture.<sup>5</sup>

Defendants' interpretation of the phrase "all taxing jurisdictions" is contrary to the plain language of the statute. "All" is defined by the American Heritage Dictionary (4<sup>th</sup> ed) as "[b]eing or representing the entire or total number, amount, or quantity; [c]onstituting, being, or representing the total extent or the whole; [e]very." Thus, "all taxing jurisdictions" means "every taxing jurisdiction," not every taxing jurisdiction except those which came into existence after the TIF Authorities were created. That the Legislature chose to give taxing jurisdictions in existence at the time of the creation of the TIF Authorities notice and an opportunity to be heard, and, under the DDA Act, the option to opt out entirely, does not change the definition of "all taxing jurisdictions" to all taxing jurisdictions that were in existence at the time the TIF Authority was created. If the Legislature intended taxes levied by future taxing jurisdictions to

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before the hearing, the governing body proposing to create the authority shall also mail notice of the hearing to . . . the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. . . . [A]n official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard in regard to the establishment of the authority and the boundaries of the proposed downtown district.

(3) Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority. [MCL 125.1653].

<sup>5</sup> Defendants point to a letter written in 2009 by Chief Deputy Attorney General Carol Isaacs to support their position that the Zoo and DIA taxes are not subject to capture. However, the Court notes that the letter is not a formal opinion from the attorney general on this subject and that, in any event, attorney general opinions are not binding on this Court. *Lysogorski v Bridgeport Charter Twp*, 256 Mich App 297, 301; 662 NW2d 108 (2003).



be exempt from capture by the TIF Authorities, it could have clearly expressed that intent in the TIF Acts. There is no statutory distinction in the TIF Acts between tax increment revenue generated from taxing jurisdictions created prior to the creation of the TIF entities versus tax revenue generated from taxing jurisdictions created subsequent to the creation of the TIF Authorities. This Court cannot, under the guise of interpretation, give an exemption to taxing jurisdictions which were not in existence at the time of creation of the TIF Authority that the Legislature did not provide for in the Acts. “[C]ourts should not include provisions in a statute that the Legislature has not included.” *Village of Holly v Holly Twp*, 267 Mich App 461, 478; 705 NW2d 532 (2005), citing *Polkton Charter Twp v Pellegrom*, 265 Mich App 88, 103; 693 NW2d 170 (2005).

Looking at the plain language of the statute, the Legislature intended that all taxes levied by taxing jurisdictions within the boundaries of a TIF Authority, including those which were created after creation of the TIF Authority, be subject to capture by the relevant TIF Authorities.

As against this result, Defendants argue that there is a conflict between the TIF Acts and the later-enacted Zoo and Art Acts and that the Zoo and Art Acts should control to prevent capture of the taxes by the TIF Authorities.

Pursuant to the Zoo Act, MCL 123.1173(1):

An authority may levy a tax of not more than 0.2 mills for a period of not more than 20 years on all of the taxable property within the county *for the purpose of providing revenue to an accredited zoological institution* that is an accredited zoological institution as of the date of the electors’ approval of the levy. [emphasis added].

The Art Act contains a similar provision:

An authority may levy a tax of not more than 0.2 mill for a period of not more than 20 years on all of the taxable property within the county *for the purpose of providing revenue to an art institute*

*services provider* that will be used exclusively for the benefit of the art institute with respect to which the art institute service provider renders services. [MCL 123.1217(1)] [emphasis added].

Defendants assert that because the Zoo and Art Acts specifically provide that any taxes levied are for the purpose of supporting the Zoo and DIA, they conflict with the TIF Acts which provide that a portion of the taxes may be captured for use by the TIF Authorities for various other projects within the TIF Authorities' boundaries.

It is a fundamental rule of statutory construction that "apparently conflicting statutes should be construed, if possible, to give each full force and effect." *State Highway Comm'r v Detroit City Controller*, 331 Mich 337, 358; 49 NW2d 318 (1951). It is also well established that a later-enacted specific statute operates as an exception or a qualification to a more general prior statute covering the same subject matter and that, if there is an irreconcilable conflict between the two statutes, the later-enacted statute will control. *Id.* However, if statutes lend themselves to a construction that avoids conflict, that construction should control. *People v Webb*, 458 Mich 265, 274; 580 NW2d 884 (1998).

Although these statutes may appear to conflict, they can be construed together in a way that substantially preserves the purpose of each. That is, the taxes levied by the Zoo and Art Authorities were, in fact, levied for the purpose of supporting the Zoo and DIA and the majority of the taxes do, in fact, go to support the Zoo and DIA. The purpose of the TIF Acts is also preserved in that the TIF Authorities collect the increased tax revenue generated by the millages and use them to pay for projects within the TIF Authorities' boundaries, thereby raising property values and generating more tax revenue for all parties.

Furthermore, "the Legislature is held to be aware of the existence of laws in effect at the time of its enactments." *Malcom v City of East Detroit*, 437 Mich 132, 139; 468 NW2d 479

(1991). Thus, the Legislature presumably knew at the time it enacted the Zoo and Art Acts that any millages levied pursuant to the Acts would be subject to capture by the TIF Authorities per the pre-existing statutory scheme. If the Legislature wished to exempt the Zoo and Art millages from capture, as it has subsequently done so with other statutes, it could have expressly done so in these relevant statutes.<sup>6</sup> Simply put, Defendants' remedy lies with the Legislature and it is not the function or prerogative of the judiciary to substitute its will re-writing or acting as a super-legislature in this regard.

### **B. The Counterclaims**

Plaintiffs also seek summary disposition on defendant Zoo Authority and intervening Plaintiffs' counterclaims. Plaintiffs argue, and the Court agrees, that all of the counterclaims must be dismissed because they are all premised on various alternative theories that Plaintiffs have been improperly capturing the millages levied by the Zoo and Art Authorities.

For example, the Declaratory Judgment counterclaim filed by the Zoo Authority, Zoo, and DIA seek reimbursement for monies wrongfully captured by the TIF Authorities. The Zoo Authority, Zoo, and DIA's claims of statutory and common law conversion are also premised on the notion that the TIF Authorities converted monies that rightfully belonged to the Zoo and DIA. Finally, the Zoo Authority's tortious interference with contract claim is based on the premise that the TIF Authorities interfered with a contract between the Zoo Authority and the "Zoo System" by capturing funds that rightfully belonged to the Zoo.

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<sup>6</sup> The Legislature in a bill sponsored by Representative Eileen Kowall and ultimately enacted into law has previously rectified the issue of capture by TIFs under the Brownfield Redevelopment Act, MCL 125.2652(ii), and Representative Kowall has similarly proposed remedial legislation addressing the Art and Zoo Acts which has been passed by the House and Senate and is awaiting approval from Governor Snyder that would accomplish that same exemption objective for these particular legislative acts. See fn. 3, supra.

Because the TIF Authorities were legislatively authorized and did not wrongfully capture the millages levied by the Zoo and Art Authorities, and the counterclaims are all dependent on a finding that the capture was improper, the Court will grant Plaintiffs' motion for summary disposition on all of Defendants' counterclaims.<sup>7</sup> This Court denies Defendants' request in their responsive pleadings for summary disposition pursuant to MCR 2.116(I)(2).

/s/ Daniel P. Ryan

Circuit Court Judge

**DATED: June 12, 2013**

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<sup>7</sup> Because the Court has already determined that Plaintiffs did not wrongfully capture monies from the Zoo and DIA millages, the Court need not and will not address Plaintiffs' alternative arguments that monetary relief is not permitted in a declaratory action and that the remaining counterclaims are barred by governmental immunity.

Final Reading

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE BY AMENDING  
ARTICLE XXIII – DESIGN REVIEW SECTION 2300 B.2 MEMBERSHIP

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article XXIII – Design Review Section 2300 B.2 Membership shall be amended to read as follows:

Section 2300 B. 2 Membership

The Design Review Committee shall consist of not less than five (5) members all of whom shall be residents of the City of Wyandotte. The committee shall consist of one (1) member from each of the following commissions or departments:

- Planning Commission – A PC member as appointed by the Chair and approved by the PC.
- Cultural and Historical Commission – The President of the Commission or her/his designee.
- Downtown Development Authority – A DDA member as appointed by the Chair and approved by the DDA.
- Engineering and Building Department – the City Engineer or his designee.
- Resident at Large appointed by Mayor and approved by City Council.

Section 2. Severability.

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

Section 3. Effective Date.

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

On the question, “SHALL THIS ORDINANCE NOW PASS?” the following vote was recorded.

YEAS

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

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

NAYS

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

ABSENT \_\_\_\_\_

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CERTIFICATION

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 City Council of the City of Wyandotte, at a regular session on Monday, \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
William R. Griggs, City Clerk

\_\_\_\_\_  
Joseph R. Peterson, Mayor

NOTICE OF ADOPTION

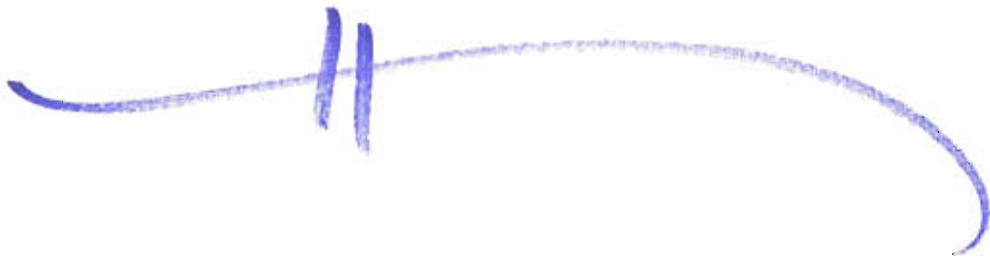
The City of Wyandotte Zoning Ordinance has been amended as follows:

The effective date of this Ordinance is \_\_\_\_\_. A copy of this Ordinance may be purchased or inspection at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Reports

+

minutes





Wyandotte, Michigan August 5, 2013

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

ROLL CALL

Present: Councilpersons Fricke, Galeski, Miciura, Sabuda, Schultz

Absent: Councilperson Stec

COMMUNICATIONS MISCELLANEOUS

August 1, 2013

Mayor Peterson & City council 3200 Biddle Ave  
Wyandotte, MI. 48192

We are requesting a permit to close Sycamore St down between Biddle Avenue and Coastal Thai on August 10, 2013. We are requesting to close it between the hours of 4pm to 2am. We are requesting this for our grand opening celebration. We also may have to erect a tent during this time if weather conditions are poor. Lastly we are asking for permission to have live entertainment and/or a DJ. Your consideration is greatly appreciated.

Mark Skehan, Bourbons on Sycamore  
118 Sycamore, Wyandotte, MI 48192

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACITON

MEETING DATE: August 5, 2013

AGENDA ITEM #2

ITEM: Sales Agreement for NSP2 Home 616 Superior

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: Received NSP2 Funds to construct new single family homes. This unit is located in the Vinewood Village Condominium Development. City had entered into a Purchase Agreement to sell this unit, but the buyer backed out. Therefore, the following offer has been received:

616 Superior – Rachel Meussner, 17205 Jessica, Southgate, Michigan 48195 in the amount of \$97,500. Ms. Meussner is 50% or below of area median income, completed eight (8) hours of housing counseling and will be received the subsidy of \$63,500 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). This subsidy will require approval by MSHDA. If the home is maintained as owner occupied for fifteen (15) years this lien will not have to be repaid. The final mortgage is in the amount of \$35,000.00.

STRATEGIC PLAN/GOALS: The City is committed to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas, ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas and have a positive impact on surrounding areas and neighborhoods.

WYANDOTTE CITY CLERK

2013 AUG - 7 A 9: 26

ACTION REQUESTED: Approval sale agreement between Rachel Meussner and the City.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: okTDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: okjrp

LIST OF ATTACHMENTS: Sale Agreement

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACITON

MEETING DATE: August 5, 2013

AGENDA ITEM #3

ITEM: Appointments to the Board of Examiners of Plumbers and appointment to the Building Code Board of Appeals

PRESENTER: Mayor Joseph Peterson

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: On April 24, 2013, the Michigan Department of Licensing and Regulatory affairs adopted the enclosed Rules regarding membership on construction boards of appeals. As a result, Mark Kowalewski and Claude Marcoux have resigned from the Board of Examiners of Plumbers and Greg Meyring has resigned from the Building Code Board of Appeals. Mayor Peterson is recommending the appointment of Mike Quint and Natalie Rankine to the Board of Examiners of Plumbers and the appointment of David Zanley to the Building Code Board of Appeals.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Adopt a resolution supporting the following appointments:

Board of Examiners of Plumbers

Mike Quint, 13169 Cherry, Southgate MI 48195 Term to expire 11-2013

Natalie Rankine, 504 Emmons, Wyandotte MI 48192 Term to expire 11-2014

Building Code Board of Appeals

David Zanley, 255 Elm Street, Wyandotte MI 48192 Term to expire 4-2015

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: n/a

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: n/a ok jrp

LIST OF ATTACHMENTS: Letter of resignation from Mark Kowalewski, Claude Marcoux and Greg Meyring, a copy of the Michigan Department of Licensing and Regulatory Affairs rules regarding membership on construction board of appeals, and proposed resolution supporting the appointment of Mike Quint and Natalie Rankine to the Board of Examiners of Plumbers and David Zanley to the Building Code Board of Appeals.

July 30, 2013

Mayor Joseph R. Peterson and City Councilmembers 3200 Biddle Avenue  
Wyandotte, Michigan 48192

Re: Michelangelo's 152 Elm Street Dear Mayor Peterson and Councilmembers:

A request was received from Michigan Liquor Control as follows:

(STEP 1) Transfer ownership of Class C License from BONDI INC. into ESCROW to D-M Investments, LLC.

Said request has been forwarded to Engineering, Municipal Service, Fire, Police, Treasurer and Department of Legal Affairs.

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

Sincerely yours,  
William R. Griggs, City Clerk

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACITON

MEETING DATE: August 5, 2013

AGENDA ITEM #5

TEM: Sales Agreements for NSP2 Home 821 Ash

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: Received NSP2 Funds to construct new single family homes. Council approved listing prices of this home on December 10, 2012. The property was placed in the MLS and the Lottery Drawing was held on January 2, 2013. The City received one (1) offer.

The following offer has been received:

821 Ash – Nancy and Joseph Lukawski, 4179 Agnes, Lincoln Park, Michigan 48146 in the amount of \$135,000. Mrs. And Mr. Lukawski are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$36,000 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage is in the amount of \$99,000.00.

STRATEGIC PLAN/GOALS: The City is committed to enhancing the community's quality of life by, fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas, ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods

ACTION REQUESTED: Approval sale agreement between Nancy and Joseph Lukawski and the City.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: ok td

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: ok jrp

LIST OF ATTACHMENTS: Sale Agreement

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: August 5, 2013

AGENDA ITEM #6

ITEM: Wayne County Sponsored Household Hazardous Waste Collection

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: Wayne County sponsors a Household Hazardous Waste Collection Day four (4) times a year. They will be holding one on Saturday, August 24, 2013, at Westland Shopping Center, enter off Nankin Blvd., From Central City Pkwy., (lot behind JC Penney Store) from 8:00 a.m. to 2:00 p.m. This collection is opened to Wayne County Residents Only. There is no fee to participate. Attached is a list of what is acceptable items.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Concur in participation

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Post notice of Household Hazardous Waste Collection on City's website and cable.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: ok td

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: OK JRP

LIST OF ATTACHMENTS: Household Hazardous Waste Collection Notice

Communication from the City Engineer submitting an application for rezoning on behalf of Brent Mikulski for the property located at 1788-1794 Oak Street from RM-1A to B-1.

July 22, 2013

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

Dear Mayor Peterson and City Council Members:

At a regular meeting of the Planning Commission held on July 18, 2013, the Commission held the required public hearing regarding amendments to the City of Wyandotte Zoning Ordinance to consider changes to Article XXI II Design Review, Section 2300.B.2. Membership. This proposed change will allow the City to appoint a resident at large to the Design Review Committee.

A Motion was made by Commissioner Pasko, supported by Commissioner Booms to recommend approval of said changes as presented to the Commission at said public hearing.

Very truly yours,

Elizabeth A. Kimmel, Chairperson Planning Commission



FIRST READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE BY AMENDING  
ARTICLE XXIII-DESIGN REVIEW SECTION 2300 B.2 MEMBERSHIP

RESOLUTIONS

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

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 Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the communication from Mark Skehan, Bourbons on Sycamore, 118 Sycamore relative to the Grand Opening of his restaurant is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council GRANTS permission for the road closure and crection of a tent on Sycamore between Biddle Avenue and the Coastal Thai restaurant on August 10, 2013 from 4:00 p.m. to 2:00 a.m. provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs. AND FURTHER that no alcohol beverages shall be served off the licensed premise of the restaurant. AND BE IT FURTHER RESOLVED that said communication be forwarded to the Police, Fire and Department of Public Service for coordination of said request.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the sale of the NSP2 home at 616 Superior; AND BE IT FURTHER RESOLVED that Council hereby accepts the offer for 616 Superior from Rachel Meussner, Southgate, Michigan in the amount of \$97,500.00; Ms. Meussner is 50% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$62,500 (which will be a lien with Michigan State Housing Development Authority (MSHDA); If the home is maintained as owner occupied for fifteen (15) years this lien will not have to be repaid. The final mortgage amount is in the amount of \$35,000.00; AND BE IT FURTHER RESOLVED that this offer is contingent upon MSHDA approval of the subsidy; 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 are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council hereby CONCURS in Mayor Peterson's recommendation relative to the following appointments:

Board of Examiners of Plumbers

Mike Quint, 13169 Cherry, Southgate, MI. 48195 Term to expire 11-2013

Natalie Rankine, 504 Emmons, Wyandotte, MI.48192 Term to expire 11-2014

Building Code Board of Appeals

David Zanley, 255 Elm Street, Wyandotte, MI. 48192 Term to expire 4-2015

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that regarding Michelangelo's , 152 Elm, Wyandotte Council CONCURS in the recommendation of the City Clerk to transfer ownership of a Class C License from BONDI INC. into ESCROW to D-M Investments, LLC. (Step #1).

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galcski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the sale of the NSP2 home at 821 Ash; AND BE IT FURTHER RESOLVED that Council hereby accepts the offer for 821 Ash from Nancy and Joseph Lukawski, Lincoln Park, Michigan in the amount of \$135,000.00; Mr. and Mrs. Lukawski are 120% or below of area median income, complete eight (8) hours of housing counseling and will be receiving the subsidy approval of \$36,000.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA); If the home is maintained as owner occupied for (10) years this lien will not have to be repaid. The final mortgage amount is in the amount of \$99,000.00; 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 the City Attorney are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the communication from the City Engineer regarding the Household Hazardous Waste Collection to take place on Saturday, August 24, 2013 at the Westland Shopping Center from 8:00 a.m. to 2:00 p.m. is hereby received and placed on file. AND BE IT FURTHER RESOLVED that said notice be posted on the City's website and on the information channel of Municipal Cable.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the rezoning application submitted by the City Engineer on behalf of Brent Mikulski requesting to rezone the property located at 1788-1794 Oak from RM-1A to B-1 is hereby referred to the Planning Commission for the proper public hearing.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the communication from the Planning Commission relative to the amendment to the Design Review Section 2300.B.2 Membership is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None



Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that a hearing was held on Monday, August 5, 2013, where all parties were given an opportunity to show cause, if any they had, why the structure at 96 Perry Place, Wyandotte should not be demolished, removed or otherwise made safe, and BE IT FURTHER RESOLVED that the Council considered the property maintenance letter dated January 9, 2013 and inspection report dated September 11, 2012 and re-inspected on January 8, 2013, January 9, 2013 and May 28, 2013 and how cause hearing minutes of May 29, 2013, recommendation of the Hearing Officer and City Engineer's Office and all other facts and considerations were brought to their attention at said hearing; AND BE IT RESOLVED that the City Council hereby directs that said property located at 96 Perry Place, Wyandotte should be DEMOLISHED, and that the costs be assessed against the property in question as a lien. BE IT FURTHER RESOLVED that the parties of interest shall be forwarded a copy of this resolution forthwith so that they may appeal this decision to the Circuit Court within TWENTY-ONE (21) days of the date of this resolution if they so desire; AND BE IT RESOLVED if the structure is not demolished within 60 days, then the City will proceed with demolition of said structure and assess the cost of same against said property.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that a hearing was held on Monday, August 5, 2013, where all parties were given an opportunity to show cause, if any they had, why the dwelling at 826 Goddard, Wyandotte should not be demolished, removed or otherwise made safe. AND BE IT FURTHER RESOLVED that the Council considered the communication dated August 18, 2011, and February 25, 2013, and show cause hearing minutes dated March 20, 2013, held with the Hearing Officer and the City Engineer's Office which are made part of this hearing and all other facts and considerations were brought to their attention at said hearing; NOW, THEREFORE BE IT RESOLVED that the City Council hereby directs that said dwelling located at 826 Goddard, Wyandotte should be DEMOLISHED, and that the costs be assessed against the property in question as a lien; AND BE IT FURTHER RESOLVED that the parties of interest shall be forwarded a copy of this resolution forthwith so that they may appeal this decision to the Circuit Court within TWENTY-ONE (21) days of the date of this resolution if they so desire; AND BE IT FURTHER RESOLVED if the structure is not demolished within 60 days, then the City will proceed with demolition of said structure and assess the cost of same against said property.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke, Galeski, Miciura, Sabuda, Schultz

NAYS: None

Wyandotte, Michigan August 5, 2013

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the total bills and accounts in the amount of \$748,395.49 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

YEAS: Councilmembers Fricke Galeski Miciura Sabuda Schultz

NAYS: None

ADJOURNMENT

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

That we adjourn.

Carried unanimously

Adjourned at 8:00 PM

August 5, 2013

  
\_\_\_\_\_  
Maria Johnson, Deputy City Clerk

**FINANCIAL SERVICES DAILY CASH RECEIPTS**

DATE 8-7-13  
 BEGINNING DATE 8-7-13 AND ENDING DATE 8-7-13  
 SALES RECEIPT # 354712 THRU 354723

DESCRIPTION	ACCOUNT NUMBER	KEY CODE	AMOUNT
ACCTS. RECEIVABLE - RESCUE	101-000-041-020	XL	
MIDWESTERN AUDIT A/R -RESCUE	101-000-041-021	XT	
MISCELLANEOUS RECEIPTS	101-000-655-040	RE	<u>326.36</u>
LIQUOR LICENSE	101-000-600-030	S2	
FINES DIST COURT WYANDOTTE	101-000-650-010	M1	<u>66,676.86</u>
DIST COURT RIVERVIEW CASES	101-000-650-012	M3	<u>20,376.00</u>
WORK FORCE WYANDOTTE	101-000-650-011	M2	<u>5,257.00</u>
WORK FORCE RIVERVIEW	101-000-650-017	M6	<u>2,850.00</u>
COURT TECHNOLOGY WYANDOTTE	101-000-650-018	M7	<u>2,985.00</u>
COURT DRUG TESTING FEES	101-000-650-020	M9	<u>1,360.00</u>
COURT SCREENING ASSESSMENTS	101-000-650-021	AS	<u>3,705.00</u>
CHEMICAL AWARENESS	101-000-650-024	AW	<u>2,325.00</u>
STATE DRUNK DRIV/DRUG CASE MGT	101-000-650-013	M4	
LAND CONTRACT REC. - UDAG	284-000-041-050	AR	
JAJL PROPERTIES PROMISSORY NOTE	284-000-041-015	AR	
PARKING LOT LOANS	284-000-060-030	AR	
CINGULAR WIRELESS CELLSITE RENT	492-000-655-020	BB	<u>600.00</u>
MI BELL / AT&T FRANCHISE FEE	101-000-655-047	MZ	<u>21,769.25</u>
MI BELL / AT&T IN KIND P&G FEES	101-000-068-011	MZ	<u>8,707.70</u>
SELF INSURANCE REIMBURSEMENT	677-000-670-010	7A	
HEALTH INS. REIMB. - RETIREE	731-000-231-020	3R	
QUARTERLY HEALTH M.S. RETIREE	731-000-670-010	7R	
PD EMPLOYEE PENSION CONTRIB	731-000-392-040	EP	<u>1,959.26</u>
HEALTH INSURANCE REIMBURSEMENT	101-000-231-020	MZ	
SECURITY LITIGATION PROCEEDS	731-000-655-010	MZ	<u>143.15</u>
SCHOOL & LIBRARY TAX REFUNDS	101-000-041-011	XI	<u>1,873.42</u>
WAYNE METROPOLITAN MAINT.	101-000-655-049	WM	<u>12,500.00</u>
TOTAL MONIES RECEIVED			<u>153,414.00</u>

TODD A. DRYSDALE  
 DIRECTOR OF FINANCIAL SERVICES

**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION  
MINUTES OF THE JUNE 6, 2013 MEETING  
MARX HOME**

**PRESENT:** Sue Pilon, Jody Egen, Ken Munson, Wally Hayden, Eula Grooms, Michelle Blankenship, Anne Ronco, Dave Kostelnik, Marshall Wymore

**EXCUSED:** Shirley Prygoski, Dan Cervantes

President Sue Pilon called the meeting to order at 6:19 p.m.

**MOTION by Eula Grooms, supported by Michelle Blankenship, to approve the minutes from the May 2013 meeting, MOTION CARRIED (8-0)**

**PRESIDENT'S REPORT:**

All of the Commission Members except for Dan have now signed up for Committees. Sue encouraged all of the committees to begin or continue having meetings about relevant issues. The Buildings and Grounds Committee still needs a chair.

Sue attended her first Design Review Committee meeting. Jeremy, co-owner of Joe's Hamburgers has proposed creating a community garden in the vacant space next to Madelyn's. He already has a design for the sign and space. He plans to recruit people from some of the nearby senior buildings to plant flowers and vegetables. He is supplying a lot of the money and supplies himself. The Committee approved his signage and gave input on fencing. They want it to be consistent with the community garden on Oak Street.

Sue and Ken had an informal meeting with Ken Navarre about the joint meeting between the Commission and the Historical Society Board. Ken Navarre suggested having more of a social event where people could mingle and get to know each other. They're currently looking for a place. Sue suggested the Boat Club, and asked if anyone had contacts there. Ken Navarre suggested having the meeting on a Monday in June, but some Commissioners couldn't make it on a Monday. Sue will talk to Ken and they will pick a date and let everyone know.

Eula brought some photos on her computer of the Antiques Roadshow event at Cobo. Anyone interested can stay after the meeting to see them.

**DIRECTOR'S REPORT:**

Jody distributed the finance report for May and her proposed budget.

**MOTION by Dave Kostelnik, supported by Eula Grooms, to approve the finance report from May, pending audit, MOTION CARRIED (8-0)**

Jody went over the 2013 fiscal year budget and a document she got from the department head meeting yesterday. The budget is the same as the the ones she has submitted from the past couple of years. Jody said they might add some office supply funds because the office got a copier when Heather moved into the building, but they don't currently have any funds for toner.

The document that Jody received from the department head meeting shows the loss in tax base in local cities over the past several years. Even with the millage, the city is still losing a lot of money and tax base, as are all the other cities in the area. Jody said that it would be nice for as many Commissioners as possible go to the City Council meeting where the budget is discussed just to show support.

Michelle left the meeting.

**MOTION by Anne Ronco, supported by Eula Grooms, to allow Jody to move forward with her proposed 2013 budget, MOTION CARRIED (7-0)**

Jody distributed a request for DDA funding for painting and some of the exterior work needed at the Burns Home. Ken also suggested asking for some general maintenance money from BASF as well, since there had been some past indication that they might give the Museum some annual funding.

Jody just received a bid request for the Marx project. The final copy should be completed within a few days. The project is supposed to be completed by September 1.

The spring City Wide Garage Sale made over \$7,000. There was \$200 from Eula's sale that wasn't included in the total.

Eula acquired multiple sets of tickets for the Antiques Roadshow. Jody took some pieces from the Museum for appraisal.

Jody distributed the final proof of the sponsor brochure, along with a Wyandotte Stars calendar and pamphlet.

Eula is going to sell tickets for the Rally at Third Friday downtown. She said that if anyone wanted to help they would be welcome to join her.

Dave left the meeting.

**FRIENDS:** The group had a meeting last Wednesday. They are looking at revising their bylaws because the Quilters have officially left. They would also like Jody to potentially put together a wish list of items for the Museums at some point.

**SOCIETY:** The Long Range Planning Committee had requested to put a questionnaire about the Museum into the Society newsletter. The Society approved it. They would also like to send some questionnaires to City Council and put some at the Library. They want to have them printed on colored paper so that they stand out.

**COMMITTEES:** None.

**OLD BUSINESS:** Anne went to Cemetery Association Meeting Wednesday night. The group wants the city to claim ownership of the cemetery so they can get grants. They want Anne to go with them to speak to the City Clerk. Michelle had sent them a letter before, explaining the Commission's position. Sue would like to look at that before taking any action. The Commission may need more time to decide how to proceed. They are supportive of the Cemetery Association's vision and goals, but they have concerns about urging the city to take ownership.

**NEW BUSINESS:** Last fall, the air conditioner unit at the MacNichol Home went on the fritz. Jody has an appointment for Gee and Missler to evaluate it. They could have to replace the unit before the next meeting in August, but she could call a Buildings and Grounds meeting to approve the expenditure.

**MOTION by Marshall Wymore, supported by Ken Munson, to authorize the Buildings and Grounds Committee approve the necessary expenditure for the air conditioner at the MacNichol Home, MOTION CARRIED (6-0)**

**ANNOUNCEMENTS/COMMUNICATION:** None

**ATTENTION TO AUDIENCE:** None.

**MOTION by Eula Grooms, supported by Ken Munson to adjourn the meeting at 8:14 p.m.  
MOTION CARRIED (6-0)**

**Next Meeting: August 8, 2013.  
Respectfully Submitted,  
Annie Pilon, Recording Secretary**

**MONEY DEPOSITED WITH THE CITY OF WYANDOTTE TREASURY – AS OF JUNE 6, 2013**

Log Cabin Rental	\$ 340.00 - Cash \$ 80.00 - Checks <b>\$ 420.00 - Total</b>	Reserve 101-000-257-250-071
Admissions/ Donations	\$ 95.00 - Cash <i>admissions</i> \$ 0 - Check <b>\$ 95.00 - Total</b>	Reserve 101-000-257-250-071
Weddings	\$ 0 - Check \$ 0 - Cash <b>\$ 0 - Total</b>	Reserve 101-000-257-250-071
Marx Rent <i>Deposited March 13, 2013</i>	\$ 625.00 - Check \$ 0 - Cash <b>\$ 625.00 - Total</b>	<i>Marx Rental Account</i> 101.000.655.655.021
Friends Donation <i>Annual Grant</i>	\$ 3,000.00 - Check \$ 0 - Cash <b>\$ 3,000.00 - Total</b>	Reserve 101-000-257-250-071
Tea <i>June 1, 2013</i>	\$ 150.00 - Check \$ 0 - Cash <b>\$ 150.00 - Total</b>	Reserve 101-000-257-250-071
Salvage Sales	\$ 200.00 - Check \$ 0 - Cash <b>\$ 200.00 - Total</b>	Reserve 101-000-257-250-071

*Total of all deposits:* \$ 4,490.00

**EXPENSES**

<b>HEAT/ GAS</b>		
MacNichol	\$ 64.07	City
Marx	N/A	City
Log Cabin	\$ 47.11	City
Burns	N/A	City
	<i>Subtotal</i>	\$ 111.18
<b>WATER</b>		
MacNichol	\$ 41.86	City
Marx	\$ 15.55	City
Log Cabin	\$ 11.40	City
Burns	\$ 15.55	City
	<i>Subtotal</i>	\$ 84.36
<b>ELECTRICAL</b>		
MacNichol	\$ 94.47	City
Marx - <i>includes \$53.37 outside 400W</i>	\$ 139.71	City
Burns	\$ 43.12	City
	<i>Subtotal</i>	\$ 277.30
<b>PHONE</b>		

MacNichol	\$ 41.87	City
Marx	\$ 41.87	City
Burns	\$ 216.87	City
<i>Subtotal</i>	\$ 300.61	

***Subtotal All Utilities: \$ 773.45***

<b>Miscellaneous</b>		
Wyandotte Alarm Company - Commercial Monitoring for 2610 Biddle Ave.	\$ 126.00	Reserve
Wyandotte Alarm Company - Commercial Monitoring for 2630 Biddle Ave.	\$ 126.00	Reserve
Sherwin Williams - Exterior wood primer, one gallon	\$ 34.29	City - B&G
Newspaper Classifieds - Spring City-Wide Garage Sale Ad	\$ 81.18	Reserve
Eastman Fire Protection, Inc. - Annual inspection	\$ 121.71	City - B&G
Hood's - Hose nozzle and one gallon power washing house wash	\$ 35.98	City - B&G
Staples - Copier toner	\$ 257.96	City - Office
Highlite - New business cards for Sarah Jordan	\$ 136.00	City - Office
Hoods - Top Soil for the MacNichol beds	\$ 7.88	
Hoods - Miracle Grow plant food	\$ 5.29	
Heritage Newspapers - Victory Rally Ad	\$ 274.75	Reserve
Cobo Hall - Parking, Antiques Roadshow	\$ 10.00	Reserve
The UPS Store - Boxes for artifacts for transport to the Antiques Roadshow	\$30.96	Reserve
Schwartz's Greenhouse - Flowers for campus	\$ 243.45	Reserve
Michael's - Frame for event poster in Burns Lobby	\$ 7.62	Reserve
Box Depot - Bubble wrap for artifact transport to the Antiques Roadshow	\$ 5.09	Reserve
IStock - Marketing graphics for Pie & Ice Cream	\$ 28.39	Reserve

***Subtotal All Miscellaneous: \$ 1,532.55***

**CURRENT BUDGET BALANCES - AS OF THURSDAY, JUNE 06, 2013**

SUPPLY LINE	BALANCE YEAR TO DATE	2013 BUDGET
Office Supplies	\$ 571.04	\$ 1,050.00
Postage	\$ 71.86	\$ 80.00
Building Maintenance & Supplies	\$ 4,656.34	\$ 8,279.00
Printing	\$ 129.77	\$ 800.00
Electric	\$ 3,823.36	\$ 6,700.00
Water	\$ 732.30	\$ 1,675.00
Heat	\$ 5,477.96	\$ 10,200.00
Education	\$ 90.00	\$ 240.00
Automobile	\$ 160.00	\$ 160.00
Reserve	\$ 88,763.04	n/a



**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION  
MINUTES OF THE MAY 9, 2013 MEETING  
MARX HOME**

**PRESENT:** Sue Pilon, Jody Egen, Ken Munson, Shirley Prygoski, Wally Hayden, Eula Grooms, Marshall Wymore

**EXCUSED:** Michelle Blankenship, Anne Ronco, Dave Kostelnik, Don Schultz, Dan Cervantes

President Sue Pilon called the meeting to order at 6:26 p.m.

**MOTION by Shirley Prygoski, supported by Ken Munson, to approve the minutes from the April 2013 meeting, MOTION CARRIED (6-0)**

**PRESIDENT'S REPORT:**

Don was just elected to City Council so he is leaving the Commission. This means there is one open spot. The Mayor has someone in mind. Sue asked Commissioners for the names of others that might be interested.

Sue talked about the committee assignments. She has heard from most of the Commissioners, but will talk to Marshall and Dan to answer any questions they might have about each committee.

She also brought up the Heritage Event Series commitment sheets. She said that anyone who hasn't turned one in should send it to her this month.

The Commission talked about canceling the July 2013 meeting. They have chosen to skip the July meeting for the past couple of years because everyone is so overwhelmed due to events (Art Fair and rally).

**MOTION by Eula Grooms, supported by Shirley Prygoski, to cancel the July 2013 meeting, MOTION CARRIED (6-0)**

The Buildings and Grounds Committee met earlier in the month, and talked about possibly having the Commissioners come and work on painting the Burns Home Carriage House. Some of the paint is peeling off the building because no oil based primer was used. It could be a team building exercise, and everyone could bring food and drinks to share. The Commissioners discussed dates. They decided on August 10 or August 17 (rain-out date).

Jody and Sue passed around a brochure that was designed to solicit HES sponsorships. This year, the goal is to entirely fund the WWII Victory Rally with sponsorships. She urged Commissioners to look over the pamphlet and get any suggestions for improvements to Jody by Wednesday. Pamphlets will be mailed or hand delivered to local businesses. They also plan to add an easy way for interested parties to respond. Commissioners were encouraged to think of businesses to solicit for this.

**DIRECTOR'S REPORT:**

Jody distributed the finance report for April. The Artistic Creators Guild Art Show took place during the month, so the Museum received some box donations and a portion of sales from that event. They also received a reissued rent check from November that had been lost. In addition, some utility bills did not arrive this month. Everything Jody has received has been paid, but the bills were too late to make it onto the finance report. Jody also purchased a display case for the third floor exhibit gallery at an auction. Jody said she will email the Commissioners once she gets the other utility bills. The Commission decided not to vote on the approval of the finance report for this month, because of the missing utility bills. They will instead make two motions at the next meeting.

Jody gave an update on the basement exhibit gallery. The staff is currently working on object selection and laying things out physically in the space. Exhibits will include some audio components, including nature sounds, Native American language, and shipyard audio. They will be finalizing object selection next week.

The Citywide Garage Sale is coming up, and Jody said they are right on track with participants. She plans to notify participants that the Museum will accept garage sale leftovers that are antique or vintage. She will set some days and times for people to drop off items.

The next event after that is the Historical Society's Pie and Ice Cream on June 23. Mary Washko is the chair this year, and the staff will be providing support for her. The Wyandotte Stars season started last week with an away game. The team has games almost every week. They will have pocket calendars with their game schedule and other printed items to pass out at games.

The restoration of the Log Cabin hasn't been completed yet, but it is open for rentals. The city just approved an overage for the renovations, which will include a handicap accessible ramp. They will be making some improvements to the inside as well. Jody is currently looking for some small items like matching lampshades, a fire screen, etc. Shirley said she is willing to make new curtains.

**FRIENDS:** Jody received a letter and check for \$3,000. The Society doesn't have complete plans for their portion of the money yet, as far as Wally knows. The porch project could be considered a liability issue, so Jody said she will talk to the city to see if any assistance may be offered.

**SOCIETY:** Ken Navarre is supposed to call Sue regarding the joint meeting soon.

**COMMITTEES:** Sue said that she would like a couple committees to report about their meetings each month. The Long Range Planning Committee has decided to develop a survey to gain input from different groups in the community in order to get perceptions of the Museum and suggestions for the future. Anne is putting some questions together.

The Buildings and Grounds Committee also met, and discussed the Basement floor for the Basement Exhibit Gallery. The floor, which is currently gray painted concrete, needs work. Jody got some proposals to do an epoxy sealing treatment in preparation for work to start. Jody passed out the bids. Dave has called the companies to learn more.

PPC did the basement floor of the Wyandotte Arts Center. Dave recommended them for the basement job. Dave will call back and ask about a third coat and warranty information. Since the project is less than \$2500, the city's formal bid process is not needed.

**MOTION by Ken Munson, supported by Eula Grooms, to leave the company selection to Dave Kostelnik's discretion, based on the information presented and additional information requested, with funding coming from the reserve account, MOTION CARRIED (6-0)**

Eula said that salvage is very slow right now, but she will be having a sale during the Citywide Garage Sale, and anyone is welcome to come down.

**OLD BUSINESS:** Jody will talk to Sarah to check on the progress of the markers at BASF Park. Shirley suggested looking at some of the wording on the signs, but Jody said that the missing ones have to be the priority right now because of the cost to replace them.

**NEW BUSINESS:** Eula bought a child's piano at an auction and wants to have Jody look at it. She is also volunteering for Antiques Roadshow at Cobo on June 1. She gave her two tickets to Jody and asked if the Museum might have anything eye-catching to bring in.

**ANNOUNCEMENTS/COMMUNICATION:** Dave Kostelnik is getting married on Sunday, May 19.

It was decided to change the June meeting date to June 6 to accommodate several members that are unable to attend on June 11.

**ATTENTION TO AUDIENCE:** None.

**MOTION by Ken Munson, supported by Eula Grooms to adjourn the meeting at 8:03 p.m. MOTION CARRIED (6-0)**

**Next Meeting: June 6, 2013.**

**Respectfully Submitted,  
Annie Pilon, Recording Secretary**



*From the desk of Jody L. Egen*

**MONEY DEPOSITED WITH THE CITY OF WYANDOTTE TREASURY AS OF MAY 9, 2013**

Log Cabin Rental	\$ 50.00 – Cash \$ 80.00 – Checks \$ 130.00 – Total	Reserve 101-000-257-250-071
Admissions/ Donations	\$ 0 – Cash admissions \$ 180.00 – Check \$ 180.00 – Total	Reserve 101-000-257-250-071
Weddings	\$ 150.00 – Check \$ 200.00 – Cash \$ 350.00 – Total	Reserve 101-000-257-250-071
Marx Rent	\$ 1,185.01– Check \$ 0 – Cash \$ 1,185.01 – Total	Marx Rental Account 101.000.655.655.021
Artistic Creator’s Guild	\$ 141.70 – Check \$ 32.00 – Cash \$ 173.70 – Total	Reserve 101-000-257-250-071

*Total of all deposits \$ 2,018.71*

**EXPENSES**

<b>HEAT/ GAS</b>		
MacNichol	\$ 245.42	City
Marx	\$ 146.41	City
Log Cabin	\$ 139.26	City
Burns	\$ 138.69	City
<i>Subtotal</i>	\$ 669.78	
<b>WATER</b>		
MacNichol	\$ 72.32	City
Marx	\$ 11.40	City
Log Cabin	N/A	City
Burns	\$ 15.55	City
<i>Subtotal</i>	\$ 99.27	
<b>ELECTRIC</b>		
MacNichol	\$ 160.42	City
Marx - includes \$53.37 outside 400W	\$ 141.68	City
Burns	\$ 58.41	City
<i>Subtotal</i>	\$ 360.51	
<b>PHONE</b>		
MacNichol	N/A	City
Marx	\$ 41.87	City
Burns	\$ 216.87	City
<i>Subtotal</i>	\$ 258.74	

*Subtotal All Utilities: \$ 1,388.30*

<b>MISCELLANEOUS</b>		
J&I Interiors - <i>Paint for Burns Home interior</i>	\$ 54.16	City - B&G
Historical Society of Michigan - <i>Annual Membership Renewal</i>	\$ 50.00	Reserve
Hoods - <i>General hardware</i>	\$ 11.95	City - B&G
Past Perfect Software - <i>IT support</i>	\$ 85.00	City - Office
Whipple Printing - <i>Garage Sale Posters</i>	\$ 42.50	City - Printing
Tuttle Supply Inc.- <i>Brown and white paper towel</i>	\$ 58.90	City - B&G
Whipple Printing - <i>5000 HES Postcards</i>	\$ 138.00	City - Printing
Payless Magnets - <i>500 HES Magnets</i>	\$ 277.60	Reserve
Tossed and Found - <i>Hutch for Tea program</i>	\$ 200.32	Reserve
Lowe's - <i>pvc pipe and 4" test plug</i>	\$ 14.68	City - B&G
Doug Dalton Auctioneer - <i>Oak display case for third floor gallery</i>	\$ 636.00	Reserve
Quality Care Moving - <i>Delivery of oak display case for third floor gallery</i>	\$ 65.00	Reserve

**Subtotal All Miscellaneous: \$ 1,634.11**

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**CURRENT BUDGET BALANCES - AS OF MAY 9, 2013**

<b>SUPPLY LINE</b>	<b>BALANCE YEAR TO DATE</b>	<b>2013 BUDGET</b>
Office Supplies	\$ 965.00	\$ 1,050.00
Postage	\$ 71.86	\$ 80.00
Building Maintenance & Supplies	\$ 4,819.61	\$ 8,279.00
Printing	\$ 129.77	\$ 800.00
Electric	\$ 4,183.97	\$ 6,700.00
Water	\$ 831.57	\$ 1,675.00
Heat	\$ 5,967.63	\$ 10,200.00
Education	\$ 90.00	\$ 240.00
Automobile	\$ 160.00	\$ 160.00
Reserve	\$ 80,011.66	n/a