

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION
MONDAY, MARCH 31, 2014 7: 00 PM
PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON
CHAIRPERSON OF THE EVENING: THE HONORABLE DONALD SCHULTZ

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

PERSONS IN THE AUDIENCE:

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

1. Communication from the Mayor submitting the reappointment of Look, Makowski and Look PC as the City of Wyandotte's Department of Legal Affairs.
2. Communication from the Planning Commission relative to the proposed rezoning of the property known as 2101 Grove street (former Madison School Building).
3. Communication from the City Engineer submitting the annual permits for Maintenance, Pavement Restoration and Special Events performed in the Wayne County Right of Way.
4. Communication from the City Engineer regarding Neighborhood Stabilization Homes (NSP3)-Sales Price.

5. Communication from the Power Plant Engineer of Municipal Service seeking permission to inspect Turbine # 5 for Repair Evaluation.

6. Communication from the Power Plant Engineer of Municipal Service requesting to hire Michigan CAT to assist in completion of the HMI Upgrade for the Power Plant Diesel Generator Site.

CITIZENS PARTICIPATION:

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts	March 12-March 20, 2014	\$61,703.83
Retirement Commission Meeting	March 20, 2014	
Cultural and Historical Commission	March 13, 2014	
Cultural and Historical Commission	February 13, 2014	
Municipal Service Commission	March 19, 2014	
Planning Commission	March 20, 2014	

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



JOSEPH PETERSON
MAYOR

COUNCIL

Sheri M. Sutherby-Fricke
Daniel E. Galeski
Ted Miciura Jr.
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stee

PRESENTATION

6:00 P.M.

MONDAY, MARCH 31, 2014

PLANTE MORAN

RELATIVE TO THE

2013 FISCAL YEAR

AUDITED

FINANCIAL STATEMENTS

Posted: March 27, 2014

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

①

MEETING DATE: March 31, 2014

AGENDA ITEM #

ITEM: Reappointment – Department of Legal Affairs

PRESENTER: Mayor Joseph R. Peterson

INDIVIDUALS IN ATTENDANCE: Mayor Joseph R. Peterson

BACKGROUND: Appointment occurs every two years.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Adopt a resolution to reappoint Look, Makowski and Look PC as the City of Wyandotte's Department of Legal Affairs. Term effective April 16, 2014 to April 15, 2016.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: \$78,000 annually for two years

IMPLEMENTATION PLAN: n/a

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: *SDrysdale*

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

JRP

LIST OF ATTACHMENTS: Letter from William Look.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 31, 2014

RESOLUTION by Councilperson _____

RESOLVED by the City Council that Council hereby CONCURS in the recommendation set forth by Mayor Peterson in his communication dated March 27, 2014 to re-appoint the firm of Look Makowski and Look, P.C. as the Department of Legal Affairs for the City of Wyandotte for a two-year contract effective April 16, 2014 to April 15, 2016 with a salary of \$78,000 per year.

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	_____

OFFICIALS

Thomas Woodruff
CITY ASSESSOR

William R. Griggs
CITY CLERK

Todd M. Browning
TREASURER



**JOSEPH R. PETERSON
MAYOR**

COUNCIL

Sheri M. Sutherby-Fricke
Daniel E. Galeski
Tadeusz Miciura Jr.
Leonard T. Sabuda
Donald Schultz Jr.
Lawrence S. Stec

March 27, 2014

The Honorable City Council City of Wyandotte
3200 Biddle Avenue – Ste. 300
Wyandotte MI 48192

Gentlemen and Madam:

I am submitting for your approval the firm of Look Makowski and Look, P.C., for reappointment as the Department of Legal Affairs for the City of Wyandotte for a two-year contract. This contract will be effective April 16, 2014 to April 15, 2016. I am recommending that the salary remain at the sum of \$78,000 per year.

Please feel free to contact me if you have any questions or concerns with regard to this appointment.

Thanking you in advance for your support.

Sincerely,

Joseph R. Peterson
Mayor

LOOK, MAKOWSKI AND LOOK
PROFESSIONAL CORPORATION

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

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

WILLIAM R. LOOK
STEVEN R. MAKOWSKI

RICHARD W. LOOK
(1912 - 1993)

March 24, 2014

RECEIVED

MAR 24 2014

CITY OF WYANDOTTE
MAYOR'S OFFICE

To: Honorable Joseph R. Peterson
From: Department of Legal Affairs
Re: *Reappointment as City Attorney*

Dear Mayor Peterson:

I am submitting the following concerning our office representing the City of Wyandotte. The purpose of this letter is to let you know that our firm would like to continue in this capacity. I have 36 years of personal Municipal Law experience concerning the City of Wyandotte and an additional 20 years as the Township Attorney for Grosse Ile. During that time, I have spent most of my career handling Municipal issues. During each calendar year, I review updates on Municipal Law and issues. As a matter of course, I pass along changes in the law and other Municipal issues that come across my desk to the various Department Heads that are affected by those changes. It is our firm's belief that regardless of the number of years of experience as Municipal attorneys, the law is ever changing and it is necessary to keep up to date on those changes.

We have established a very good working relationship with the Department Heads and their staff and we respond in a timely manner to their requests and needs. Included among our services to the City are the following:

1. Attendance at City Council meetings.
2. Research legal issues upon request and submit written opinions.
3. Attendance at Retirement Commission meetings.
4. Review pending litigation for which the City has insurance coverage and discuss issues with attorneys handling those cases on behalf of the City of Wyandotte.
5. Handling litigation for which there is no insurance coverage.
6. We review all contracts signed by the City of Wyandotte, including the Department of Municipal Service.
7. Handling of real estate transactions involving the City of Wyandotte;
8. Preparation of all Ordinances for the City of Wyandotte.

Page 2

March 24, 2014

Re: ***Reappointment as City Attorney***

9. Assist, upon request, in negotiations for matters such as the contracts with developers.
10. Review policies adopted by the Wyandotte Police Department.
11. Advise Boards such as Downtown Development or Brownfield.
12. Commence lawsuits in collecting delinquent accounts and assist the Treasurer's office in enforcing delinquent tax collections.
13. Attendance at Board of Review sessions in December, February and July.
14. I also attend meetings of the legal subcommittee concerning the downriver sewage treatment plant.

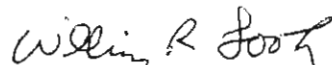
I recognized that acting as the City Attorney is a public service which I take very seriously. I am a lifelong resident of 61 years in the City of Wyandotte and our firm likes to give back to the community as well. It is our belief that our firm, during these years as City Attorney has cooperated fully with the City of Wyandotte in keeping the City's legal fees down for the City by working under a Retainer Agreement and in an amount which is very favorable when compared to what other communities are spending on legal costs. We would request no change in our yearly salary of \$78,000.00.

If you have any questions, with regards to this communication, please feel free to give me a call and I would be happy to sit down and discuss this with you at your convenience.

Very truly yours,

Department of Legal Affairs

LOOK, MAKOWSKI and LOOK
Professional Corporation



William R. Look

WRL:bt

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

②

MEETING DATE: March 31, 2014

AGENDA ITEM # _____

<p>ITEM: Rezoning of the property known as 2101 Grove Street (Former Madison School Building), Wyandotte</p>

PRESENTER: Elizabeth A. Kimmel, Chairperson

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: Paragon Support Systems, Inc., 2101 Grove Street, Owner, requested the rezoning of the property at 2101 Grove from Residential District (RA) to Plan Development District (PD). This requested was referred to the Planning Commission to hold the required public hearing.

The hearing was held on March 20, 2014, and the Commission Resolution was to approve the request to rezone the property at 2101 Grove to Plan Development District (PD). The rezoning as requested is consistent with the Master Plan.

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, promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Concur with recommendation of the Planning Commission.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: n/a

COMMISSION RECOMMENDATION: March 20, 2014

CITY ADMINISTRATOR'S RECOMMENDATION: *Skypdale*

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

Joseph R. Peterson

LIST OF ATTACHMENTS: Minutes of the Planning Commission

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, March 20, 2014, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth A. Krimmel at 6:30 p.m.

COMMISSIONERS PRESENT: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

COMMISSIONERS EXCUSED: None

ALSO PRESENT: Charles Leman, City Planner
Ben Tallerico, City Planner
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

1. MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to receive and place on file all communications. MOTION PASSED
YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier
NO: None
ABSENT: None
MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Benson to approve the minutes of the Meeting of January 16, 2014. MOTION PASSED. (Note, no meeting was held in February.)

OLD BUSINESS:

None

NEW BUSINESS:

1. **PUBLIC HEARING - 021814** Request from Paragon Support Systems, Inc. 2101 Grove Street, Wyandotte, (Owner and Appellant) to rezone the property at 2101 Grove Street, (Former Madison School Building), City of Wyandotte, County of Wayne, State of Michigan. Lot Size: 6.67 Acres

1st MOTION BY COMMISSIONER PASKO, Supported by Commissioner Lupo to recommend to the City Council that the rezoning of the property at 2101 Grove, Wyandotte (Lots 5, 6, 7 & 8 except the north 20 feet, including vacated alleys adjacent thereto, also including vacated 21st Street, adjacent thereto and the northerly ½ of vacated Marshall Avenue adjacent thereto, of the Detroit River Land Co's Subdivision) from Single Family Residential District (RA) to Plan Development District (PD) be APPROVED.

The rezoning of this property generally conforms to the Adopted Master Plan for the City of Wyandotte.

Meeting March 20, 2014

FURTHER the Commission approves the following uses:

- Offering small business and/or organizations the opportunity to rent classroom space and/or gym and stage
- Personal Trainer
- Certified Nursing Assistant Classes
- Overnight respite and after school programs, and a possible future daycare for employees as well as the community.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier
NO: None ABSENT: None
MOTION PASSED

NOTE: The City Engineer informed the Commission that approving the uses along with the rezoning was premature and the Applicant should apply for the proposed uses after the City Council approves the Rezoning. The Commission amended the 1st Resolution as follow:

2nd MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to amend the 1st Resolution to recommend approval of the requested rezoning only.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier
NO: None ABSENT: None
MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Duran to:

Pay Beckett & Raeder for Planning Consultant fee for February and March in the amount of \$1,400.00
Hours for Secretarial Services: 12/19/13 – 03/04/14 16 Total Hours

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER LUPO, supported by Commissioner Tavernier to adjourn the meeting at 8:15 p.m.

PUBLIC HEARING – 021814 Request from Paragon Support Systems, Inc. 2101 Grove Street, Wyandotte, (Owner and Appellant) to rezone the property at 2101 Grove Street, (Former Madison School Building), City of Wyandotte, County of Wayne, State of Michigan. Lot Size: 6.67 Acres

Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wished to speak about this public hearing.

Valeria Kaiser, Executive Director, Paragon Support System, Inc., present.

Ms. Kaiser indicated that Paragon Support Systems is a 501C3 entity and they purchased the building in 2012 and they are doing some renovation to the building. Ms. Kaiser indicated that they have some funding challenges and they would like to offer the classrooms for rent to small business and social workers. Further, they would also like to be allowed to rent the gym. Ms. Kaiser indicated that she has had requests from small businesses to rent the rooms.

Ms. Kaiser indicated that they are in the final stage to have the entire building sprinkled per the City requirements. Ms. Kaiser further indicated that they have fixed up the exterior, including the landscaping and also offers a community garden.

Ms. Kaiser stated that their use and the proposed future uses would be less traffic than the public school which was the previous owners use. Ms. Kaiser indicated that the building has a lot to offer.

Commissioner Lupo asked about the request for the overnight respite.

Ms. Kaiser stated that they currently do not offer this program, but there is a need in the downriver area for it. Ms. Kaiser indicated that it is their goal within the next year to offer this program.

Ms. Kaiser indicated that they would like to offer daycare for the employees, as well as the community.

Commissioner Lupo asked if Ms. Kaiser would request the overnight respite at a later time.

Ms. Kaiser stated yes, they will be working towards it

Mr. Ben Tallerico, City Planner, explained the Plan Development zoning and the process that occurs when the property is zoned PD.

Commissioner Booms asked if the property is rezoned when it sells would the property stay PD. Mr. Tallerico indicated that once the property is rezoning it stay PD.

Commissioner Benson asked about the overnight respite.

Ms. Kaiser indicated that it would be offered to kids up to 26 years old.

Mr. Gerald Gnida, 4084 22nd Street, Wyandotte, Michigan. Mr. Gnida indicated that he has lived in this area for 30 years and wants to know if the Jo Brighton School is also being rezoned and if it is not why does this need to be rezoned when they are doing the same thing in this building.

Chairperson Krimmel indicated that the Old Madison School and property is all that is being rezoned. Chairperson Krimmel continued that Ms. Kaiser would like to lease out space and in order to do that the property must be rezoned. The Commission reviewed the area to be rezoned with the residents.

Mr. Gnida indicated that in the past they have had traffic problems and he does not want to start up again.

Member Tavernier indicated that he was at the Council Meeting when the traffic issue was there and Member Tavernier indicated that this current use would have less traffic than a public school.

Mr. Gnida asked if they were going to build on the vacant property around the school.

Chairperson Krimmel indicated that at this time there is nothing before the Commission indicating they were going to build onto the building.

Mr. Gnida asked if his taxes would be affected by the rezoning.

Chairperson Krimmel indicated no, the rezoning has no effect on taxes.

Another resident came to the podium and stated that she moved there because of the open view and she did not want to see any building on the vacant land.

Commissioner Benson indicated that the PD zoning would allow building, but if they did any construction, the neighbors would be notified.

Mr. Luciani, 4114 22nd Street, Wyandotte. Mr. Luciani asked if the parking lot was going to be expanded.

Chairperson Krimmel indicated that they have adequate parking for their current use, but if they expand it, it would need the Planning Commission and City Council's approval.

Mr. Luciani indicated that whoever plows the parking lot has made a mess of the grass adjacent to the sidewalk.

Ms. Kaiser indicated that she is aware of that and they are going to fix when the weather gets better.

Chairperson Krimmel asked if there was anyone else present who wished to speak about this public hearing.

There being no further questions, the public hearing was closed.

No communications were received regarding this hearing.

NOTE: The City Engineer informed the Commission that approving the uses along with the rezoning was premature and the Applicant should apply for their proposed uses after the City Council approves the Rezoning. The Commission amended their 1st Resolution.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 31, 2014

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission regarding the rezoning of the property known as 2101 Grove Street, Wyandotte is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council concur with the recommendation of the Planning Commission and hereby approves the rezoning of the property at 2101 Grove Street, Wyandotte, Michigan; AND

BE IT FURTHER RESOVLED that this is forward to the Department of Legal Affairs to prepare the proper ordinance.

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	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

(3)

MEETING DATE: March 31, 2014

AGENDA ITEM # _____

ITEM: Annual Permit for Maintenance, Pavement Restoration and Special Events performed in the Wayne County Right of Way

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 3-26-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City is required to apply annually for permits from Wayne County for the following activities in the County Right-of-Way:

1. Sanitary sewer inspection, repair, and routine maintenance.
2. Watermain inspection, repair, routine maintenance and installation of residential and commercial water service connections.
3. Application of dust palliatives.
4. Repair and replacement of existing sidewalks.
5. Perform street sweeping operations during daylight hours only.
6. Replace and repair pavement cuts due to utility repairs.
7. Temporarily close a county road for a reasonable length of time for a parade, marathon, festival or similar activity
8. Use a county road as a detour of traffic around such activity taking place on a non-county road
9. Place a temporary banner within the county right-of-way

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: Approve submission of annual permits and authorize the City Engineer as the position authorized to apply.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Forward the three (3) adopted Resolutions to Wayne County

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *Support*

LEGAL COUNSEL'S RECOMMENDATION: *W Hook*

MAYOR'S RECOMMENDATION: *Joseph R Peterson*

LIST OF ATTACHMENTS: Resolutions and Applications

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 31, 2014

RESOLUTION by Councilperson _____

BE IT RESOLVED

I move the adoption of the foregoing resolutions.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

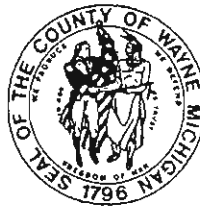
COUNCIL

NAYS

Browning
DeSana
Fricke
Galeski
Sabuda
Stec

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, MI 48184,
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY
CONSTRUCTION. CALL
Tim Baldwin
(734) 595-6504, Ext: 2029
FOR INSPECTION



WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No.

A-14075

ISSUE DATE

1/1/2014

EXPIRES

12/31/2014

REVIEW No.

WORK ORDER

79657

PROJECT NAME
WYANDOTTE - MAINTENANCE

LOCATION
VARIOUS ROADS ()

CITY/TWP
WYANDOTTE

PERMIT HOLDER
CITY OF WYANDOTTE
3131 BIDDLE AVENUE
WYANDOTTE, MI 48192-5915

CONTRACTOR

MI

CONTACT
MARK KOWALEWSKI (734) 324-4551

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)

TO OCCUPY THE RIGHT-OF-WAY OF COUNTY ROADS FOR THE BELOW ACTIVITIES:

1. SANITARY SEWER INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
2. WATERMAIN INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
3. DUST PALLATIVE, CALCIUM & SALT APPLICATIONS.
4. SIDEWALK REPAIR AND REPLACEMENT.
5. TO PERFORM STREET SWEEPING OPERATIONS DURING DAYLIGHT HOURS ONLY.

REFER TO ATTACHMENTS REFERENCED BELOW FOR ANNUAL PERMIT REQUIREMENTS AND CONDITIONS.
ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

PAVEMENT REPAIRS REQUIRE A SEPARATE PERMIT AND ARE NOT TO BE COMPLETED UNDER THE TERMS OF THIS ANNUAL PERMIT.

ALL ACTUAL INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIAL AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED.

PERMIT HOLDER AGREES TO SUBMIT MONTHLY REPORTS OF WORK PERFORMED UNDER THIS PERMIT.

FINANCIAL SUMMARY		DEPOSITOR	APPROVED PLANS PREPARED BY	
PERMIT FEE	\$0.00		PLANS APPROVED BY _____ DATE PLANS APPROVED 1/1/2014	
PLAN REVIEW FEE	\$0.00			
PARK FEE	\$0.00			
OTHER FEE	\$0.00			
BOND	\$0.00			
INSPECTION DEPOSIT	\$0.00	LETTER OF CREDIT DEPOSITOR	REQUIRED ATTACHMENTS GENERAL CONDITIONS SCOPE OF WORK AND CONDITIONS FOR MUNICIPAL MAINTENANCE PERMITS INDEMNITY AND INSURANCE ATTACHMENT SAMPLE COMMUNITY RESOLUTION RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT www.waynecounty.com/dps_engineering_cpoffice.htm	
OTHER BOND	\$0.00			
TOTAL COSTS	\$0.00			
TOTAL CHECK AMOUNT				
\$0.00				
CASHIER _____	DATE			
	1/1/2014			

(PERMIT VALID ONLY IF ACCOMPANIED
BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

MARK KOWALEWSKI
PERMIT HOLDER / AUTHORIZED AGENT

DATE

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Ms. Tawny Barnes
Permit Coordinator

DATE



Wayne County Department of Public Services Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current *Wayne County Rules, Specifications and Procedures for Permit Construction*, included as an attachment to this permit, the *Wayne County Standard Plans for Permit Construction*, and the *MDOT Standard Specifications for Construction*, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: The Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current *Manual on Uniform Traffic Control Devices (MUTCD)*. The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current *MDOT Standard Specifications for Construction* as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsoil conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

**MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL MAINTENANCE PERMITS**

Resolution No. _____

At a Regular Meeting of the City of Wyandotte (Name of Community Governing Board) on March 31, 2014 (date), the following resolution was offered:

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

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

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

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

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

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

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

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

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

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

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

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

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

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

Name	and/or	Title
Mark A. Kowalewski		City Engineer
Bill Weirich		Water Department, Superintendent

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte County of Wayne, Michigan, on March 31, 2014.

MOTION by Councilperson _____

Supported by Councilperson _____

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

Member Absent _____

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, MI 48184,
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY
CONSTRUCTION. CALL
Tim Baldwin
(734) 595-6504, Ext: 2029
FOR INSPECTION



WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No

A-14130

ISSUE DATE

1/1/2014

EXPIRES

12/31/2014

REVIEW No.

WORK ORDER

79370

PROJECT NAME
WYANDOTTE - PAVEMENT RESTORATION

LOCATION
VARIOUS

CITY/TWP
WYANDOTTE

PERMIT HOLDER
CITY OF WYANDOTTE
3131 BIDDLE AVENUE
WYANDOTTE, MI 48192-5915

CONTRACTOR

MI

CONTACT
MARK KOWALEWSKI (734) 324-4551

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)

TO REPLACE AND REPAIR PAVEMENT CUTS DUE TO UTILITY REPAIRS WITHIN THE RIGHT-OF-WAY OF VARIOUS ROADS IN WAYNE COUNTY IN ACCORDANCE WITH THE WAYNE COUNTY RULES, SPECIFICATIONS AND PROCEDURES MANUAL & WAYNE COUNTY STANDARD PLANS FOR PERMIT CONSTRUCTION.

AT LEAST 72 HOURS PRIOR TO CONSTRUCTION, THE PERMIT HOLDER SHALL SUBMIT WRITTEN NOTICE OF CONSTRUCTION, INCLUDING THE LOCATION AND DATE OF THE WORK ALONG WITH CONSTRUCTION PLANS TO THE PERMIT OFFICE FOR APPROVAL.

THE FINAL AREA OF ANY PAVEMENT TO BE REPLACED AND/OR OVERLAID SHALL BE DETERMINED AND MARKED OUT BY THE COUNTY.

FOR EACH PROJECT, ALL ACTUAL PLAN REVIEW AND INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED TO THE PERMIT HOLDER ON A MONTHLY BASIS.

ANY ROAD CLOSURE SHALL BE IN COMPLIANCE WITH THE MICHIGAN MANUAL OF TRAFFIC CONTROL DEVICES
[HTTP://MUTCD.FHWA.DOT.GOV](http://mutcd.fhwa.dot.gov)

THE ATTACHMENTS LISTED BELOW ARE INCORPORATED BY REFERENCE AS PART OF THE CONDITIONS OF THIS PERMIT.

FINANCIAL SUMMARY		DEPOSITOR	APPROVED PLANS PREPARED BY
PERMIT FEE	\$0.00		
PLAN REVIEW FEE	\$0.00		
PARK FEE	\$0.00		
OTHER FEE	\$0.00		
BOND	\$0.00		
INSPECTION DEPOSIT	\$0.00		
OTHER BOND	\$0.00		
TOTAL COSTS	\$0.00		
TOTAL CHECK AMOUNT \$0.00		LETTER OF CREDIT DEPOSITOR	PLANS APPROVED BY DATE PLANS APPROVED
CASHIER DATE			1/1/2014
	1/1/2014		
			REQUIRED ATTACHMENTS
			GENERAL CONDITIONS
			INDEMNITY AND INSURANCE ATTACHMENT
			RULES, SPECIFICATIONS AND PROCEDURES
			FOR PERMIT CONSTRUCTION - AVAILABLE
			ONLINE AT
			www.waynecounty.com/dps_engineering_cpoffice.htm
			(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

MARK KOWALEWSKI
PERMIT HOLDER / AUTHORIZED AGENT

DATE

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Ms Tawny Barnes
Permit Coordinator

DATE

Wayne County Department of Public Services

FUND

NUMBER

WORK ORDER**1****ROAD****79370**

Number

Name

DATE ISSUED

1/1/2014

DATE REVISED

TYPE

CLASS

BILLING

ESTIMATED COST

☒ Standing☒ Recoverable☐ Monthly

Labor

☐ Special☐ Non-Recoverable☒ Completion

Equipment

☐ Undetermined☐ No Bill

Material

TOTAL

COMPUTER DESCRIPTION

A-14130 - WYANDOTTE - PAVEMENT RESTORATION - WYANDOTTE

DETAILED DESCRIPTION OF WORK

ALL COUNTY INSPECTION COSTS INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS, EMERGENCY WORK BY COUNTY FORCES SUCH AS REPAIR OF ROAD, SURFACE DRAINAGE, LIGHTING, BARRICADES, ROAD SIGNS, DAMAGE TO TREES, AND/OR SHRUBS, ETC.

TO REPLACE AND REPAIR PAVEMENT CUTS DUE TO UTILITY REPAIRS WITHIN THE RIGHT-OF-WAY OF VARIOUS ROADS IN WAYNE COUNTY IN ACCORDANCE WITH THE WAYNE COUNTY RULES, SPECIFICATIONS AND PROCEDURES MANUAL & WAYNE COUNTY STANDARD PLANS FOR PERMIT CONSTRUCTION.

AT LEAST 72 HOURS PRIOR TO CONSTRUCTION, THE PERMIT HOLDER SHALL SUBMIT WRITTEN NOTICE OF CONSTRUCTION, INCLUDING THE LOCATION AND DATE OF THE WORK ALONG WITH CONSTRUCTION PLANS TO THE PERMIT OFFICE FOR APPROVAL.

THE FINAL AREA OF ANY PAVEMENT TO BE REPLACED AND/OR OVERLAID SHALL BE DETERMINED AND MARKED OUT BY THE COUNTY.

FOR EACH PROJECT, ALL ACTUAL PLAN REVIEW AND INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED TO

DEPOSITOR:

CREDITS:

BOND: \$0.00

USE ONLY WITH
FUNCTION ACTIVITY

67	032	037
67	109	110
67	111	112
67	113	
67	131	132
67	137	
67	151	152
67	154	158
67	171	178
67	182	184
67	202	
67	271	274
67	275	276
67	303	313
67	461	462
67	463	464
67	527	

REMARKS OR OTHER BILLING INSTRUCTIONS

NAME	DIVISION	NO.	SENT	INDIVIDUAL RESPONSIBLE FOR CLOSING WORK ORDER
Sami Khaldi	Permit Office	1		
Paul Gluszk	Testing Office	1		WORK COMPLETION REPORT
J. Phil McGuire	Traffic	1		Date Completed:
Time Office	Norton Yard	1		Reported By:
				Date Received by Accounting
				RECORDED IN DATA PROCESSING DEPARTMENT

REQUESTED BY:

APPROVED BY:

APPROVED BY DIRECTOR OF FINANCE.

TAWNY BARNES, PERMIT COORDINATOR

ALI ALJAWAD, DIVISION PERMIT ENGINEER

RESPONSIBLE SUPERVISOR WILL RETURN THIS WORK ORDER TO THE ACCOUNTING DIVISION WHEN WORK IS COMPLETED.



**Wayne County Department of Public Services
Engineering Division – Permit Office
Indemnity and Insurance Attachment**

To the extent allowed by law, the Permit Holder shall defend and hold harmless Wayne County, the Department of Public Services, its officials and employees against any and all claims, suits and judgments to which Wayne County, the Departments, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including County property. The Permit Holder shall provide this indemnity for any incident arising out of any and all activities performed under the permit or in connection with work not authorized by the permit, or resulting from the failure to comply with the terms of the permit, or arising out of the continued existence of the work product that is subject to the permit.

Certificates of insurance shall be required for all construction permits, excluding residential driveway permits. Each certificate of insurance and any associated correspondence shall reference the plan review number of the project. General liability and automotive liability insurance coverage shall be in amounts detailed below:

The general liability insurance coverage shall be in amounts not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate. Proof of automobile liability shall be in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$1,000,000 for bodily injury each person, each occurrence and property damage liability \$1,000,000 each occurrence.

The certificate of insurance must be provided by a person, the corporation, or by authorized representatives who signed personally either the application or permit. Insurance shall remain in force until the permit is released by Wayne County.

The Wayne County Department of Public Services shall be a Certificate Holder on the policy of insurance. Wayne County, and its officers, agents and employees shall be named as additional insured parties. It is also required that the annual permit numbers are included on each certificate of insurance.

The insurance shall cover a period not less than the term of the permit and shall provide that it cannot be cancelled or reduced without thirty (30) days advance written notice to Wayne County, by certified mail, first-class, return receipt requested. The thirty (30) days shall begin on the date when the County received the notice, as evidenced by the return receipt.

Such insurance shall provide by endorsement therein for the thirty (30) day notice by the insurer to the Permit Office prior to termination, cancellation or material alteration of the policy.

Licensee agrees to make application for renewal thereof at least sixty (60) days before the expiration date of the policy then in force and to file a certified copy of such renewed policy with the Permit Office.

The policy shall also provide by endorsement for the removal of the contractual exclusion.

Should insurance coverage be cancelled or reduced below acceptable limits, or allowed to expire, the authorization to continue work under the permit shall be suspended or revoked and shall not resume until new insurance is in force and accepted by Wayne County. Wayne County may, in such cases, take appropriate action to restore or protect the road and appurtenances. All costs incurred by this action shall be deducted from any remaining inspection deposit, bond and/or Letter of Credit and, if necessary, the Permit Holder may be billed to defray actual expenses.



Wayne County Department of Public Services Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current Wayne County Rules, Specifications and Procedures for Permit Construction, included as an attachment to this permit, the Wayne County Standard Plans for Permit Construction, and the MDOH Standard Specifications For Construction, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: The Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current MDOH Standard Specifications For Construction as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsurface conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

**MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL PAVEMENT RESTORATION PERMIT**

Resolution No. _____

At a Regular Meeting of the Wyandotte City Council (Name of Community Governing Board) on March 31, 2014 (date), the following resolution was offered:

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

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

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

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

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

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

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

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

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

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

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

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

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

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

Name	and/or	Title
Mark A. Kowalewski		City Engineer
Bill Weirich		Water Department, Superintendent

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte County of Wayne, Michigan, on March 31, 2014.

MOTION by Councilperson _____

Supported by Councilperson _____

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

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, MI 48184
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY
CONSTRUCTION, CALL
Tim Baldwin
(734) 595-6504, Ext: 2029
FOR INSPECTION



WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No.

A-14160

ISSUE DATE

1/1/2014

EXPIRES

12/31/2014

REVIEW No.

WORK ORDER

PROJECT NAME
WYANDOTTE - SPECIAL EVENTS

LOCATION
VARIOUS

CITY/TWP
WYANDOTTE

PERMIT HOLDER
CITY OF WYANDOTTE
3131 BIDDLE AVENUE
WYANDOTTE, MI 48192-5915

CONTRACTOR

MI

CONTACT
MARK KOWALEWSKI (734) 324-4551

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY (72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)

TO ALLOW TEMPORARY CLOSURE OF CERTAIN LOCAL AND COUNTY ROADS FOR A SPECIFIED PERIOD OF TIME IN ACCORDANCE WITH ALL GENERAL AND SPECIAL CONDITIONS OF THIS PERMIT.

REFER TO ATTACHEMENT: ANNUAL SPECIAL EVENTS PERMIT FOR MUNICIPALITIES TO CONDUCT PARADES, BLOCK PARTIES, MARATHONS, CELEBRATIONS AND FESTIVALS.

PERMIT TO INSTALL BANNERS WITHIN THE COUNTY ROAD RIGHT-OF-WAY. EACH REQUEST FOR A BANNER SHOULD BE SUBMITTED ONE MONTH PRIOR TO INSTALLMENT FOR APPROVAL.
PLEASE REFER TO ATTACHMENT: ANNUAL PERMIT FOR MUNICIPAL BANNERS

PERMIT HOLDER SHOULD CONTACT/INFORM THE LOCAL POLICE, HOSPITAL, FIRE MARSHAL, SCHOOL AND ANY OTHER LOCAL AGENCIES ARE/MAY BE AFFECTED BY THIS ROAD CLOSURE THREE (3) BUSINESS DAYS PRIOR TO SCHEDULED CLOSURE.

THE PERMIT HOLDER SHOULD CONTACT THE WAYNE COUNTY TRAFFIC OFFICE AT (734) 955-2154 THREE (3) WORKING DAYS PRIOR TO ANY CLOSURE.

THE CONTRACTOR/PERMIT HOLDER WILL SET UP AND MAINTAIN ALL BARRICADING AND SIGNS IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES ([HTTP://MUTCD.FHWA.DOT.GOV](http://mutcd.fhwa.dot.gov)) AND WILL BE THE RESPONSIBILITY OF THE PERMIT HOLDER.

ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

FINANCIAL SUMMARY		DEPOSITOR	APPROVED PLANS PREPARED BY
PERMIT FEE	\$0.00		PLANS APPROVED BY DATE PLANS APPROVED 1/1/2014
PLAN REVIEW FEE	\$0.00		
PARK FEE	\$0.00		
OTHER FEE	\$0.00		
BOND	\$0.00		
INSPECTION DEPOSIT	\$0.00	LETTER OF CREDIT DEPOSITOR	REQUIRED ATTACHMENTS GENERAL CONDITIONS ANNUAL ROAD SPECIAL EVENTS FOR MUNICIPALITIES ANNUAL BANNER PERMIT ATTACHMENT FOR MUNICIPALITIES SAMPLE COMMUNITY RESOLUTION RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT www.waynecounty.com/dps_engineering_cpoffice.htm
OTHER BOND	\$0.00		
TOTAL COSTS	\$0.00		
TOTAL CHECK AMOUNT			
\$0.00			
CASHIER	DATE		
	1/1/2014		

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

MARK KOWALEWSKI
PERMIT HOLDER / AUTHORIZED AGENT

DATE

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Ms. Tawny Barnes
Permit Coordinator

DATE



Wayne County Department of Public Services Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current Wayne County Rules, Specifications and Procedures for Permit Construction, included as an attachment to this permit, the Wayne County Standard Plans for Permit Construction, and the MDOT Standard Specifications For Construction, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: The Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current MDOT Standard Specifications For Construction as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsoil conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

**MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL SPECIAL EVENTS PERMITS**

Resolution No. _____

At a Regular Meeting of the Wyandotte City Council (Name of Community Governing Board) on March 31, 2014 (date), the following resolution was offered:

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

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

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

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

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

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

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

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

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

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

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

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

Name	and/or	Title
Mark A. Kowalewski		City Engineer
Daniel Grant		Police Chief

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte County of Wayne, Michigan, on March 31, 2014.

MOTION by Councilperson _____

Supported by Councilperson _____

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

Member Absent _____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

(4)

MEETING DATE: March 31, 2014

AGENDA ITEM #

ITEM: Neighborhood Stabilization Homes (NSP3) - Sales Price

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 3-26-14

BACKGROUND: On, October 29, 2013, the City Council approved the listing of the NSP3 Home at 1749 2nd Street for the amount \$119,900. As of the date of this communication, no offers have been received. In accordance with the NSP2 Single-Family Sales Program Guidelines, Adjustment in Asking Price, the Engineering Department is requesting to reduce the sales price of this unit by 10% or to \$107,910.00. This home must be sold to a veteran that earns less than 50% of Area Median Income.

STRATEGIC PLAN/GOALS: 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. Also by promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Adopt a resolution approving the listing of the home at 1749 2nd Street with Downriver Real Estate Group for \$107,910.00.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Continue to advertise homes at a reduced sales price with Downriver Real Estate Group.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

Support

LEGAL COUNSEL'S RECOMMENDATION:

in book

MAYOR'S RECOMMENDATION:

Joseph R. Peterson

LIST OF ATTACHMENTS: Resolution approving listing price; NSP2 Single-Family Sales Program Guidelines

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



JOSEPH PETERSON
MAYOR

COUNCIL

Sheri M. Sutherby-Fricke
Daniel E. Galeski
Ted Miciura Jr.
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

October 29, 2013

RESOLUTION

Mark A. Kowalewski
City Engineer
3200 Biddle Avenue
Wyandotte, Michigan 48192

By Councilman Daniel E. Galeski
Supported by Councilman Leonard Sabuda

RESOLVED by the City Council that Council CONCURS with the City Engineer to list for sale the NSP3 property at 1749-2nd Street with the Downriver Real Estate Group in the amount of \$119,900 to be sold to a veteran that earns less than 50% of AMI with the City offering no more than \$86,000 in home buyers assistance; AND BE IT FURTHER RESOLVED that Council APPROVES the budget amendment to add \$32,225.24 to NSP3- Program Income Expense 101-440-925-771 and NSP3-Program Income revenue 101-000-510-510-071. AND FURTHER that Council authorizes the Mayor and City Clerk to execute the Memorandum of Understanding between the City and Lighthouse of Oakland County.

YEAS: Councilmembers Fricke Galeski Miciura Sabuda Schultz 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 October 28, 2013.

William R. Griggs
William R. Griggs
City Clerk

CC: City Administrator



NSP2 SINGLE-FAMILY SALES PROGRAM GUIDELINES

Purpose

The purpose of this Manual is to govern the sales of single-family homes being carried out under Neighborhood Stabilization Program 2 (NSP2). This Manual includes policies and procedures to be followed regarding intake/applications, counseling and sales control mechanisms.

Definitions

Applicant: A person or persons who have applied to the City for approval of an NSP2 home purchase and homeowner financial assistance. Eligible applicants must be low- moderate-, or middle- income (LMM) household (households with incomes at or below 120% of area median income. NPS2 also requires that 25% of funding go to households that are low income at or below 50% of the area median income).

NSP2: The Department of Housing and Urban Development (HUD)'s Neighborhood Stabilization Program, established by the Housing and Economic Recovery Act of 2008, and authorized by Title XII of Division A of the American Recovery and Reinvestment Act of 2009. The purpose of these funds is to stabilize neighborhoods whose viability has been and continues to be damaged by the economic effects of properties that have been foreclosed upon and abandoned. For more information. See the NSP2 website

<http://hud.gov/offices/cpd/landBankdevelopment/programs/neighborhoodspq/>

Housing Counselor: Light House of Oakland County

NSP2 Buyer: The buyer of an NSP2 Home

NSP2 Property: A property that is rehabilitated or newly constructed with NSP2 Funding

NSP2 Home: An NSP2 property that is being sold to an owner-occupant.

Project Funding: Any and all governmental funds used to pay for the costs to carry out the redevelopment of a particular NSP2 assisted property

Selling Agent: Downriver Real Estate Group





Pricing of Homes

As required by the Grant Agreement the City will set an asking price for NSP2 homes that is the lesser of the after-construction and or rehabilitation market value, or total development cost.

a. After Construction and Rehabilitation Market Value

The City will obtain an after-construction/rehabilitation appraisal from ***Silverwood Appraisal Services***. The appraised value will be the asking price for the home unless it is higher than the estimated total development cost of the home, in which case the price will be the same amount as the total development cost. Total development cost includes all acquisition, rehabilitation/construction and soft costs.

b. Adjustment in Asking Price

If no qualified offer is received within 60 days of first marketing a home, the City may reduce the asking price by 10%. If no qualified offer is received after an additional 60 days of best efforts in marketing a home, City may reduce the original asking price by up to an additional 10% including previous adjustments, if any. City may make additional price reductions only with the written approval by the City Council. In any case, city may reduce asking prices only after making diligent and continuous efforts to market and sell a home.

Homebuyer Application and Prequalification

City is responsible for the prequalification tasks for a prospective buyer.

a. Application for NSP2 Assistance

Before a prospective buyer is referred to counseling or to execute a sales agreement for an NSP2 assisted property, the buyer must complete the Application for NSP2 Assistance attached as Appendix A. The information obtained in the application will be used- along with verifications- to determine a buyer's eligibility to purchase an NSP2 home and to receive NSP2 Homeowner Assistance. A minimum credit score of 640 is required. **If no proposals are received during the Lottery Selection then the minimum credit score will be waived. (See Page 6) Added 1/23/12**

b. Homebuyer Education

If the applicant meets initial thresholds for assistance, and has not been through the required homebuyer education and counseling, then the City will refer the applicant to the selected homebuyer counselor: Lighthouse of Oakland County. 4615 Woodward Avenue , Pontiac, MI 48342. 248-920-6000. www.lighthouseoakland.org



c. Pre-approval for First Mortgage Loan

Once the applicant, with the assistance of the housing counselor, has obtained pre-approval for a first mortgage loan, they will return to City. The first mortgage must be a 30 year fixed-rate mortgage from a reputable lending institution, and the annual percentage rate and closing costs must be reasonable. The lending institution must create and service an escrow account for the receipt of property tax and insurance payments for the buyer. The homebuyer shall obtain a standard homeowners insurance policy in the amount of the full replacement costs of the home and include general liability coverage as required by the lender. The housing counselor will assist in this process.

d. Certifying the Income Eligibility of Prospective Buyers

The City will obtain the income eligibility documentation from the housing counselor. All income calculations are to be conducted utilizing the (24 CFR Part 5, IRS Form 1040) method.

If more than six months has elapsed since the income was initially verified, or if the income documentation is weak or calculations are incorrect, then the income should be re-verified by the City. Required documentation (copies of driver's licenses, pay stubs, etc) will be kept in City's files. The income certification may be no more than six months old at the time that the buyer and City enter into a purchase agreement. If older, the buyer must be recertified. An Applicant whose application fails to meet the NSP2 eligibility requirements will be given a written notice of denial.

Income requirements are as follows:

2011 Area Median Income: Wayne County, Michigan

Low-Income Limit (50%)

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
\$23,250	\$26,600	\$29,900	\$33,200	\$35,900	\$35,550	\$41,200	\$43,850

Moderate-Income Limit (120%)

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
\$55,800	\$63,840	\$71,760	\$79,680	\$86,160	\$92,520	\$98,880	\$105,240

This chart may change on an annual basis.

e. Prequalifying for NSP2 Homeowner Financial Assistance

Once applicants (prospective homebuyers) have received counseling, are prequalified by a financial institution and have been certified as income eligible, the applicant is eligible to enter into the Cities lottery for an NSP2 home.



f. Mortgage Buy Down Assistance

The NSP2 Program will offer mortgage buy downs which reduce the sales price of the home to a value which is affordable to the low or moderate income buyer. This buy down will be eligible to all NSP2 home buyers. The current maximum mortgage buy down is thirty thousand dollars (\$30,000). The program will offer a **minimum** of 17.5% off the sales price. Buy downs exceeding thirty thousand dollars (\$30,000) must be presented to MSHDA for approval.

Potential homebuyers on the Qualified Homebuyer List (QHL) may submit proposals that require more than the \$30,000 mortgage buy down assistance if the City's Homebuyer Counselor recommends more than \$30,000. If a proposal exceeds \$30,000 mortgage buy down assistance then MSHDA shall approve the amount before the offer to purchase is approved by the City. If MSHDA recommends a different mortgage amount at its discretion and the potential buyer does not agree to this new amount the offer to purchase will be denied by the City

Homebuyer Assistance	Affordability Period	Amount Forgiven
Less than \$15,000 per unit	5 years	1/5 of homebuyer assistance amount per year over five years
\$15,000 - \$40,000 per unit	10 years	1/10 of homebuyer assistance amount per year over 10 years
More than \$40,000 per unit	15 years	1/15 of homebuyer assistance amount per year over 15 years
*homebuyer assistance totaling more than \$30,000 will be presented to MSHDA for approval.		

Homebuyer Counseling and Education

Each homebuyer will be required to complete at least eight (8) hours of home counseling from a HUD-certified home counseling agency before making an offer on and purchasing a home. Wyandotte has procured Lighthouse of Oakland County to perform these services. The housing counselors will screen potential new homeowners for NSP2 homes and provide the tools and skills necessary to maintain mortgages. In addition, they will provide support services to help at-risk families remain stably housed. Specific classroom and one-on-one counseling may include pre-purchase education, credit education, budgeting concepts, mortgage products, real estate closing process, foreclosure prevention, etc.



Post-Purchase Counseling

The Buyers will be required to attend post-purchase counseling with the Housing Counselor

Submitting Proposals for NSP2 Home

Upon meeting income requirements, qualifying for a mortgage product and completing the required amount of housing counseling by October 1, 2012, each homebuyer will be placed on the City's Qualified Homebuyer List (QHL). Each homebuyer on the QHL may then submit a proposal with the price that they can afford to purchase the NSP2 home for. This will happen each time a home becomes listed on the real estate market. The City will then select a proposal by drawing randomly. This ensures that the City and all parties involved follow the fair housing opportunity guidelines. Only one proposal per household may be submitted on any prospective property. "Household" includes all persons residing at the current residence or persons living at the current residence during the twelve (12) months prior to filing an application. Any proposal submissions exceeding one (1) per household will be disqualified.

When the City has more NSP2 homes under construct than there are potential QHL buyers then additional buyers will be added to the QHL based on the chronological date that the potential buyer completed the requirements contained in this Policy. There will be separate lists for low income and moderate income buyers.

Example of homebuyer assistance:

If a family of seven (7) has a total household income of \$42,000 per year, they are considered low-income. They are income-eligible to purchase an NSP2 home. They have completed eight (8) hours of home counseling and qualified for a mortgage because they also have good credit and reliable income.

The next step is for the housing counselor to determine the price per month the family can afford to spend on housing payments. MSHDA requires that the home buyer's Principal, Interest, Taxes and Insurance (PITI) not exceed 30% of the household monthly income. For this particular low-income family, that means that PITI cannot exceed \$1,050 per month. Working backwards with estimated taxes and insurance at \$291.66 and \$66.66 per month respectively, the housing counselor concludes that \$691.68 is the most this family can allocate for principal and interest on a mortgage. On a thirty-year mortgage at 5% they can afford to purchase the home for \$120,000 because the monthly principal and interest payment will be \$644.19. Monthly PITI will come to \$1,002.52 which is under their limit of \$1,050.

The particular home this family is purchasing costs \$180,000 to build and is appraised for \$125,000. The listing price was the lower of the two (\$125,000), as per NSP2 requirements. The minimum home buyer assistant is 17.5% or 21,875.00. The family will have a ten (10) year lien on the home in the amount of \$21,875.00 which will dissolve after they have lived in the home for ten (10) years. If the family should move out or sell prior to this, a percentage of the lien is due to MSHDA at the time of closing. Further Purchaser must sign the Homebuyer Certification and Program Agreement which outline the terms and conditions which will remain in effect for the full affordability period, even if the lien is discharged due to early repayment. This document is an attachment to the Purchase Agreement. Add 05/21/12.



The purchaser is required to provide one (1) percent of the sales price at closing as a down payment. This would be \$1,250 in the above example. Other closing costs may be eligible for subsidies as well. Additionally, purchaser will be required to pay fee for housing counseling which is estimated to be \$247.00 (\$35.00 Credit Report and \$212.00 Housing Counseling).

Advertising of NSP2 Homes

The City has selected Downriver Real Estate Group as the Seller Agent. The NSP2 home will be placed in the Multiple Listing Service (MLS) for a minimum of seven (7) days before receiving any proposals. There will be a minimum of two (2) open houses for each house being sold. Open houses shall take place on either a Saturday or a Sunday and last at least three (3) hours each. The two open houses shall not be on the same weekend.

Sealed proposals will be received by the City Clerk. They will be publicly drawn in the Council Chambers on Mondays at 2:00 pm.

The Selling Agent directs any interested party to prepare sealed proposals in accordance with the Standard Purchase Agreement (Appendix B). The City reserves the right to modify and update this Standard Purchase Agreement. Proposals as a minimum shall include the following:

- Completed Standard Purchase Agreement
- Certificate of Completion of Home Counseling from Lighthouse of Oakland County
- Affidavit attesting to Prospective Purchaser's income level
- Listing of all current family members and their ages
- Contact information regarding Prospective Purchaser's current employment as well as any family members' employment information who is 18 years of age and older
- Pre-approved mortgage letter from financial institution
- Ability to provide a minimum deposit of 1% of sales price within 24 hours of City's request before City accepts offer. It is not necessary to include deposit with offer being submitted.

The City will randomly select a sealed proposal. If the sealed proposal includes all of the requested information and interested homebuyer can meet all requirements to purchase the home within one (1) month of bid opening and proposal acceptance, the real estate agent shall prepare the necessary documents to close. If the first selected proposal cannot meet the requirements then the second sealed proposal and so on will be selected if necessary until documentation is prepared and all purchase requirements are met.

If no sealed proposals are selected, the real estate agent shall bring offers to the City as they are received. There is no minimum credit score required for these proposals. *Added 9/20/11*

Conflict of Interest

THE CITY RESERVES THE RIGHT TO REJECT a Response if the Respondent has a contract or other relationship with a client that is determined by the City to be a legal or business conflict that is unwaivable or that the City, as its sole discretion, is unwilling to waive.



Appeals Process

Any potential Homebuyer who feels he/she has been unfairly rejected from participating in the NSP2 Homebuyer Program can appeal in writing stating name, date of application, and reason for appeals to Mark Kowalewski, 3131 Biddle Avenue, Wyandotte, Michigan 48192. Complete complaint procedure is Appendix C.

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: March 31, 2014

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the City Engineer to reduce the listing price for the NSP3 property at 1749 2nd Street to \$107,910.00 in accordance with the NSP2 Single Family Sales Program Guidelines. All buyers are also eligible to receive homebuyer subsidy between \$18,884.25 and \$72,910.00. Therefore, the minimum required mortgage amount would be \$35,000.00 and the maximum mortgage amount would be \$89,025.75.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Fricke
Galeski
Miciura
Sabuda
Schultz
Stec

cc: Jerry Miller, Downriver Real Estate Group

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: 03/31/2014

AGENDA ITEM # 5

ITEM: Municipal Services - Concurrence to Inspect Turbine #5 for Repair Evaluation

PRESENTER: Curt Campau – Power Plant Engineer

INDIVIDUALS CONSULTED: Charlene Hudson – ^{CH}Power Systems Supervising Engineer, Chris Brohl – Assistant Power Plant Supervisor, Rod ^RLesko – General Manager

BACKGROUND: In June 2013, due to a loss of power, 5 Turbine tripped offline. During this event, the backup electric oil pump did not have power and therefore failed to start. The loss of the oil caused the rotor to seize and consequently now the turbine needs to be evaluated. Since the turbine work is specialized, 3 quotes for evaluation were gathered from qualified companies. The work to be performed will include opening and inspection of the turbine and all bearings. An assessment of the damage will be compiled and the necessary repair steps will be documented. Full reviews of the quotations were evaluated along with the review of the vendor list and past work experience with WMS. The quoted pricing from three vendors came in as follows: Power Generation Services at \$83,850, TurboCare at \$89,750 and Turbine Generator Maintenance (TGM) at \$110,695. Upon evaluation, TurboCare was selected due to the completeness of the work quoted and their expertise in the field.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Concur with the resolution from the Wyandotte Municipal Service Commission to authorize the General Manager to accept the proposal from the most qualified bidder (TurboCare) for the opening and inspection of Turbine 5 for the amount not to exceed \$ 89,750 as recommended by WMS management.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: This project will encumber \$89,750.00 of the O&M Budget accounted for in account #591-003-511-901-760 Turbine/Generator/Condenser for turbine repairs.

- Approved Total FY14 O&M Budget for Turbine/Generator/Condensers - \$ 280,000
- Actual FY14 YTD Expenses - \$0

IMPLEMENTATION PLAN: Upon City Council concurrence, proceed with a purchase order to TurboCare to schedule project.

MAYOR'S RECOMMENDATION: 

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: N/A

LIST OF ATTACHMENTS:

- Price/Terms page from three (3) quotes
- Municipal Service Commission Approved Resolution # 03-2014-03

RESOLUTION:

BE IT RESOLVED, by the City Council that Council concurs with the Wyandotte Municipal Services Commission in the following resolution.

A resolution to authorize the General Manager to award the Turbine 5 inspection to TurboCare based on their expertise and completeness of work quoted as recommended by the WMS Management Team for an amount not to exceed \$ 89,750.

I move the adoption of the foregoing resolution.

MOTION by Councilman: _____

Supported by Councilman: _____

YEAS

COUNCIL

NAYS

Stec
Sabuda
Sutherby-Fricke
Galeski
Schultz
Miciura Jr.

RESOLUTION:

BE IT RESOLVED, by the Wyandotte Municipal Services Commission, a majority of its members thereto concurring, with moving forward as recommended by the WMS Management Team in allowing the inspection of Turbine 5 to determine the extent of damage by awarding the inspection work to TurboCare, due to their expertise and completeness of quoted work, in an amount not to exceed \$ 89,750.

I move the adoption of the foregoing resolution.

MOTION by Commissioner LESLIE Lupo

Supported by Commissioner FRED DELISLE

YEAS

COMMISSIONER

NAYS

Figurski
Sadowski
Lupo
Delisle
Cole

ADOPTED this

ATTEST:

WYANDOTTE MUNICIPAL SERVICE COMMISSION

By: James S. Figurski
President

By: [Signature]
Secretary

L F

4. PRICE/TERMS AND CONDITIONS

4.1. Selling Price

#	Description	Price
Sec. 3.1	Base Scope per Customers Request	\$ 89,750.00

This price includes applicable technical field advice for items listed in Section 3, Scope of Work (collectively, the "Work") **as exclusively set-forth herein**, and excludes taxes and freight. T&M work will be provided in accordance with the attached TurboCare, Inc. Procedures, Conditions and Rates for Service, Domestic (MDrevised072011-D). Price, rates and availability are subject to prior sale. Pricing is based on receiving an order in its entirety.

4.2. Schedule

Inspection and report workscope will take 7 days to complete. Work on unscheduled Sundays and TurboCare holidays, is not included. Any change in the aforementioned shift arrangement will result in price changes for additional overtime and inefficiencies that result from either acceleration or deceleration of the work.

Manpower and work shift schedule to be provided is up to a 1-10-6 and includes up to: one (1) Project Manager/TFA, One (1) Turbine Mechanic's Supervisors, Five (5) Millwrights. At its own discretion, TurboCare will load and unload manpower during the work scope duration, based upon workload.

The services offered exclusively set-forth herein are based on receipt of down payment, receipt of an acceptable purchase order and all other information required by TurboCare to perform the Work. Should this date change additional charges may be incurred and passed on to Purchaser in order to meet the new outage date. These charges, if any, will be discussed upon notification by Purchaser of the outage date change. All estimates are made subject to prior sale.

4.3. Terms of Sale and Payment

This proposal is valid for thirty (30) days from its date unless extended in writing by TurboCare. Our proposal is conditioned on acceptance of TurboCare's Standard Conditions of Sale, MDrevised072011-D (see Attachment). All invoices are payable net thirty (30) days from date of invoice without setoff or deductions via wire transfer. Any past due amounts shall, without prejudice to the right of TurboCare to payment when due, bear interest at a fixed monthly rate of one and one half percent (1.5%) or



POWER GENERATION SERVICE, INC.

TO: Mr. Curt Campau
Plant Engineer
Wyandotte Power Plant
2555 Van Alstyne
Wyandotte, MI 48173

Quotation No. 7877-30812 Rev 1
Date 1/15/2014

RE: Wyandotte Power Plant - Unit #5 Inspection
22 MW General Electric

Power Generation Service, Inc. is pleased to provide the following proposal for services subject to the attached Terms and Conditions. Notice of objection to any different or additional terms and conditions is hereby given. This quotation is valid for 60 days from its date unless otherwise stated in the quotation. If you have any questions, please contact the undersigned. Please indicate your acceptance by signing one of the copies and returning it to us.

POWER GENERATION SERVICE, INC. WILL FURNISH TECHNICAL DIRECTION/
SUPERVISION, LABOR, TOOLS, EQUIPMENT AND EXPENSES TO DISASSEMBLE THE ABOVE
REFERENCED UNIT. QUOTE IS BASED ON THE CLARIFICATIONS IN THIS PROPOSAL.

UNIT NUMBER 5 DISASSEMBLE

Firm Price

\$83,850

- PGS to provide technical direction/supervision, labor, tools and equipment
to disassemble the turbine to a point at which damage to the components can
be evaluated

Includes removal of insulation blankets to be performed by PGS

Includes removal of the rotor to be placed in customer supplied rotor stands

Includes removal of the generator bearings and hydrogen seals

Includes removal of turning gear assembly cover

Excludes high velocity oil flush quoted as an option in the original proposal

Excludes MD&A balance engineer for startup, quoted as an option in the
original proposal

Unless stated otherwise, listed prices do not include sales, use, or other applicable
taxes.

cc: Bruce Stafford - PGS Anoka
cc: Pat Estabrook - PGS Mandan

Date _____

Company _____

POWER GENERATION SERVICE, INC.

By _____

7. Inspect turning gear assembly for any damage that may have occurred when attempting to engage unit with bound rotor
 - a. Perform visual inspections and freedom of movement checks of gear teeth and bearings
8. Submit a complete written report on all conditions noted, work performed, repairs completed, clearances, alignment and recommendations for future repairs. All dimensions, as found and final are to be on OEM or equivalent data sheets.

TGM Project Management and Technical Direction, Coordination, Supervision, Turbine Mechanics, tooling, expenses, airfare, per diem and accommodations are included to perform the detailed scope of work attached to this proposal. The expected duration of the overall project is 4 to 5 days working 24 hours per day on the critical path activities. Twenty-four hour performance has been maintained for this estimate as it is TGM's anticipation that all disassembly and discovery items should be performed as quickly as possible to determine the final repair work scope, and begin these repairs.

Fixed pricing provided does not include repairs and assumes that all required parts are being supplied by Wyandotte Municipal. Pricing for repairs identified during the inspection will be provided at discovery.

Per the RFQ request, TGM is pleased to provide a cost breakdown of the major activities of this work scope. As it is our recommendation that all of these activities be performed to adequately assess the unit condition, TGM has broken this cost into the mobilization and demobilization of personnel, the inspection work to be performed, and the non-destructive examinations that will be required.

Mobilization/Demobilization: \$ 34,300.00.

Recovery Inspection Work Scope: \$ 69,198.00

Non-destructive Examinations: \$ 7,200.00

TGM's Total Work Scope Fixed Price is: \$110,695.00

Individual pricing has been offered for informational purposes only and are not valid without the award of the entire project as a whole. Pricing assumes that Wyandotte Municipal will supply standard items such as sanitary facilities, OEM provided tooling, rotor stands, I&C as well as electrical support, etc. Included in this proposal is a detailed Division of Responsibilities that addresses these assumptions.

Additionally, TGM is pleased to offer optional pricing of performing the insulation blanket removal for this project to support the upper half turbine casing removal. This estimate is based on the above work scope and the assumption that the insulation method is "blanket" type materials.

TGM's Optional Insulation Outage Support Fixed Price is: \$4,240.00

Additional Considerations – Revision # 3

For additional considerations #1 and # 2, pricing reflects the best estimates with the information provided and available for costs of the direct repairs and included in each line item is the resulting schedule duration. Final costs cannot be accurately predicted or estimated as the potential combinations of options would result in different durations and man-power needs. The resultant costs of the cumulative needs can be fixed priced at the time which final options are selected or provided at agreed upon Time and Materials rates at Wyandotte's discretion. Different from Revision #3, this revision does not include any on-site

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: 03/31/2014

AGENDA ITEM #

6

ITEM: Municipal Services - Concurrence to hire Michigan CAT to assist in completion of the HMI Upgrade for the Power Plant Diesel Generator Site

PRESENTER: Curt Campau – Power Plant Engineer

INDIVIDUALS CONSULTED: Charlene Hudson – Power Systems Supervising Engineer, Chris Brohl – Assistant Power Plant Superintendent, Rod Lesko – General Manager

BACKGROUND: In 2012, the Diesel Power Plant interface was updated by Rockwell Corp., with the ultimate goal to have this information transported into the Power Plant's control console. Due to the proprietary nature of the programmable logic controller code, Michigan CAT must assist Rockwell to ensure the coding is handled properly when transferred into the Rockwell system. Since the generator location is remote from the plant, it is necessary to incorporate this information into the operator control consoles. The diesel information could then be added into the PI historian software and be utilized in our reporting records. This is a sole sourced item.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Concurrence with the resolution from the Wyandotte Municipal Services Commission to authorize the General Manager to approve Michigan CAT to assist in the Power Plant Diesel controls project, as recommended by WMS management, for an amount not to exceed \$9,612.

BUDGET IMPLICATIONS: Budget accounted for in O&M Engineering Services account #591-003-511-901-070.

- Approved total FY14 Budget for Engineering Services - \$ 700,000
- YTD FY14 Expenses through 3/26/2014 - \$ 485,709

IMPLEMENTATION PLAN: Upon Council concurrence, issue PO to Michigan CAT and schedule project.

MAYOR'S RECOMMENDATION:



CITY ADMINISTRATOR RECOMENDATION: 

LEGAL COUNSEL RECOMENDATION: N/A

LIST OF ATTACHMENTS:

- Approved Commission Resolution # 03-2014-04

RESOLUTION:

BE IT RESOLVED, by the City Council that Council concurs with the WMS Commission in the following resolution.

A resolution to authorize the General Manager to approve the purchase of this vital component for the Power Plant control system as recommended by the WMS Management in an amount not to exceed \$ 9,612 to the sole source vendor Michigan CAT.

I move the adoption of the foregoing resolution.

MOTION by Councilman: _____

Supported by Councilman: _____

YEAS

COUNCIL

NAYS

Stec

Sabuda

Sutherby-Fricke

Galeski

Schultz

Miciura Jr.

RESOLUTION:

BE IT RESOLVED, by the Wyandotte Municipal Services Commission, a majority of its members thereto concurring, with moving forward in allowing the purchase of this vital component for the plant control system as recommended by the WMS Management in an amount not to exceed \$ 9,612 to the sole source vendor Michigan CAT.

I move the adoption of the foregoing resolution.

MOTION by Commissioner

FRED DELISLE

Supported by Commissioner

LESLIE

YEAS

COMMISSIONER

NAYS

Figurski

Sadowski

Lupo

Delisle

Cole

ADOPTED this

ATTEST:

WYANDOTTE MUNICIPAL SERVICE COMMISSION

By:

James S. Figurski
President

By:

[Signature]
Secretary

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



JOSEPH PETERSON
MAYOR

COUNCIL

Sheri M. Sutherby-Fricke
Daniel E. Galeski
Ted Miciura Jr.
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

Reports
+
minutes



Wyandotte, Michigan March 24, 2014

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

ROLL CALL

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

Absent: Councilperson Galeski

PERSONS IN THE AUDIENCE

Val Zavala, 2346 – 9th, regarding Bondie Street, three homes burned down. Asked what the City is doing to protect its citizens. Wants City Officials to sign affidavit that they will not spy on confidential records.

Richard Custer, 505 Pine, thanked everyone involved for the large response on the donated phones for the military.

Theodore Roszkowski, 3510 – 14th, regarding Third Street incident. Police did a good job. People need to speak up.

Diana Giaimo, 218 Bondie, afraid of vandalism on Bondie Street.

Debra Page, 221 Bondie, Police did a good job with follow up. Bomb in garage blew up. Neighbors worried, sleeping in shifts.

Mayor Peterson to Engineer: take down 210 Bennett as soon as possible.

Ms. Jones, 208 Bondie, pickup truck with scrap metal driving through the area.

Jeff McGuinness and Ed Gorecki, regarding American Legion Baseball, want to start it up again, will play fifteen games per year, looking for sponsors and additional funding.

Delmas Page, 221 Bondie, regarding dog ordinance officer and disrespect by citizens. Need for lights on truck to make him safe.

Theodore Roszkowski, 3510 – 14th, citizens need to call 911 or command officer if there is a problem. Need to get around 911.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #1

ITEM: Senate Bill #849

PRESENTER: Mayor Joseph R. Peterson

INDIVIDUALS IN ATTENDANCE: n/a

BACKGROUND:

On March 5, 2014, Senate Bill No. 849 was introduced which would amend the Michigan election law to allow for early voting. Adoption of this legislation would require polls to be open later, and increase the workload to city departments and election workers. Additionally, this bill would increase costs to municipalities.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Adopt proposed resolution requesting Senators oppose adoption of

Senate Bill No. 849

BUDGET IMPLICATIONS & ACCOUNT NUMBER: If this Senate Bill is passed, it would increase election costs by approximately \$10,000 per election.

IMPLEMENTATION PLAN: Send adopted resolution to legislators for consideration.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Senate Bill No. 849

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #2

ITEM: Oppose Pet Coke Storage

PRESENTER: Mayor Joseph R. Peterson

INDIVIDUALS IN ATTENDANCE: n/a

BACKGROUND: On March 5, 2014, a public hearing was held in Wyandotte to discuss the storing of pet coke in the River Rouge-Ecorse area.

STRATEGIC PLAN/GOALS: We are committed to protect and manage our natural resources vigorously by managing our natural resources, river and creeks, wildlife, and parks wisely. They are precious to us and by careful stewardship they may be enjoyed by future generations.

We are committed to enhancing the community's quality of life by 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: Adopt proposed resolution opposing the storage of pet coke within the City of Wyandotte and the surrounding areas.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Send adopted resolution to MDEQ and state legislators.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS:

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #3

Special. Event Application WSAF Entertainment Contracts

PRESENTER: Heather A. Thiede, Special Events Coordinator

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

BACKGROUND: Herewith, please find the entertainment contracts assembled and recommended by my office for the 2014 Wyandotte Street Art Fair. For details please see the below listing.

Larry Lee and Back in the Day- \$2,400

The Rushmore's - \$1,200

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by brining our commuunity together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: Adopt a resolution to concur with the above recommendation and authorize Mayor Peterson or William Griggs, City Clerk to sign the attached contracts.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 285.225.925.730.860 - \$3,600

IMPLEMENTATION PLAN: Contract to be signed by Mayor Joseph R. Peterson or William Griggs, City Clerk to be returned to Heather A. Thiede for implementation.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: Concurs with recommendation, signature on file.

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS

Larry Lee and The Rushmore's Contracts

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #4

ITEM: DDA Strategic Plan: Community Engagement Session

PRESENTER: Natalie Rankine, DDA Director

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: As a part of the Strategic Planning proccess, the Downtown Development Authority will be hosting an open Community Engagement Session at the James R. DeSana Center for Arts and Culture on Wednesday, April 2nd from 6:00 pm to 9:00 pm. The purpose of this session is to gather information from business owners and the public regarding downtown redevelopment, marketing and living. The session is open to the public and Council and current commissioners are all encouraged to attend. The session is informal in nature and attendees it is not required that attendees stay for the entire 3 hour duration.

STRATEGIC PLAN/GOALS: The Proposed DDA Strategic Plan will further reinforce the City's Strategic Plan and Wyandotte's commitment to revitalize the downtown by outlining plans for new developments and marketing and to make our downtown a destination of choice for residents throughout Southeast Michigan.

ACTION REQUESTED: Receive the information and place on file.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Downtown Development Authority Director will work with representatives of Beckett and Raeder to host and gather information at DDA Community Engagement Session.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: n/a

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #5

ITEM: Zagster Bike Rental Proposal

PRESENTER: Natalie Rankine - DDA Director, Mark Kowalewski - City Engineer, William R. Look, City Attorney

INDIVIDUALS IN ATTENDANCE: Mark Kowalewski - City Engineer

BACKGROUND: Response relative to Council request dated November 25th to determine a location for the Zagster Bike Rental rack in Downtown Wyandotte. The aforementioned departments have consulted with Legal Counsel and have made the determination that the proposal would be a positive addition to Wyandotte. The departments recommend the rack be placed on Sycamore Street just east of Third Street as noted on the attached description.

Additionally, the Legal Department has drafted a Grant of License agreement between The City and NuPath Credit Union for the installation of the Zagster Bike Rack.

STRATEGIC PLAN/GOALS: This action is consistent with the Goals and Objectives identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to enhancing the community's quality of life.

ACTION REQUESTED: Approve the proposed Zagster location and the Grant of License agreement.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Engineering to coordinate installation of bike rack with NuPath Credit Union and Zagster representatives.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS:

1. Legal Description for proposed Zagster location
2. Site map for proposed Zagster location
3. Grant of license agreement
4. Corporate resolution from NuPath authorizing Kathy White to sign agreement.

Communication from the City Engineer submitting a rezoning application on behalf of the Oak Club Inc.

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #7

ITEM: Sale of the former 1503 Maple (30' x 112')

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: This property was purchased with UDAG Funds. Recommendation is to sell the former 1503 Maple to the adjacent property owner at 1509 Maple, Mr. and Mrs. Garza, for the amount of \$1,500.00 which is based on \$50 per front footage price. The combination of the two (2) parcels will result in one (1) parcel measuring 90' x 112'.

STRATEGIC PLAN/GOALS: Committed to maintaining and developing excellent neighborhoods by; matching tools and efforts to the conditions in city neighborhoods and continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas.

ACTION REQUESTED: Approve Purchase Agreement to sell property to the adjacent property owner.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Once approved, will schedule closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Sales Agreement, property map and Resolution for the Policy for the Sale of Non-Buildable Lots.

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #8

ITEM: Purchase Additional 96 Gallon Toters

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City offers residents to rent 96 gallon toters for \$48 for a two (2) year term. On February 1, 2014, the City's new ordinance regarding the use of a metal, durable plastic, or an approved container of equal material to be used for the collection of solid waste will be effective. Therefore, the demand for leasing toters has increased. The Department of Public Service (DPS) desires to purchase an additional 288 toters from Cascade Engineering of Grand Rapids, Michigan to meet this demand. Cascade Engineering has supplied the previous carts to the City. The cost of \$13,461.12 (288 x \$46.74) to purchase these toters will be funded from the Solid Waste Fund. These carts will be black with the City of Wyandotte logo stamped on the container.

STRATEGIC PLAN/GOALS: The City is committed to creating fiscal stability, streamlining government operations; make government more accountable and transparent to its citizens and making openness, ethics and customer service the cornerstones of our City government.

ACTION REQUESTED: Approve the DPS to purchase 288- ninety-six gallon carts at a cost of \$13,461.12 from Cascade Engineering.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 290-448-850-770-540

IMPLEMENTATION PLAN: Place order with Cascade Engineering of Grand Rapids, Michigan

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: None

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #9

ITEM: City Purchasing 155 Ford Avenue, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: MJC Templin, LLC, has requested to exercise the Option to Purchase additional property at Biddle/Spruce/Ford/2nd Street Site in their Sale and Option Agreement dated March 10, 2010. The Option provides for the development of a 15,000 square feet professional office building on 44,000 square feet of property. The Engineering Department has negotiated the purchase of 155 Ford Avenue for the amount of \$120,000. This proposed purchase is contingent on entering into a corresponding Sales Agreement with MCJ Templin LLC for this property. It is anticipated that MCJ Templin's Sales Agreement would increase their acquisition cost of the property by 50% of the City's cost to acquire 155 Ford Avenue.

STRATEGIC PLAN/GOALS: The City is committed to a three-pronged economic development strategy: 1. Commercial expansion in the Downtown and Fort Street; 2. By being a "Good Neighbor" to BASF and other current and prospective industries; and 3. Expansion and "Good Neighbor" to the city's growing Medical and Health complex along Biddle surrounding Wyandotte Henry Ford Hospital by; a. Seeking out industrial opportunities which build on the new leadership position of the State of Michigan, as well as the growing strengths of Wyandotte and the Detroit Metro region in clean technology (especially renewable energy manufacturing and servicing). This is an emerging industry that could benefit from Wyandotte's traditional industrial strengths and highly skilled workforce; b. Developing a plan for increasing professional, scientific and technical service jobs, which include occupations such as attorneys, accountants, software developers, architects, engineers and health care workers. These professions represent key opportunities for growth, especially along the Biddle corridor; c. Focusing economic development efforts on increasing commercial and industrial developments. This would result in an increase in the ratio of commercial/industrial assessed valuation to residential valuation, increase local employment and further develop a healthy business climate in the City and d. Creating an Economic Development Commission to serve as advisors to the City Council on opportunities for improving the business climate.

ACTION REQUESTED: Approve the Purchase Agreement for the City to acquire property and authorize the Mayor and City Clerk to execute same.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 492-200-850-519 Land Acquisition.

IMPLEMENTATION PLAN: Mayor and City Clerk execute the Purchase Agreement. Complete contingency in Purchase Agreement by City Engineer negotiating a Sales Agreement with MJC Templin, LLC for the purchase of this property and present Sales Agreement to City Council for

approval. Close and sell property simultaneously.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: WLook

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Purchase Agreement and Map

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #10

ITEM: Purchase Agreement to sell City owned property known as former 664 Orange

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: The former 664 Orange was offered for sale in accordance with the attached Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home. Darryl and Katherine Blackwell are proposing to construct a one story single family home consisting of approximately 1,422 square feet, 2 bedrooms, 2 baths, full basement and detached garage. The exterior will be brick/stone up to the 1st floor joist with vinyl siding on remaining portions and vinyl aluminum trim.

STRATEGIC PLAN/GOALS: We are committed to enhancing the community's quality of life 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. 3. Fostering the maintenance and development of stable and vibrant neighborhoods.

ACTION REQUESTED: Adopt a resolution concurring with recommendation

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The Purchasers will be purchasing this property for \$10,000 which will be placed as a mortgage on the property payable if the property is sold or transferred in any manner within ten (10) years of the date of closing date. Should the property sell or is transferred in any manner before the ten (10) years have expired the entire purchase price plus all closing cost will be due immediately upon sale or transfer to the City of Wyandotte. The mortgage will be executed at time of closing.

IMPLEMENTATION PLAN: Execute Purchase Agreement and close on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: Approved by Legal.

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Purchase Agreement and Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: March 24, 2014 AGENDA ITEM #11

ITEM: Neighborhood Enterprise Zone (NEZ) for former 664 Orange now known as 668 Orange, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: This property was listed for sale in accordance with the City's specifications for Build a Future in Wyandotte. If Council approves the Purchase Agreement, the Purchasers, Mr. and Mrs. Blackwell are requesting Your Honorable Body support issuing a Neighborhood Enterprise Zone (NEZ) exemption certificate for the home being construction on this lot. This request is consistent with the Resolution adopted December 7, 1992.

STRATEGIC PLAN/GOALS: We are committed to enhancing the community's quality of life 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. 3. Fostering the maintenance and development of stable and vibrant neighborhood.

ACTION REQUESTED: Adopt a resolution concurring with recommendation to approve the NEZ application subject to the proper application materials being submitted to the City and the project's compliance with the NEZ Act, Act 147 of 1992, as amended.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Forward Resolution to and application to Michigan Department of Treasurer

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Resolution Establishing NEZ Zone
Application for Neighborhood Enterprise Zone Certificate

REPORTS AND MINUTES

Police Commission Meeting March 11, 2014

CITIZENS PARTICIPATION:

Richard Custer, 505 Pine, suggests NEZ's twelve year abatement be left in tact. Regarding pet-coke being stored in McClouth's Steel Building?

Theodore Roszkowski, 3510 – 14th, are we selling water or trying to sell water to other cities?

Mr. & Mrs. Blackwell, 23359 Tumbleweed, Brownstown, Michigan, will their NEZ be approved?

RECESSRECONVENINGROLL CALL

Present: Councilpersons Fricke, Miciura, Sabuda, Schultz, Stec
 Absent: Councilperson Galeski

HEARINGS

(The hearing for objections to the proposed construction of a public parking lot at 2441 Fort and the creation of Special Assessment District #938 has been removed from the Agenda as per the request of Mayor Peterson.)

NOTICE OF A SHOW CAUSE HEARING
 AT WHICH TIME ALL INTERESTED PARTIES SHALL SHOW CAUSE
 IF ANY THEY HAVE WHY THE CITY SHOULD NOT HAVE
 THE ASBESTOS CONTAINING MATERIAL (ACM)
 REMOVED at 96 PERRY PLACE AND THEN DEMOLISH 96 PERRY PLACE
 WYANDOTTE, MICHIGAN

Nothing in writing.
 Various Show Cause Hearing Minutes on file.
 Lou Parker, remove asbestos and demolish.

RESOLUTIONS

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda
 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 Leonard Sabuda
 Supported by Councilperson Donald Schultz
 ROLL ATTACHED

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

WHEREAS, Senate Bill No. 849 proposes to create a system of early voting in the State of Michigan; and WHEREAS, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and WHEREAS, this bill would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and WHEREAS, this bill would require a public facility to be open and available to registered voters starting 13 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and WHEREAS, this bill requires retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and WHEREAS, this bill would increase costs to municipalities, including overtime pay for workers; and WHEREAS, this bill does not outline a specific amount nor dedicated funding. NOW, THEREFORE, BE IT RESOLVED, that governing body of the City of Wyandotte does hereby oppose Senate Bill No. 849; and BE IT FURTHER RESOLVED, the governing body of the City of Wyandotte does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Office of Governor Snyder, State Representative Clemente, Senator Hopgood, sponsors of SB849, the Downriver Community Conference, and the Michigan Municipal League.

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Leonard Sabuda
 Supported by Councilperson Donald Schultz
 YEAS: Councilpersons Fricke, Miciura, Sabuda, Schultz, Stec
 NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

WHEREAS, petroleum coke ("pet coke") is a solid by-product of petroleum refining which generally contains high concentrations of carbon, sulfur and also may include trace elements of metals such as vanadium, nickel, chromium and lead; and WHEREAS, black dust from pet coke is known to cover homes, yards and cars of neighborhoods near pet coke storage facilities; and WHEREAS, inhaling pet coke can contribute to respiratory health problems, particularly for individuals who suffer from heart and lung disease; and WHEREAS, the mayor of Detroit, MI recently ordered the removal of pet coke piles stored along the Detroit River; and WHEREAS, a public meeting by the Michigan Department of Environmental Quality was held on March 5, 2014 to discuss storing pet coke in the River Rouge-Ecorse area; WHEREAS, the City of Wyandotte intends to prevent the public nuisance being caused by the emissions of airborne particulates from the storage, handling, and transport of pet coke; and WHEREAS, the City Council of the City of Wyandotte finds that it is in the best interest of the public health, safety and welfare to prohibit the storage, handling, and transport of pet coke within the City of Wyandotte; NOW, THEREFORE, BE IT RESOLVED, that governing body of the City of Wyandotte does hereby oppose the storage of petroleum coke in Wyandotte, as well as the surrounding communities of Wyandotte. BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Michigan Department of Environmental Quality, Congressman Dingell, Senator Hopgood, and State Representative Clemente.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

YEAS: Councilpersons Fricke, Miciura, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the Special Event Coordinator regarding the Wyandotte Street Art Fair Entertainment Contracts is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council APPROVES the contracts with Larry Lee and Back in the Day in the amount of \$2,400 and The Rushmore's in the amount of \$1,200 for a total of \$3,600 from account #285-225-925-730-860. AND BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor and City Clerk to execute said contracts on behalf of the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the Downtown Development Authority Director regarding the DDA's Community Engagement Session at the James R. DeSana Center for the Arts and Culture on Wednesday, April 2, 2014 from 6:00 p.m. to 9:00 p.m. is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Mayor and Council encourages all citizens to take part in same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the response from the DDA Director, City Engineer and Legal Counsel regarding the placement of Zagster Bike Rental racks from Michael Paschke is hereby received and placed on file; AND BE IT FURTHER RESOLVED that Mayor and Council approve the proposed location for the bike rack and FURTHER that the Mayor and Clerk be authorized to execute said Grant of License agreement on behalf of the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the rezoning application submitted by the City Engineer on behalf of Phyllis Harmon for the Oak Club Inc.; treasurer James Humenick for the property located at 2957-11th Street requesting to rezone the property from RT (Church) to B-1 (Private Club or Lodge Hall) is hereby referred to the Planning Commission for the proper public hearing.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council APPROVES the purchase agreement to sell the former 1503 Maple, to Christa and Jason Garza, the adjacent property owner at 1509 Maple, in the amount of \$1,500.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and City Clerk are hereby authorized to sign said agreement.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to purchase 288-Ninety-Six Gallon Carts from Cascade Engineering of Grand Rapids, Michigan in the amount of \$13,461.12 from account # 290-448-850-770-540; each cart to be black with the City of Wyandotte's logo, imprinted serial numbers and include a standard ten (10) year warranty.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 155 Ford Avenue in the amount of \$120,000.00 to be appropriated from TIFA Area Funds; AND BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement; AND BE IT RESOLVED that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk; AND BE IT FURTHER RESOLVED that the City Engineer is directed to DEMOLISH same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the City Engineer regarding the city-owned property located at former 664 Orange is hereby received and placed on file; AND BE IT FURTHER RESOLVED that the Council CONCURS with the recommendation to sell the property known as former 664 Orange to Darryl and Katherine Blackwell in the amount of \$10,000.00; AND BE IT FURTHER RESOLVED that if the purchasers, Darryl and Katherine Blackwell do not undertake development within six (6) months from time of closing and complete construction within one (1) year. "Undertaking development" is defined as: the commencement of the building construction. Failure to undertake development or complete construction will result in Seller's right to repurchase property including any improvements for one (\$1.00) Dollar. A Deed Restriction will be placed on the property which will include this contingency; NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 664 Orange, between Darryl and Katherine Blackwell and the City of Wyandotte for \$10,000.00 as presented to Council on March 24, 2014.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

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 the former 664 Orange now known as 668 Orange; AND BE IT FURTHER RESOLVED that the City Clerk and the City Assessor are hereby authorized to execute said applications for a 12 year Neighborhood Enterprise Zone Certificate.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that based on the recommendations of the Mayor and City Engineer Special Assessment District # 938 is hereby CANCELLED. AND BE IT FURTHER RESOLVED that said assessment for the construction of the public parking lot (formerly known as 2441 Fort Street) is hereby referred to the Finance Director to amend the City's budget to include the paving of the public lot formerly known as 2441 Fort Street with UDAG funds in the amount of \$35,000.00.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

Wyandotte, Michigan March 24, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that a hearing was held on the 24th of March 2014, 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 and asbestos containing material (ACM) removed otherwise made safe, and BE IT FURTHER RESOLVED that the Council considered the property maintenance letter dated January 9, 2013 and May 28, 2013, and show cause hearing minutes of May 29, 2013, and ASTI Environmental Survey dated December 11, 2013, recommendation of the Hearing Officer and the 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 all costs to remove this structure 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 sixty (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 Leonard Sabuda

Supported by Councilperson Donald Schultz

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

That we adjourn.

Carried unanimously

Adjourned at 9:06 PM

March 24, 2014



William R. Griggs, City Clerk

FINANCIAL SERVICES DAILY CASH RECEIPTS

DATE 3-20-14

BEGINNING DATE 3-12-14 AND ENDING DATE 3-20-14

SALES RECEIPT # 453312 THRU 453320

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>159.05</u>
LIQUOR LICENSE	101-000-600-030	S2	
FINES DIST COURT WYANDOTTE	101-000-650-010	M1	
DIST COURT RIVERVIEW CASES	101-000-650-012	M3	
WORK FORCE WYANDOTTE	101-000-650-011	M2	
WORK FORCE RIVERVIEW	101-000-650-017	M6	
COURT TECHNOLOGY WYANDOTTE	101-000-650-018	M7	
COURT DRUG TESTING FEES	101-000-650-020	M9	
COURT SCREENING ASSESSMENTS	101-000-650-021	AS	
CHEMICAL AWARENESS	101-000-650-024	AW	
STATE DRUNK DRIV/DRUG CASE MGT	101-000-650-013	M4	
LAND CONTRACT REC. - UDAG	284-000-041-050	AR	
JAIL PROPERTIES PROMISSORY NOTE	284-000-041-015	AR	
PARKING LOT LOANS	284-000-060-030	AR	
AT&T WIRELESS CELLSITE RENT	492-000-655-020	BB	
LAND CONTRACT/TIFA CONSOL.	492-000-041-050	AR	
MUNICIPAL SERVICE SEWAGE	590-000-068-010	5A	
SELF INSURANCE REIMBURSEMENT	677-000-670-010	7A	
QUARTERLY HEALTH M.S. RETREE	732-000-670-010	7R	
PD EMPLOYEE PENSION CONTRIB	731-000-392-040	EP	<u>1,700.57</u>
HEALTH INSURANCE REIMBURSEMENT	101-000-231-020	MZ	<u>1,717.68</u>
CITY INTEREST - TAXES	101-000-411-050	MZ	<u>4.21</u>
RESERVE- DONATIONS Playground	101-000-257-051	MZ	<u>54,997.32</u>
WAYNE METRO SEMI-ANNUAL MAINT	101-000-655-049	WM	<u>3,125.00</u>

TOTAL MONIES RECEIVED

61,703.83

TODD A. DRYSDALE
DIRECTOR OF FINANCIAL SERVICES

MINUTES FOR THE RETIREMENT COMMISSION MEETING
THURSDAY, MARCH 20, 2014, 9 AM

ROLL CALL

Present: Commissioners Brohl, Browning, LaManes, Lyon, Mayhew

Absent: Commissioners Schultz, Yoscovits

ALSO PRESENT

Sam Galanis, Oppenheimer
Tanner Robinson, Oppenheimer

RESOLUTION ON THE MINUTES

MOTION by Commissioner Lyon, supported by Commissioner LaManes, that the reading of the minutes of the February 20, 2014 meeting be dispensed with and the same stand approved as recorded. UNANIMOUSLY CARRIED

COMMUNICATIONS MISCELLANEOUS

MOTION by Commissioner Mayhew, supported by Commissioner Brohl, that we receive and place on file the JPMorgan City of Wyandotte Employee Retirement System Report for the period January 31, 2014 through February 28, 2014. UNANIMOUSLY CARRIED

SPECIAL ORDER


Tanner Robinson discussed the February 2014 Wyandotte Employees' Retirement Commission Report. Portfolio is up to date. Political chaos throughout the world has deeply affected the equity market world wide. Feels markets will go higher. Feels interest rates will rise within the next 12-15 months. Quality assets will benefit our portfolio long term; however Managers are and will continue to be conservative.

MOTION by Commissioner Lyon, supported by Commissioner LaManes, that we receive and place on file the above report. UNANIMOUSLY CARRIED

Investment Policy needs to be discussed at the next meeting. Place issue on April Agenda. Commissioner Browning requests alternative investments be discussed for our "policy" and recommendations be provided.

ADJOURNMENT

MOTION by Commissioner Mayhew, supported by Commissioner Lyon, that we adjourn at 9:29 AM. UNANIMOUSLY CARRIED


William R. Griggs, Secretary
Wyandotte Employees' Retirement Commission
March 20, 2014

**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION
MINUTES OF THE MARCH 13, 2014 MEETING
MARX HOME**

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

EXCUSED: Anne Ronco, Dave Kostelnik, Vernon Elmore, Dan Cervantes

President Sue Pilon called the meeting to order at 6:15 p.m.

Ken brought up a correction to the February minutes. The last sentence in bullet item number one contained the word "plane" where it should say "plan."

MOTION by Eula Grooms, supported by Marty Bertera, to approve the minutes from the February 2014 meeting, with the noted correction. MOTION CARRIED (7-0)

PRESIDENT'S REPORT:

The annual Artistic Creator's Guild Art Show will take place in April. Sue asked Commissioners to volunteer if possible or at least attend to show support.

Sue reported on the recent Design Review Committee meeting. There is a proposed development at the site of the former City Hall.

DIRECTOR'S REPORT:

Jody distributed the finance report for February. Most of the miscellaneous items on the report relate to the new exhibit.

MOTION by Shirley Prygoski, supported by Ken Munson, to approve the finance report from February, pending audit, MOTION CARRIED (7-0)

There will be a new format for the Heritage Event Series marketing materials this year. Instead of just a postcard, Jody has created longer cards.

The staff has finalized graphics for the basement exhibit gallery displays. They will go out to the printer next week. Items have also been chosen for the displays.

The grand opening for the exhibit is scheduled for April 30 from 5 to 7 p.m. Funding for the event was discussed. Shirley volunteered to handle refreshments for the event, and Marshall volunteered to bring cheesecake.

Jody went over the Heritage Event Series annual report.

FRIENDS: The group is in the process of reorganizing. They have contacted a lawyer to ensure that this process is complete.

SOCIETY: The panel for the Downtown Walking Tour that was to go by the clock tower was not approved. There was a concern that the proposed design could encourage graffiti on the back.

The Society is planning to host the Pie and Ice Cream Social and Victorian Tea events this year.

COMMITTEES: Jody said she is continuing to work with advisors about the materials for the Marx Home porch.

OLD BUSINESS: Ken asked that the status of the markers at the South End Park be revisited since spring will be here soon.

NEW BUSINESS: None.

ANNOUNCEMENTS/COMMUNICATION: There was some discussion about possibly changing the date of the April meeting, since at least two Commissioners reported that they would not be able to attend on the scheduled date. Sue will check with everyone about the date.

ATTENTION TO AUDIENCE: None.

MOTION by Eula Grooms, supported by Marty Bertera, to adjourn the meeting at 7:24 p.m.
MOTION CARRIED (7-0)

Next Meeting: April 10, 2014.

Respectfully Submitted,

Marshall Wymore, Commissioner, and Annie Pilon, Recording Secretary

FINANCE REPORT – WYANDOTTE MUSEUMS**MONTH OF FEBRUARY 2014***From the desk of Jody L. Egen***MONEY DEPOSITED WITH THE CITY OF WYANDOTTE TREASURY – AS OF MARCH 13, 2014**

Log Cabin Rental	\$ 0 – Cash \$ 0 – Checks \$ 0 – Total	Reserve 101-000-257-250-071
Admissions/ Donations	\$ 0 – Cash <i>admissions</i> \$ 0 – Check \$ 0 – Total	Reserve 101-000-257-250-071
Weddings	\$ 90.00 – Check \$ 0 – Cash \$ 90.00 – Total	Reserve 101-000-257-250-071
Marx Rent <i>Check #2933 Deposited 2/11/14</i>	\$ 625.00 – Check \$ 0 – Cash \$ 625.00 – Total	<i>Marx Rental Account</i> 101.000.655.655.021

*Total of all deposits \$ 715.00***EXPENSES****HEAT/ GAS**

MacNichol	\$ 859.67	City
Marx	\$ 417.92	City
Log Cabin	\$ 26.87	City
Burns	\$ 392.26	City
<i>Subtotal</i>	<i>\$ 1,696.72</i>	

WATER

MacNichol	\$ 11.80	City
Marx	\$ 11.80	City
Log Cabin	\$ n/a	City
Burns	\$ 16.07	City
<i>Subtotal</i>	<i>\$ 39.67</i>	

ELECTRIC

MacNichol	\$ 229.20	City
Marx - <i>includes \$53.37 outside 400W</i>	\$ 145.93	City
Burns	\$ 75.55	City
<i>Subtotal</i>	<i>\$ 450.68</i>	

PHONE

MacNichol	\$ 41.90	City
Marx	\$ 41.90	City
Burns	\$ 227.49	City
<i>Subtotal</i>	<i>\$ 311.29</i>	

Subtotal All Utilities: \$ 2,498.36

MISCELLANEOUS		
Istock - <i>Graphics for basement exhibit gallery</i> (2/10/14)	\$ 54.90	Reserve
Istock - <i>Graphics for basement exhibit gallery</i> (2/19/14)	\$ 54.90	Reserve
Seth Adkins - <i>Carpentry work, case base for basement exhibit gallery</i>	\$ 200.00	Reserve
Historical Society of Michigan - <i>Local history conference</i>	\$ 136.00	City - Education
Hoods - <i>Liquid wrench and WD40</i>	\$ 11.68	City - B&G
Nancy V. Bryk - <i>Exhibit Consultant Fee</i>	\$ 4000.00	Reserve
Subtotal All Miscellaneous:		\$ 4,457.48

CURRENT BUDGET BALANCES – AS OF MONDAY, MARCH 10, 2014

SUPPLY LINE	BALANCE YEAR TO DATE	2014 BUDGET
Office Supplies	\$ 1,050.00	\$ 1,050.00
Postage	\$ 80.00	\$ 80.00
Building Maintenance & Supplies	\$ 5,562.94	\$ 8,279.00
Printing	\$ 453.17	\$ 800.00
Electric	\$ 4,749.14	\$ 6,700.00
Water	\$ 867.88	\$ 1,675.00
Heat	\$ 6,406.63	\$ 10,200.00
Education	\$ 104.00	\$ 240.00
Automobile	\$ 160.00	\$ 160.00
Reserve	\$ 103,729.06	n/a

**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION
MINUTES OF THE FEBRUARY 13, 2014 MEETING
MARX HOME**

PRESENT: Vernon Elmore, Eula Grooms, Wally Hayden, Dave Kostelnik, Sue Pilon, Anne Ronco, Jody Egen

EXCUSED: Marty Bertera, Dan Cervantes, Ken Munson, Shirley Prygoski, Marshall Wymore

President Sue Pilon called the meeting to order at 6:22 p.m.

No quorum present at the beginning of the meeting.

President's Report:

The roster was distributed to make sure everyone's information was correct.

The idea of featuring a Beatles movie as one of the Heritage Series events was tabled until the March meeting. The cost of this event is estimated at about \$1900 and is considered prohibitive, but will be discussed at next month's meeting.

Director's Report:

- The May city millage vote is considered crucial to the continuation of the Museum's events. The idea of contacting as many voters as we can to support the millage was discussed, with emphasis on the Wyandotte Historical Society Board and membership.

[Vernon Elmore arrived, 6:30pm. Quorum now present.]

MOTION: By Eula Grooms, supported by Wallace Hayden, to approve the minutes of the January 9 meeting. **MOTION CARRIED, 6-0**

MOTION: By Anne Ronco, supported by Dave Kostelnik, to approve the Finance Report pending audit. **MOTION CARRIED, 6-0**

(Director's Report, cont'd)

- The basement project is continuing on schedule, with panels, exhibit cases, and script being edited. The third floor part of the project is also proceeding on schedule, and we are aiming at an April opening of the exhibits. A committee of the Commission will meet at a date to be determined to plan a grand opening for this exhibit.
- There will be a second grant applied for to enable us to put additional information online, besides the basement and third floor exhibits. This might include a QR code, so people can access further information from their cell phones while visiting the exhibit.
- DA Home Improvement has contributed \$5,500 toward this project.

Friends of the Museum: Anne Ronco reported that the Friends will meet February 26. Monies to be granted to the various stakeholders will be discussed at that time.

Wyandotte Historical Society:

- The city Planning Commission has granted permission to the Society for the downtown walking tour. Plans are for a possible May inaugural of this event.
- There will be no volunteers' picnic this year, but the Pie & Ice Cream Social will be held June 22 and the Mad Hatter Tea will be held September 7. Chairpersons are to be determined.
- Director Jody Egen suggested that she, Wally Hayden, and Sue Pilon meet to determine how the Commission can help the Society facilitate these two Heritage Series events, and then meet with the chairpersons to discuss same.
- The guidelines for the plaquing of historic homes have been revised.

Committee Reports: There were no committee reports.

Old Business: There was no Old Business

New Business:

- The City of Wyandotte has entered into negotiations with a construction company to develop McKinley School into a residence for people 55 and older.

MOTION: By Eula Grooms, supported by Dave Kostelnik, to adjourn at 7:20pm. **MOTION CARRIED, 6-0**

Respectfully submitted,

Anne Ronco

A handwritten signature in blue ink that reads "Sue Pilon for Anne Ronco". The signature is written in a cursive, flowing style.

FINANCE REPORT – WYANDOTTE MUSEUMS**MONTH OF JANUARY 2014***From the desk of Jody L. Egen***MONEY DEPOSITED WITH THE CITY OF WYANDOTTE TREASURY – AS OF FEBRUARY 13, 2014**

Log Cabin Rental	\$ 0 - Cash \$ 0 - Checks \$ 0 - Total	Reserve 101-000-257-250-071
Admissions/ Donations	\$ 0 - Cash <i>admissions</i> \$ 0 - Check \$ 0 - Total	Reserve 101-000-257-250-071
Weddings	\$ 0 - Check \$ 0 - Cash \$ 0 - Total	Reserve 101-000-257-250-071
Marx Rent <i>ck# 2918 deposited 01/22/14</i>	\$ 625.00 - Check \$ 0 - Cash \$ 625.00 - Total	<i>Marx Rental Account</i> 101.000.655.655.021

*Total of all deposits \$ 625.00***EXPENSES****HEAT/ GAS**

MacNichol	\$ 854.97	City
Marx	\$ 406.10	City
Log Cabin	\$ 26.87	City
Burns	\$ 361.54	City
<i>Subtotal</i>	<i>\$ 1,649.48</i>	

WATER

MacNichol	\$ 11.80	City
Marx	\$ 16.07	City
Log Cabin	n/a	City
Burns	\$ 16.07	City
<i>Subtotal</i>	<i>\$ 43.94</i>	

ELECTRIC

MacNichol	\$ 239.46	City
Marx - <i>includes \$53.37 outside 400W</i>	\$ 159.40	City
Burns	\$ 72.43	City
<i>Subtotal</i>	<i>\$ 471.29</i>	

PHONE

MacNichol	\$ 41.90	City
Marx	\$ 41.90	City
Burns	\$ 227.49	City
<i>Subtotal</i>	<i>\$ 311.29</i>	

Subtotal All Utilities: \$ 2,476.00

MISCELLANEOUS		
Wyandotte Alarm Company - <i>Commercial alarm monitoring for 2624 Biddle Ave.</i>	\$ 195.30	City - B&G
Wyandotte Alarm Company - <i>Commercial alarm monitoring for 2610 Biddle Ave.</i>	\$ 126.00	City - B&G
Wyandotte Alarm Company - <i>Commercial alarm monitoring for 2630 Biddle Ave.</i>	\$ 126.00	City - B&G
Shirley Prygoski - <i>Private tea event supplies - refreshments for 12/12/13 and table clothes</i>	\$ 93.17	Reserve
Hood's - <i>Plastic paint tray liners, roller covers</i>	\$ 13.15	City - B&G
Lowe's - <i>Misc. hardware</i>	\$ 17.54	City - B&G
Hood's - <i>Saw blade, caulk</i>	\$ 31.45	City - B&G
Sherwin Williams - <i>4 quarts paint for basement</i>	\$ 56.19	City - B&G
<i>Subtotal All Miscellaneous:</i>		<i>\$ 658.80</i>

CURRENT BUDGET BALANCES - AS OF THURSDAY, FEBRUARY 13, 2014

SUPPLY LINE	BALANCE YEAR TO DATE	2013 BUDGET
Office Supplies	\$ 1,050.00	\$ 1,050.00
Postage	\$ 80.00	\$ 80.00
Building Maintenance & Supplies	\$ 5,574.62	\$ 8,279.00
Printing	\$ 453.17	\$ 800.00
Electric	\$ 5,220.43	\$ 6,700.00
Water	\$ 911.82	\$ 1,675.00
Heat	\$ 8,056.11	\$ 10,200.00
Education	\$ 104.00	\$ 240.00
Automobile	\$ 160.00	\$ 160.00
Reserve	\$ 101,591.64	n/a

01- 16
March 19, 2014

A regular session of the Municipal Service Commission of the City of Wyandotte, Michigan, was held at the office of the Commission on Wednesday, March 19, 2014 at 5:00 P.M.

ROLL CALL: Present: Commissioner - James S. Figurski
Michael Sadowski-excused
Gerald P. Cole-excused
Frederick C. DeLisle
Leslie G. Lupo

General Manager
& Secretary - Rod Lesko

Also Present

— Paul LaManes
Steve Timcoe
CATV Volunteer
Charlene Hudson
Valerie Hall
Charlene Hudson
Chris Brohl
Kerry McLenon
Curt Campau

01 - 17
March 19, 2014

APPROVAL OF MINUTES

MOTION by Commissioner DeLisle and seconded by Commissioner Lupo to approve the February 19, 2014, regular session Municipal Service Commission meeting minutes.

HEARING OF PUBLIC CONCERNS

None

RESOLUTION 03-2014-01

Overview from Steve Timcoe-Supt. of Telecommunications regarding an amendment to the IBBS Services Agreement to add email only services.

MOTION by Commissioner Lupo and seconded by Commissioner DeLisle to authorize the General Manager to execute Amendment #3 to the IBBS Services agreement for email only service and implement the recommended retail rates associated with these services as follows and as recommended by WMS Management:

- ISP Services
 - o Email Only Account - \$5.00/mo
 - o Each Additional email address(Same Account) - \$1.99/mo

Commissioner Figurski asked that the roll be called.

YEAS: Commissioner DeLisle, Figurski, Lupo

NAYS: None

RESOLUTION 03-2014-02

Overview from Steve Timcoe-Supt.of Telecommunications on Advanced Business Internet Services, direct fiber connections.

MOTION by Commissioner DeLisle and seconded by Commission Lupo authorizing the General Manager to implement the recommended retail rates for Advanced Business Service direct fiber connections as follows and as recommended by WMS Management:

- o Advanced Business Internet Fiber Connection:
 - o #1-\$139.95/mo. (25Mbps down/10 Mbs up)
 - o #2-\$159.95/mo. (35Mbps down/15 Mbs up)
 - o #3-\$179.95/mo. (50Mbps down/20Mbps up)
 - o #4-\$199.95/mo. (100Mbps down/50Mbps up)

- o Base Business Internet Fiber Connection Installation
Fee/Location - \$249.00/+

Installation cost, scope and complexity of installation would impact initial length of service commitment and will be reviewed on an installation by installation basis.

Commissioner Figurski asked that the roll be called.

YEAS: Commissioner DeLisle, Figurski, Lupo

NAYS: None

RESOLUTION 03-2014-03

Overview from Curt Campau-PP Engineer on inspection of Turbine 5.

MOTION by Commissioner Lupo and seconded by Commissioner DeLisle to grant permission to secure the lowest qualified quote from TurboCare for the inspection of Turbine 5 for the quoted amount not to exceed \$89,750.00 as recommended by WMS Management.

Commissioner Figurski asked that the roll be called.

YEAS: Commissioner DeLisle, Figurski, Lupo

NAYS: None

RESOLUTION 03-2014-04

Overview from Curt Campau-PP Engineer on approval to hire Michigan CAT, a sole source provider, for the HMI upgrade at the Power Plant Diesel Generator site for an amount not to exceed \$9,612.00 as recommended by WMS Management.

MOTION by Commissioner DeLisle and seconded by Commissioner Lupo to hire Michigan CAT, a sole source provider, for the HMI upgrade at the Power Plant Diesel Generator site for an amount not to exceed \$9,612.00 as recommended by WMS Management.

Commissioner Figurski asked that the roll be called.

YEAS: Commissioner Delisle, Figurski, Lupo

NAYS: None

01 ~ 19
March 19, 2014

COUNCIL RESOLUTIONS:

Received and placed on file.

REPORTS AND COMMUNICATIONS

None

APPROVAL OF VOUCHERS

MOTION by Commissioner DeLisle and seconded by Commissioner Lupo that the vouchers be paid as presented.

#5226	\$	307,265.25
#5227	\$	837,481.38
#5228	\$	289,151.25
#5229	\$	885,883.56
Total		\$2,319,781.44

Commissioner Figurski asked that roll be called.

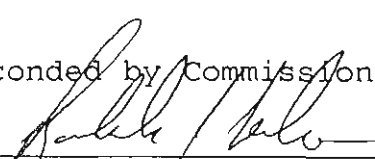
YEAS: Commissioner DeLisle, Figurski, Lupo

NAYS: None

LATE ITEMS

Update from Steve Timcoe on status of Viacom negotiations.

MOTION by Commissioner Lupo and seconded by Commissioner DeLisle to adjourn. 5:45 p.m.



Rod Lesko, Secretary

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, March 20, 2014, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth A. Krimmel at 6:30 p.m.

COMMISSIONERS PRESENT: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

COMMISSIONERS EXCUSED: None

ALSO PRESENT: Charles Leman, City Planner
Ben Tallerico, City Planner
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

1. MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to receive and place on file all communications. MOTION PASSED
YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier
NO: None
ABSENT: None
MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Benson to approve the minutes of the Meeting of January 16, 2014. MOTION PASSED. (Note, no meeting was held in February.)

OLD BUSINESS:

None

NEW BUSINESS:

1. **PUBLIC HEARING** – 021814 Request from Paragon Support Systems, Inc. 2101 Grove Street, Wyandotte, (Owner and Appellant) to rezone the property at 2101 Grove Street, (Former Madison School Building), City of Wyandotte, County of Wayne, State of Michigan. Lot Size: 6.67 Acres

1st MOTION BY COMMISSIONER PASKO, Supported by Commissioner Lupo to recommend to the City Council that the rezoning of the property at 2101 Grove, Wyandotte (Lots 5, 6, 7 & 8 except the north 20 feet, including vacated alleys adjacent thereto, also including vacated 21st Street, adjacent thereto and the northerly ½ of vacated Marshall Avenue adjacent thereto, of the Detroit River Land Co's Subdivision) from Single Family Residential District (RA) to Plan Development District (PD) be APPROVED.

The rezoning of this property generally conforms to the Adopted Master Plan for the City of Wyandotte.

FURTHER the Commission approves the following uses:

- Offering small business and/or organizations the opportunity to rent classroom space and/or gym and stage
- Personal Trainer
- Certified Nursing Assistant Classes
- Overnight respite and after school programs, and a possible future daycare for employees as well as the community.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

NOTE: The City Engineer informed the Commission that approving the uses along with the rezoning was premature and the Applicant should apply for the proposed uses after the City Council approves the Rezoning. The Commission amended the 1st Resolution as follow:

2nd MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to amend the 1st Resolution to recommend approval of the requested rezoning only.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

- 2. Public Hearing 022114** –Request from MJC Construction, (Applicant) for site plan approval for a proposed development at 3131-3149 Biddle Avenue, Wyandotte, Michigan (old City Hall Site). MJC Construction is proposing a four (4) story building with lower level parking, 1st floor commercial/retail store fronts use and 2nd thru 4th floors residential uses.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Pasko to approve the concept plan for the property at 3131-3149 Biddle Avenue, Wyandotte, Michigan as presented to the Planning Commission on March 20, 2014.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

PERSONS IN THE AUDIENCE:

No persons in audience.

SPECIAL ORDER:

Councilman Schultz presented Mr. Leman with a Proclamation from the City Council thanking him for his years of service to the City of Wyandotte.

Motion by Commissioner Pasko, Supported by Commission Tavernier thanking Mr. Leman for his years of service and noting that he will be missed.

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Duran to:

Pay Beckett & Raeder for Planning Consultant fee for February and March in the amount of \$1,400.00
Hours for Secretarial Services: 12/19/13 – 03/04/14 10 Total Hours

YES: Adamczyk, Benson, Booms, Duran, Krimmel, Lupo, Parker, Pasko, Tavernier

NO: None ABSENT: None

MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER LUPO, supported by Commissioner Tavernier to adjourn the meeting at 8:15 p.m.

PUBLIC HEARING – 021814 Request from Paragon Support Systems, Inc. 2101 Grove Street, Wyandotte, (Owner and Appellant) to rezone the property at 2101 Grove Street, (Former Madison School Building), City of Wyandotte, County of Wayne, State of Michigan. Lot Size: 6.67 Acres

Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wished to speak about this public hearing.

Valeria Kaiser, Executive Director, Paragon Support System, Inc., present.

Ms. Kaiser indicated that Paragon Support Systems is a 501C3 entity and they purchased the building in 2012 and they are doing some renovation to the building. Ms. Kaiser indicated that they have some funding challenges and they would like to offer the classrooms for rent to small business and social workers. Further, they would also like to be allowed to rent the gym. Ms. Kaiser indicated that she has had requests from small businesses to rent the rooms.

Ms. Kaiser indicated that they are in the final stage to have the entire building sprinkled per the City requirements. Ms. Kaiser further indicated that they have fixed up the exterior, including the landscaping and also offers a community garden.

Ms. Kaiser stated that their use and the proposed future uses would be less traffic than the public school which was the previous owners use. Ms. Kaiser indicated that the building has a lot to offer.

Commissioner Lupo asked about the request for the overnight respite.

Ms. Kaiser stated that they currently do not offer this program, but there is a need in the downriver area for it. Ms. Kaiser indicated that it is their goal within the next year to offer this program.

Ms. Kaiser indicated that they would like to offer daycare for the employees, as well as the community.

Commissioner Lupo asked if Ms. Kaiser would request the overnight respite at a later time.

Ms. Kaiser stated yes, they will be working towards it

Mr. Ben Tallerico, City Planner, explained the Plan Development zoning and the process that occurs when the property is zoned PD.

Commissioner Booms asked if the property is rezoned when it sells would the property stay PD.
Mr. Tallerico indicated that once the property is rezoning it stay PD.

Commissioner Benson asked about the overnight respite.

Ms. Kaiser indicated that it would be offered to kids up to 26 years old.

Mr. Gerald Gnida, 4084 22nd Street, Wyandotte, Michigan. Mr. Gnida indicated that he has lived in this area for 30 years and wants to know if the Jo Brighton School is also being rezoned and if it is not why does this need to be rezoned when they are doing the same thing in this building.

Chairperson Krimmel indicated that the Old Madison School and property is all that is being rezoned. Chairperson Krimmel continued that Ms. Kaiser would like to lease out space and in order to do that the property must be rezoned. The Commission reviewed the area to be rezoned with the residents.

Mr. Gnida indicated that in the past they have had traffic problems and he does not want to start up again.

Member Tavernier indicated that he was at the Council Meeting when the traffic issue was there and Member Tavernier indicated that this current use would have less traffic than a public school.

Mr. Gnida asked if they were going to build on the vacant property around the school.

Chairperson Krimmel indicated that at this time there is nothing before the Commission indicating they were going to build onto the building.

Mr. Gnida asked if his taxes would be affected by the rezoning.

Chairperson Krimmel indicated no, the rezoning has no effect on taxes.

Another resident came to the podium and stated that she moved there because of the open view and she did not want to see any building on the vacant land.

Commissioner Benson indicated that the PD zoning would allow building, but if they did any construction, the neighbors would be notified.

Mr. Luciani, 4114 22nd Street, Wyandotte. Mr. Luciani asked if the parking lot was going to be expanded.

Chairperson Krimmel indicated that they have adequate parking for their current use, but if they expand it, it would need the Planning Commission and City Council's approval.

Mr. Luciani indicated that whoever plows the parking lot has made a mess of the grass adjacent to the sidewalk.

Ms. Kaiser indicated that she is aware of that and they are going to fix when the weather gets better.

Chairperson Krimmel asked if there was anyone else present who wished to speak about this public hearing.

There being no further questions, the public hearing was closed.

No communications were received regarding this hearing.

NOTE: The City Engineer informed the Commission that approving the uses along with the rezoning was premature and the Applicant should apply for their proposed uses after the City Council approves the Rezoning. The Commission amended their 1st Resolution.

Public Hearing 022114 –Request from MJC Construction, (Applicant) for site plan approval for a proposed development at 3131-3149 Biddle Avenue, Wyandotte, Michigan (old City Hall Site). MJC Construction is proposing a four (4) story building with lower level parking, 1st floor commercial/retail store fronts use and 2nd thru 4th floors residential uses.

Chairperson Krimmel opened the Public Hearing and asked if there was anyone present who wished to speak about this public hearing.

Anthony LoDuca, MJC Companies, LLC present.

Mr. LoDuca indicated that they are proposed to remove the old City Hall and construct a new building. Mr. LoDuca indicated that they are requesting funds from MSHDA to construct the 2nd and 3rd floors and they are following their guidelines. Mr. LoDuca indicated that MJC Companies has performed a market study and this study was favorable for this type of development.

Mr. LoDuca indicated that there are two ((2) parking areas off Van Alstyne behind the proposed building and there would be parking below grade for the residents of the building and parking on the side of the building. Mr. LoDuca indicated there would be approximately 124 parking spots which meets and exceeds the requirements.

Mr. LoDuca indicated that they are proposing a restaurant with outdoor seating for the 1st floor and residential units for the remaining floors. Mr. LoDuca indicated that the project would be ACT (Atrium at Clock Tower).

Mr. LoDuca indicated that Mark from Alexander V. Bogaerts & Associates, P.C. would be reviewing the site plan with the Commission.

Chairperson Krimmel indicated that the building is beautiful.

Commissioner Duran asked if the east elevation would have views of the river.

Mr. LoDuca indicated yes.

Commissioner Duran asked if the underground parking would be open to the public.

Mr. LoDuca replied no is would have a gate and be available to the tenants only.

Mr. Tallerico asked if the target market analysis is for mixed use.

Mr. LoDuca indicated yes and part of the occupants will need to be 59% of AMI.

Mr. Tallerico asked if they could receive a copy of the market analysis.

Mr. LoDuca indicated he would get a copy to the City.

Chairperson Krimmel read the communication received from the City Engineer.

Ms. Mary Reiman, 3148 Van Alstyne, Wyandotte, Michigan present. Ms. Reiman commented that the sun would probably be blocked from her backyard and asked if there was still going to be access to Biddle Avenue from the alley.

Mr. LoDuca indicated yes you would be able to walk to Biddle Avenue, but there would be no driveway access to Biddle Avenue and the alley would be open to thru traffic.

Chairperson Krimmel asked if there was anyone else present who wished to speak about this public hearing.

There being no further questions, the public hearing was closed.

One (1) communication was received regarding this hearing.
