

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

10

**MEETING DATE:** June 30, 2014

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

**ITEM:** 2014 Fiscal Year Budget Amendments

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

*RP*

**INDIVIDUALS IN ATTENDANCE:** N/A

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

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

**ACTION REQUESTED:** Adopt the resolution concurring with the Deputy Treasurer/Assistant Finance Director's recommendation of the 2014 Fiscal Year budget amendments.

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

**IMPLEMENTATION PLAN:** N/A

**COMMISSION RECOMMENDATION:** N/A

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

*Deputy*

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

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

**LIST OF ATTACHMENTS:**

1. Budget amendments (attachment A)
2. Department requests/information

**MODEL RESOLUTION:**

RESOLVED BY CITY COUNCIL that Council hereby concurs in the recommendations of the Deputy Treasurer/Assistant Finance Director and approves the necessary 2014 Fiscal Year Budget amendments as outlined in this communication

City of Wyandotte  
Attachment A  
Budget Amendments  
June 26, 2014

2014 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
General Fund	101-172-725-110	Salary	342,188.00	332,622.00	(9,566.00)
	101-172-725-140	DC Pension	24,634.00	24,276.00	(358.00)
	101-172-725-145	DB Pension	60,057.00	56,303.00	(3,754.00)
	101-172-725-160	Hospital Insurance	66,805.00	64,732.00	(2,073.00)
	101-172-725-165	Prescription Coverage	9,215.00	8,959.00	(256.00)
	101-172-925-170	Life Insurance	709.00	681.00	(28.00)
	101-172-725-175	LTD	992.00	964.00	(28.00)
	101-253-725-110	Salary	50,325.00	59,891.00	9,566.00
	101-253-725-140	DC Pension	2,036.00	2,394.00	358.00
	101-253-725-145	DB Pension	14,168.00	17,922.00	3,754.00
	101-253-725-160	Hospital Insurance	9,245.00	11,318.00	2,073.00
	101-253-725-165	Prescription Coverage	877.00	1,133.00	256.00
	101-253-925-170	Life Insurance	137.00	165.00	28.00
	101-253-725-175	LTD	128.00	156.00	28.00
Total Increase/(Decrease) in Expenses/(Revenues)					

**Increase allocation for Finance/Administration time performing Treasury functions. Work previously performed by Engineering Department employee.**

General Fund	101-177-725-110	Salary	82,805.00	112,544.00	29,739.00
	101-177-725-140	DC Pension	8,281.00	11,255.00	2,974.00
	101-177-725-150	FICA	6,335.00	8,610.00	2,275.00
	101-177-725-160	Hospital Insurance	15,010.00	18,535.00	3,525.00
	101-177-725-165	Prescription Coverage	2,191.00	2,835.00	644.00
	101-177-725-167	Retiree Health Care (RHS) Plan	1,300.00	2,050.00	750.00
	101-177-925-170	Life Insurance	137.00	229.00	92.00
	101-177-725-175	LTD	241.00	299.00	58.00
	101-000-655-046	DMS - City Services	939,752.00	979,809.00	(40,057.00)
Total Increase/(Decrease) in Expenses/(Revenues)					

**Budget for the hiring of the IT Technician. Amount 100% reimbursed by DMS.**

City of Wyandotte  
Attachment A  
Budget Amendments  
June 26, 2014

2014 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
General Fund	101-302-725-130	Longevity	1,110.00	1,180.00	70.00
	101-172-725-150	FICA	37,843.00	37,848.36	5.36
Total Increase/(Decrease) in Expenses/(Revenues)					<u>75.36</u>
Correct additional longevity owed to dispatchers (clerical error in budgeting).					
General Fund	101-750-725-167	Retiree Health Care (RHS Plan)	-	1,050.00	1,050.00
Total Increase/(Decrease) in Expenses/(Revenues)					<u>1,050.00</u>
Budget for new RHS plan for recently hired Recreation employee. Remaining savings from new hire used to pay retired employee's sick and vacation payout in accordance with Personnel Policy Handbook.					
Building Authority Improvement Fund	295-200-825-360	Log Cabin Improvements	-	1,600.93	1,600.93
Total Increase/(Decrease) in Expenses/(Revenues)					<u>3,776.29</u>
Carry forward remaining budget amount leftover from prior year. Final payment					
Southgate-Wyandotte Drain O&M Fund	403-200-925-793	Interest-S/W Drain SRF 9/23/11	-	18,007.00	18,007.00
Total Increase/(Decrease) in Expenses/(Revenues)					<u>18,007.00</u>
Interest in SRF borrowing by S/W Drain District for FY 2013 (not billed on time) and FY 2014.					

City of Wyandotte  
Attachment A  
Budget Amendments  
June 26, 2014

2014 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
TIFA Consolidated Fund	492-200-825-330	Legal Fees	-	3,125.00	3,125.00
Total Increase/(Decrease) in Expenses/(Revenues)					3,125.00
Amend budget to provide for legal fees associated with the appeal of the zoo millage.					
General Fund	101-301-750-220	Operating Expenses	\$26,000.00	\$46,319.00	\$20,319.00
	101-000-511-012	Grant-DCC	\$0.00	(\$20,319.00)	(\$20,319.00)
Total Increase/(Decrease) in Expenses/(Revenues)					\$0.00
Increase line items to account for Cops Grant proceeds from the DCC (attachment).					
General Fund	101-750-825-490	Field Maintenance & Supplies	\$15,000.00	\$13,700.00	(\$1,300.00)
	101-750-825-930	Heat (Gas)	\$10,000.00	\$11,300.00	\$1,300.00
Municipal Golf Course Fund	525-750-925-840	Advertising	\$4,000.00	\$2,500.00	(\$1,500.00)
	525-750-825-930	Heat (Gas)	\$9,400.00	\$10,900.00	\$1,500.00
TIFA Consolidated	492-200-850-524	Recreation-City Parks	\$60,000.00	\$69,543.00	\$9,543.00
Total Increase/(Decrease) in Expenses/(Revenues)					\$9,543.00
Amend line items per Recreation Superintendent and carry over amount from 2013 fiscal year for projects not completed in prior fiscal year (attachment).					

City of Wyandotte  
Attachment A  
Budget Amendments  
June 26, 2014

2014 Fiscal Year

Fund	Account	Account Description	Current Budget Amount	Amended Budget Amount	Amendment/ Change
DDA-TIF	499-200-926-790	Miscellaneous	\$7,499.00	\$15,499.00	\$8,000.00
Total Increase/(Decrease) in Expenses/(Revenues)					\$8,000.00

Increase line item for the Cobblestone Hotel Feasibility Study (attachment).

General Fund	101-136-750-224	Subscriptions	\$4,850.00	\$6,850.00	\$2,000.00
	101-136-750-227	Program Instructors	\$13,200.00	\$11,200.00	(\$2,000.00)
	101-136-750-226	Drug Testing/CAP Program	\$14,500.00	\$16,000.00	\$1,500.00
	101-136-750-210	Office Supplies	\$8,200.00	\$7,700.00	(\$500.00)
	101-136-850-510	Office Equipment	\$28,570.00	\$27,570.00	(\$1,000.00)
Total Increase/(Decrease) in Expenses/(Revenues)					\$0.00

Amend 27th District Court line items per Court Administrator (attachment).

General Fund	101-301-925-770	Prisoner Transport/Holding	\$100,000.00	\$80,000.00	(\$20,000.00)
	101-301-750-220	Operating Expenses	\$26,000.00	\$39,485.00	\$13,485.00
	101-301-550-530	Vehicles	\$59,000.00	\$60,350.00	\$1,350.00
	101-301-850-540	Other Equipment	\$4,500.00	\$9,500.00	\$5,000.00
	101-325-750-223	Reserve Dinner Dance	\$1,000.00	\$1,165.00	\$165.00
Total Increase/(Decrease) in Expenses/(Revenues)					\$0.00

Amend Police Department line items per PD (attachment).

General Fund	101-000-655-052	Election Reimbursement	\$0.00	(\$13,159.62)	(\$13,159.62)
	101-840-725-110	Salary	\$7,000.00	\$12,500.00	\$5,500.00
	101-840-750-220	Operating Expenses	\$8,992.00	\$10,992.00	\$2,000.00
	101-840-825-360	Legal Notice	\$910.00	\$1,410.00	\$500.00
	101-840-825-490	Contractual Services	\$10,750.00	\$15,909.62	\$5,159.62
Total Increase/(Decrease) in Expenses/(Revenues)					\$0.00

Budget for reimbursement of February special election for the Wyandotte School District.

## 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

March 31, 2014

Kathy Trudell  
City of Wyandotte  
Finance Department  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Kathy:

Please find attached the reimbursement check from the City of Wyandotte School Board for the Special Election that the City of Wyandotte's Clerk's Office conducted for them.

Since we have three (3) more scheduled elections scheduled this year..... May; August and November (although the November election isn't in the budget cycle; we have to order supplies etc prior to October 1, 2014) please deposit this money as follows back into the accounts ASAP listed below:

\$5,159.62	101-840-825-490 Election Contractual Services
\$2,000.00	101-840-750-220 Election Operating Expense
\$5,500.00	101-840-725-110 Election Salary Account (workers; employees)
500.00	101-840-825-360 Election Legal notices

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\$13,159.62

Thanking you in advance for your assistance.

Sincerely yours,

Maria Johnson  
Deputy City Clerk

CC: Todd A. Drysdale; Robert J. Szczechowski

**MAYOR**

Joseph R. Peterson

**CITY CLERK**

William R. Griggs

**TREASURER**

Todd M. Browning

**CITY ASSESSOR**

Thomas R. Woodruff

**CITY COUNCIL**

Sherl Sutherby Fricke

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Lawrence S. Stec

**DANIEL J. GRANT**  
CHIEF OF POLICE

May 6, 2014

Robert Szczechowski  
Finance  
City of Wyandotte  
3200 Biddle Ave.  
Wyandotte, MI 48192

**Re: Budget Transfer Request**

Dear Bob:

Per the attached City Council Resolution, the Police Department purchased four (4) mobile computers from OEM late last Fall for \$20,319.00. Initial payment was made using our Operating Account, #101-301-750-220. This purchase, however, was ultimately reimbursed through a Cops Grant fund made available through the Downriver Community Conference (DCC). See attached check from the DCC.

Since the DCC has reimbursed us, we are requesting a budget transfer that would put the \$20,319.00 back into our Operating account so we can continue to pay our invoices for the remaining fiscal year. Please let me know if you have any questions regarding this request.

Sincerely,

Laura Allen  
Administrative Assistant

Attachments

**OFFICIALS**

**William Griggs**  
CITY CLERK

**Todd Browning**  
CITY TREASURER

**Thomas Woodruff**  
CITY ASSESSOR



**MAYOR**  
**Joseph Peterson**

**COUNCIL**  
**Sheri Sutherby-Fricke**  
**Daniel Galeski**  
**Ted Miciura Jr.**  
**Leonard Sabuda**  
**Don Schultz**  
**Lawrence Stec**

**JUSTIN LANAGAN**  
**SUPERINTENDENT OF RECREATION**  
**DEPARTMENT OF RECREATION, LEISURE AND CULTURE**

Date: May 8<sup>th</sup>, 2014

To: Bob Szczechowski  
Department of Financial and Administrative Services

From: Justin Lanagan  
Superintendent of Recreation

Re: Budget Transfers

Bob,

Due to the extremely long and cold winter, several of our Gas accounts have gone over budget. Would you please perform the following transfers.

\$1,500 from Golf Course Advertising 525-750-925-840 to Golf Course Gas 525-750-825-930

\$1,300 from Rec Field Maintenance 101-750-825-490 to Rec Gas 101-750-825-930

Also, could you rollover \$9,543 from the 2013 TIFA Parks 492-200-850-524 to the current year's budget. There are some park benches at Bishop Park and baseball field surfacing material that we did not get around to completing last year.

Thanks,

Justin Lanagan



**OFFICIALS**

Thomas Woodruff  
CITY ASSESSOR

William R. Griggs  
CITY CLERK

Todd M. Browning  
TREASURER



**COUNCIL**

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

**DOWNTOWN DEVELOPMENT AUTHORITY**

**Meeting Minutes**

**Tuesday, May 13<sup>th</sup> 2014 at 5:30 pm**

**Council Chambers, 3200 Biddle Avenue, Suite 300, Wyandotte Mi. 48192**

**MEMBERS PRESENT:** Gerry Lucas, Peter Rose, Patt Slack, Greg Gilbert, Norm Walker and John Jarjosa

**MEMBERS ABSENT:** Mayor Peterson, Patrick VanDeHey, Leo Stevenson

**OTHER PRESENT:** Natalie Rankine, Heather Thiede, Owner of Cecilia Melody's

**PUBLIC COMMENT:**

Marilyn from Cecilia Melody's spoke to the DDA regarding a potential grant for her business. She stated that she is moving and would like some assistance financially. The group discussed the potential grant. P. Slack recommended that Marilyn meet with N. Rankine to discuss her grant possibility.

**APPROVAL OF MINUTES AND AGENDA:**

**Motion by P. Rose, supported by G. Gilbert to approve of the minutes from the April DDA Meeting. All in favor, motion carried.**

**Motion by G. Lucas, supported by G. Gilbert to approve of the agenda with the addition of item 8G. All in favor, motion carried.**

**INFORMATION TO RECEIVE AND PLACE ON FILE:**

P. Rose commented on the Rib Throw Down Third Friday event and the area that the event takes place. He stated that the purpose of the 3<sup>rd</sup> Fridays was to bring people down to the businesses along Biddle and the location of some events takes away from that. P. Slack stated that businesses should also have their own events and promotions on the same day. The group commented. N. Rankine stated that during the WBA events, the maps they distribute only list WBA businesses, not DDA business. The group would like to meet with the WBA to discuss the items that the DDA are expecting.

**WBA: Updates – Report Retraction**

N. Rankine stated that the WBA sent in a financial report then retracted it stating that the numbers were wrong. Four minutes prior to the meeting tonight there was communication that the report could be distributed. She also stated that the WBA is not following their contract they have with the DDA. G. Gilbert had some questions on the finance report from the WBA. N. Rankine explained that there was many errors in the report. G. Gilbert stated that

the feels the DDA could hire a person to work with the WBA, problem solve, etc. H. Thiede stated that is part of her job responsibilities. The group discussed. P. Slack said she would like the WBA board to join the next DDA meeting.

#### **MONTHLY REVENUE/EXPENDITURE REPORT:**

N. Rankine explained the report to the group. P. Rose questioned the viaduct maintenance, N. Rankine said she spoke to them and they will have everything planted by the end of June. She also sent them a letter regarding the amount of weeds on the viaduct. P. Rose commented on the banner expense in the report. N. Rankine stated it was brackets and replacement parts for the current banners downtown. The group discussed.

**Motion by G. Lucas, supported by P. Rose to approve of the monthly revenue and expenditure report. Roll Call, all in favor, motion carried.**

#### **ONGOING PROJECTS AND BUSINESS:**

b. DDA Strategic Plan: N. Rankine updated the group on the ongoing project. She stated that the office received over 500 responses to the survey that was sent out and they are gathering additional information at this point. The group discussed.

c. 3131 Biddle Avenue Update: N. Rankine stated that the MJC Project has been submitted to MISHDA. She stated that information should be back before the end of June.

d. Parking Lot Update: N. Rankine stated there is no update on this project. P. Rose commented on the location of the community garden, explaining that the lot was purchased with the intent of paving that area someday. The committee discussed.

e. Farmers Market: N. Rankine stated that Leo Stevenson is a sponsor of the Power of Produce program. She updated the group on the happenings at the market this year.

f. Grant Guidelines: N. Rankine stated that the grant committee met prior to the regular scheduled DDA meeting to discuss the new grant guidelines. The changes to the guidelines are as follows: 1. A business plan is required for all new business ventures. Sample business plan examples may be found at the following website: [www.score.org](http://www.score.org). 2. All grants must be personally guaranteed by applicant and must be re-paid to the DDA if the business does not remain open for at least 24 months. 3. New business owners must be available to attend at DDA grant committee meeting.

**Motion by G. Gilbert, supported by P. Slack to approve of the updated grant guidelines. All in favor, motion carried.**

#### **NEW BUSINESS:**

b. Restaurant Week: N. Rankine commented on the event and the participation of the restaurants. The group discussed. She updated the group on the organization of the event and the new ideas and also expressed some frustration with having the business owner's work together. G. Gilbert suggested that the businesses run the event in the future. P. Rose stated that he feels the business owners will not complete the event if run without the DDAs assistance. N. Rankine stated that while it is difficult for the business owners to come to an agreement, she understands due to the busy nature of running a business. The group discussed and this event will continue in the future.

c. Grant Applications:

Downriver Actors Guild: N. Rankine stated that the group has already received a grant, and the group stated that because of this; due to the grant guidelines, they will deny this second grant application.

CIA: N. Rankine will request that this business resubmit under the new grant guidelines.

Candy Store/Sweet Arrangements Building: N. Rankine stated that they are looking for a grant extension which would be there second grant extension. The group discussed the request and stated that they have been working on the project for over 2 years. G. Lucas recommended pulling the grant due to the length of time. P. Slack suggested that the business apply under the new grant guidelines. G. Gilbert requested that there be a completion date for the work, the group confirmed June 30<sup>th</sup> will be the end date.

**Motion by G. Gilbert, supported by P. Rose to deny the DAG grant request, recommend that the CIA reapply under the new guidelines and to require the Candy Store building work be completed no later than June 30<sup>th</sup> 2014. Roll Call, all in favor, motion carried.**

c. New Businesses Open: N. Rankine stated there will be a ribbon cutting for the new business, Jersey Giant shortly. She will inform the group once it is scheduled.

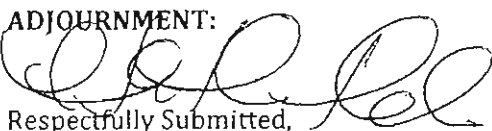
d. Cobblestone Hotel: Feasibility Study: N. Rankine passed around the information on the Cobblestone Hotel to the group. G. Gilbert stated that there is a chance after the study is completed that the DDA might find that it might not be possible to have a Cobblestone Hotel/Hotel. G. Lucas stated that he feels that Wyandotte will prove to be fine, that the city has many positives for hotels to build/rent/own here, providing that the property could be found. N. Rankine stated that if the DDA funds the study, then it would be theirs to use in the future. She then stated that the study would cost \$8,000 which would be taken from the fund balance and placed into the Miscellaneous account.

**Motion by P. Rose, supported by G. Gilbert to approve of the \$8,000 to be taken from the fund balance to be place in the Miscellaneous Account 499-200-926-790. Roll call, all in favor, motion carried.**

NEXT REGULAR MEETING:

June 10<sup>th</sup> 2014

ADJOURNMENT:

  
Respectfully Submitted,

Heather Thiede, Deputy Recording Secretary

# MEMORANDUM

TO: Robert J. Szczechowski, A/FINANCE DEPT.

FROM: STACIE NEVALO, COURT ADMINISTRATOR

DATE: June 10, 2014

RE: Budget Amendment

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The Court is requesting the following budget amendments and transfer of funds:

\$2,000.00 to Acct # 101-136-750-224 Subscriptions

\$2000.00 from Acct# 101-136-750-227 Program Instructors

\*Money needed for Judges Subscriptions/Law Library Books

\$1,500.00 to Acct# 101-136-750-226 Drug Testing Kits

\$500.00 from Acct# 101-136-750-210 Office Supplies

\$1,000.00 from Acct# 101-136-850-510 Office Equipment

\*Money needed for Drug Testing Supplies

Funds are available in the above accounts for the requested transfers.

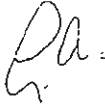

Please contact me if you have any questions, thank you.

# City of Wyandotte

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## Interdepartmental Communication

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DATE: June 18, 2014  
TO: Bob Szczechowski, Finance  
FROM: Laura Allen, Administrative Assistant   
SUBJECT: Transfer of Funds  
CC: Chief of Police Daniel J. Grant, Inspector Pouliot 

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Bob, per Chief Grant, we would like to transfer the following amounts to cover accounts that are showing shortages and supplement others through the end of the fiscal year.

Please take \$20,000 from the Prisoner Transport / Holding Account # 101 301 925 770 and transfer it as follows:

\$13,485.00 to Operating Expense account # 101 301 750 220

\$1,350.00 to Vehicles account # 101 301 850 530

\$5,000.00 to Other Equipment account # 101 301 850 540

\$165.00 to Reserve Dinner Dance account # 101 325 750 223

Please advise if there are any problems with this request.

If you have any questions, please call me at ext. 4424. Otherwise, thank you for your assistance.

Sincerely,

Laura Allen

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

MEETING DATE: June 30, 2014

AGENDA ITEM #

11

**ITEM:** Purchase Agreement to sell City owned property known as former 1427 Sycamore

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

*Mark Kowalewski 6-24-14*

**BACKGROUND:** The former 1427 Sycamore 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. Vito and Amy Mazzola are proposing to construct a one story single family home consisting of approximately 1,448 square feet, 3 bedrooms, 2 baths, full basement and attached garage. The exterior will be full brick.

The Purchaser is proposing to construct the garage more than six (6) feet forward of the dwelling which is an exception from the City's regulations for the sale of property and will also require a variance from the Zoning Board of Appeals. The abutting property is a commercial building which sits on the property line of Sycamore Street. The location of the home, with the attached garage, will serve as a buffer to this existing commercial building.

**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:** *Support*

**LEGAL COUNSEL'S RECOMMENDATION:** Approved by Legal.

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

**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

**LOOK, MAKOWSKI and LOOK**  
ATTORNEYS AND COUNSELORS AT LAW  
PROFESSIONAL CORPORATION  
2241 OAK STREET  
WYANDOTTE, MICHIGAN 48192-5390

William R. Look  
Steven R. Makowski

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

Richard W. Look  
(1912-1993)

**PURCHASE AGREEMENT**

I. **THE UNDERSIGNED** hereby offers and agrees to purchase the following land situated in the City of

Wyandotte, Wayne County, Michigan, described as follows:  
Lots 284 and 285 The Steel Plant Subdivision as recorded in Liber 18 Page 53 of Plats WCR being known as the Former 1427  
Sycamore Street, and to pay therefore the sum of Ten Thousand Dollars & 00/100 (\$10,000.00) Dollars, subject to the  
existing building and use restrictions, easements, and zoning ordinances, if any, upon the following conditions;

**THE SALE TO BE CONSUMMATED BY**

**PROMISSORY NOTE/MORTGAGE SALE**

<b>PROMISSORY/ MORTGAGE SALE</b>	1. The Purchase Price of <u>\$10,000.00</u> plus closing costs to be determined at closing shall be paid by a Promissory Note to the Seller when the above described property is sold, refinanced, foreclosed, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property. Purchaser is responsible to pay for the recording costs of the mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. See Paragraph 13 for terms of mortgage.
<b>Evidence of Title</b>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
<b>Time of Closing</b>	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close.
<b>Purchaser's Default</b>	4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
<b>Seller's Default</b>	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
<b>Title Objections</b>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ _____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ _____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
<b>Taxes and Prorated Items</b>	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with <u>due date</u> (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. <b>Due dates are August 1 and December 1.</b>
<b>Broker's Authorization</b>	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3. 9. The Broker is hereby authorized to make this offer and the deposit of <u>N/A</u> Dollars may be held by him under Act No. 112, P.A. of 1960 Sect. 13, (j) and applied on the purchase price if the sale is consummated.

THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP

10. APPLICABLE TO F. H. A. SALES ONLY:

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ \_\_\_\_\_ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ \_\_\_\_\_.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

The closing of this sale shall take place at the office of the City Engineer, 3131 Biddle Avenue, Wyandotte, MI

However, if a new mortgage is being applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: See Addendum for additional Paragraphs 12 through 20 and Signatures

IN PRESENCE OF:

[Signature]  
Witness  
Dated 6/6/14

x [Signature] L. S.  
Purchaser  
x [Signature] L. S.  
Purchaser  
Address 2257 3RD TRENTON MI  
Phone: 734-282-6768 or 734-934 6972

**BROKER'S ACKNOWLEDGMENT OF DEPOSIT**

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address \_\_\_\_\_  
Phone \_\_\_\_\_ By: \_\_\_\_\_  
This is a co-operative sale on a \_\_\_\_\_ basis with \_\_\_\_\_  
\_\_\_\_\_

**ACCEPTANCE OF OFFER**

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of ( \_\_\_\_\_ Dollars) ( \_\_\_\_\_ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if un consummated, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

**CITY OF WYANDOTTE:**

IN PRESENCE OF:

\_\_\_\_\_  
Seller L. S.  
\_\_\_\_\_  
Seller L. S.  
Address 3131 Biddle Avenue, Wyandotte  
Dated: \_\_\_\_\_ Phone 734-324-4555

**PURCHASER'S RECEIPT OF ACCEPTED OFFER**

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

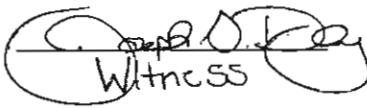
Dated \_\_\_\_\_ L. S.  
Purchaser

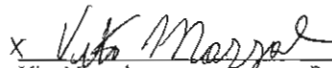


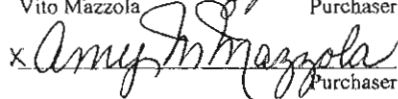
ADDENDUM TO  
OFFER TO PURCHASE REAL ESTATE

This Agreement is contingent upon the following:

12. The closing for this Agreement is contingent upon the Purchaser, within 120 days of Seller's signed acceptance, obtaining a building permit, issued by the Engineering and Building Department for the construction of a single family home, consisting the following features:
  - One Story Single Family Home with approximately 1,448 square feet with 3 bedrooms, 2 baths as indicated on Attachment A
  - Full basement to be in accordance with Section R310-Emergency Escape and Rescue Openings in accordance with the 2006 Michigan Residential Code. Emergency Escape and Rescue Opening must have an approved cover. The basement is also required to have a Backflow Valve and Sump Pump. See Attachment B
  - Exterior to be all brick
  - Attached garage NOTE: The Purchaser is required to obtaining approval from the Zoning Board of Appeals for a variance for the garage which is projecting more than six (6) feet forward of the dwelling portion of the home and which shall not occupy than sixty (60) percent of the front of the building facade. Closing will not take place until this requirement is met.
13. 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.
14. If plans and unit installed with energy savings systems such as solar systems capable of supplying 1kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water then the City will reduce the balance of the promissory note by \$2,000.
15. This Agreement is further contingent upon the Purchaser undertaking 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 results 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.
16. All utilities are required to be underground. Purchaser will provide three (3) ducts; electrical, cable and telephone to a central location. If reusing existing sewer tap, line must be inspected or cameraed and documents submitted to the Engineering Department for approved use. If use is not approved, you must re-tap the main.
17. The Purchaser is responsible for the cost of the Title Insurance Policy Premium, Closing Fee of \$200.00 and Wayne County Mapping Fee. These charges will be including into the mortgage.
18. Dirt shall be removed from the site at the Purchaser's expense.
19. The property is being sold in "As Is" condition, without express or implied warranty. Purchaser understands that buildings were removed from the site and the City of Wyandotte accepts no responsibility for underground conditions or environmental conditions of the property.
20. This Agreement is subject to the approval of the Wyandotte City Council.

  
Witness

x   
Vito Mazzola Purchaser

x   
Amy Mazzola Purchaser

Dated: 6/6/14

CITY OF WYANDOTTE, Seller

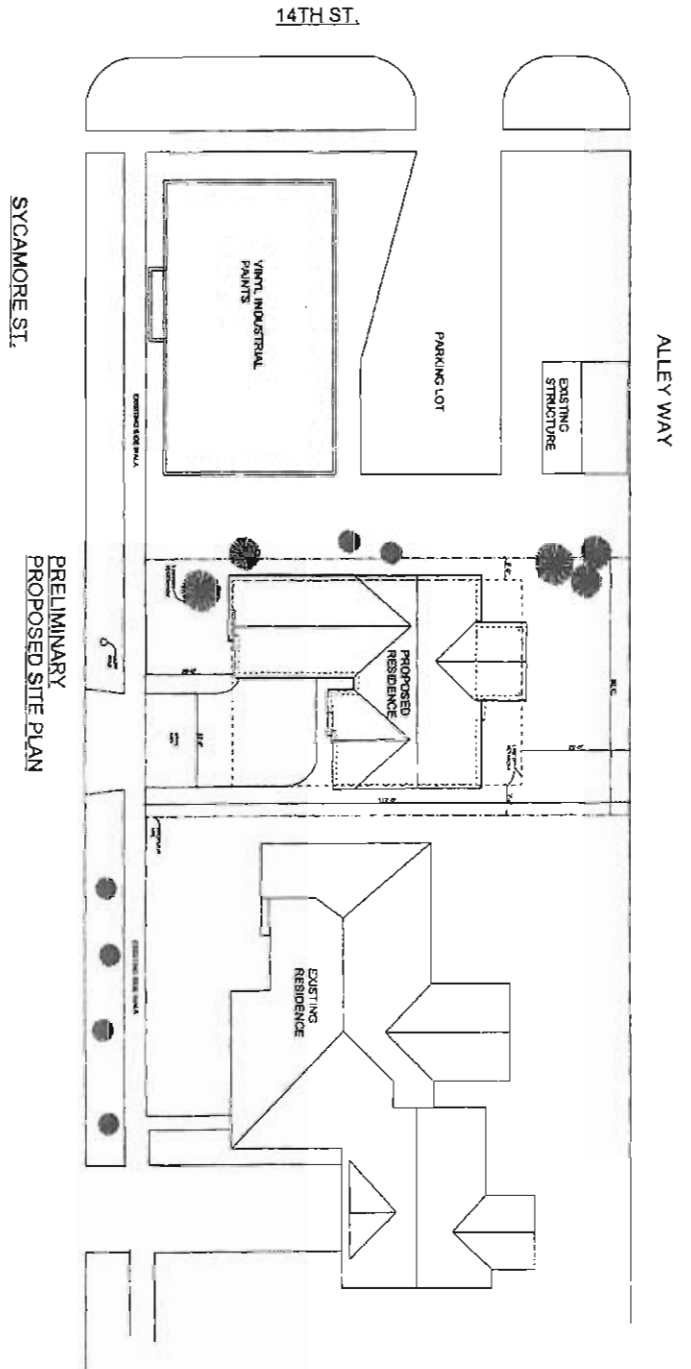
\_\_\_\_\_  
Joseph R. Peterson, Mayor


\_\_\_\_\_  
William R. Griggs, City Clerk  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

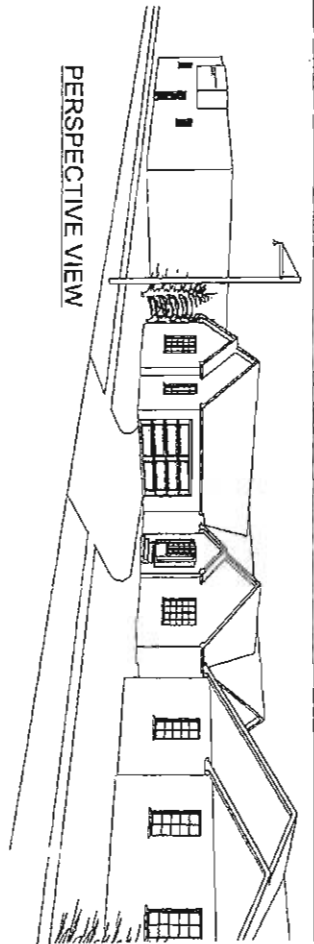
Dated: \_\_\_\_\_

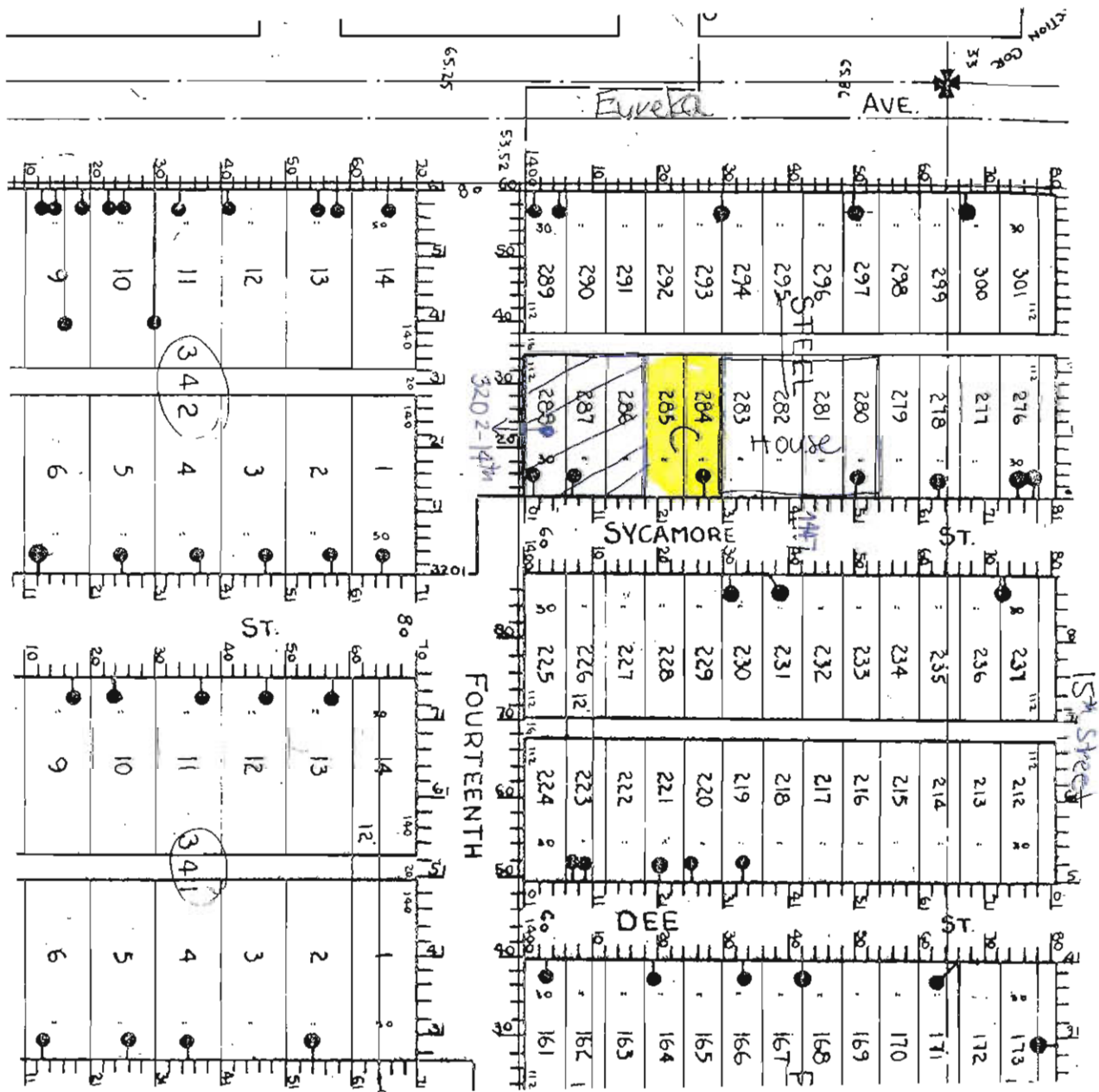
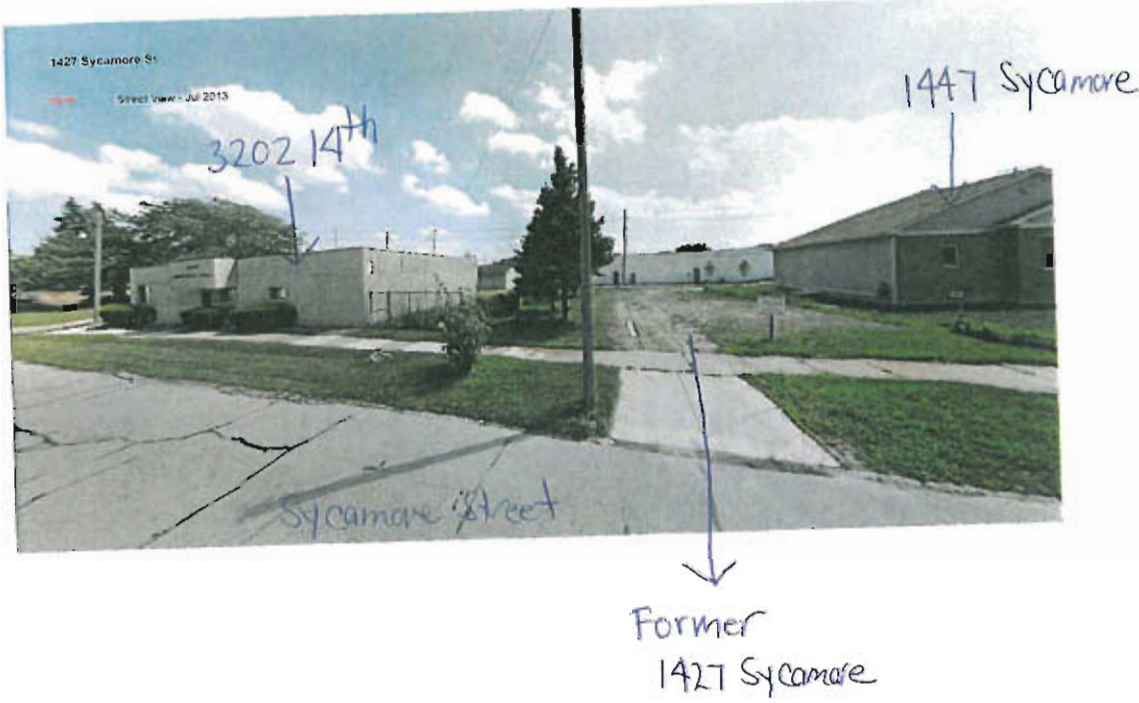
Legal Department Approval \_\_\_\_\_

# Attachment A




 DANA ASSOCIATES ARCHITECTURE & ENGINEERING  
 10000 14TH ST. S.W. SUITE 200  
 DANNAASSOC.COM  
 10000 14TH ST. S.W. SUITE 200  
 DANNAASSOC.COM





Build a **FUTURE**  
in *Wyandotte*

SPECIFICATION FOR ACQUISITION OF  
VACANT PARCELS  
FOR THE CONSTRUCTION OF A  
NEW SINGLE FAMILY HOME  
ON PROPERTY OWNED BY  
THE CITY OF WYANDOTTE

Department of Engineering and Building  
City of Wyandotte, Michigan

Mark A. Kowalewski,  
City Engineer

## INSTRUCTIONS AND CONDITIONS

### Delivery

Proposals with deposits shall be delivered to the City Engineer at Wyandotte City Hall, 3131 Biddle Avenue, Michigan, 48192 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

### Separate Proposals

A separate proposal must be submitted for each parcel. Proposals will become the property of the City of Wyandotte.

### Expeditious Agreement

The maker of the best proposal, as recommend by the Committee, shall expeditiously enter into a purchase agreement, subject to the terms set forth in these Specification for submission to the City Council.

### Terms of Sale

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### As Is Condition

This property is being sold, in an "as is" condition without expressed or implied warranty. The City of Wyandotte assumes no responsibility for the environmental conditions of the properties.

Prospective purchaser understand that, whether buildings were removed or not, the City of Wyandotte accepts no responsibility for underground conditions in cases where there were previous structures, with or without a basement.

### Title Insurance

The City of Wyandotte will furnish a warranty deed. Title insurance must be obtained at the **purchaser's expense**. The City will provide its policy, if available, to the successful proposal maker as credit on a new policy.

### Taxes and Prorated Items

All taxes and assessments which have become a lien upon the land as of the date of the Purchase Agreement shall be paid by the City as Seller. Current taxes, if any, INCLUDING CURRENT TAXES ON HOMES ALREADY DEMOLISHED, shall be prorated and adjusted as of the date of closing in accordance with the "Due Date" basis of the taxing unit in which the property is located.

### Neighborhood Enterprise Zones (NEZ)

Properties which are located in an NEZ are eligible to receive a twelve (12) year tax abatement, which will reduce the taxes paid by homeowners. Proposals will be accepted by Developers and/or Builders and/or Owner Occupied Persons. The City may show preference towards an owner occupant's proposal depending on the quality of the proposal received. Example of the tax saving is as follows:

Home valued at \$200,000 **without** the tax abatement using 2006 Homestead Tax Rate:

Taxable Value for land and house \$100,000 x 48 mills = \$4,800.00

Home valued at \$200,000 **with** the tax abatement using 2006 Homestead Tax Rate:

Taxable Value for land \$10,000 x 48 mills = \$480.00

Taxable Value for home \$90,000 x 16.86 mills = \$1,500.00

This is a yearly savings of \$2,820.00

CONTACT THE ENGINEERING DEPARTMENT TO SEE IF LOT IS ELIGIBLE FOR THIS TAX INCENTIVE.

### Closing Fee

Purchaser is responsible for the payment of the TWO HUNDRED (\$200.00) DOLLAR closing fee. The closing fee will be paid at time of closing.

### Subdivision Precluded

The properties are being offered as one single parcel each and shall not be subdivided.

### Dirt Removal

Said Agreement will provide that dirt shall be removed from the site at Purchaser's expense.

### Subject to Easement

The City will require the granting of a five (5) foot easement as part of the condition of sale. This Easement will be for future underground access for decorative 14' LED Lamp Post fixtures.

### Building Permit Prior to Closing

The Purchase Agreement will require that a building permit be obtained prior to closing. Permits will only be issued to licensed residential builders.

Exception - A homeowner who meets the following requirements: A bona fide owner of a single family residence which is or will be on completion, for a minimum of two (2) years his or her place of residence, and no part of which is used for rental or commercial purposes, nor is contemplated for such purpose, may do his or her own work, providing he or she applies for and secures a permit, pays the fee, does the work himself or herself in accordance with the provisions hereof, applies for inspections and receives approval of the work by the code official. Failure to comply with these requirements will subject the owner's permit to cancellation. Owners building their own homes, will be required to sign an affidavit that they understand and agree to these conditions. Any violation of the two (2) year occupancy requirement will result in prosecution by the City.

Purchaser will have 120 days to obtain a building permit from the date of the Agreement. One (1) thirty (30) day extension may be granted by the City Engineer if there is a good reason.

### Timely Development

Purchaser agrees to undertake development for the construction of a Single Family Dwelling no later than six (6) months from the date of the closing. Purchaser's failure to undertake development results in the City's right to repurchase the property at 80% of the purchase price as evidenced and enforced by a recordable document.

### Guideline Price Not Binding

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Reservation

The City reserves the right to reject any or all proposals and the right to waive any formal defects in proposals when deemed in the best interest of the City.

## REQUIREMENTS

### Sales Price

The proposed price must be written in both words and numerals. These lots are offered for \$10,000 per buildable lot. The following are the options available for purchase:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Disclosure and Anti-Collusion

Proposal makers must complete the sworn affidavit included in this RFP, listing all persons, firms or corporations having any interest in the Agreement that would result from acceptance of the proposal, and stating whether any member of the City Council, or Officer, or Employee of the City is directly interested in said proposal.

### Deposit

The proposal maker must accompany the proposal with a deposit in the form of a cashier's check, bank money order, or certified check payable to the City of Wyandotte for ten (10%) percent of the amount offered for the parcel. This earnest money deposit shall be applied to the purchase price at the time of closing.

In order to protect the integrity of this solicitation and review process, deposits may be forfeited in cases where acceptable proposals are withdrawn prior to execution of any Agreement. All other deposits shall be returned at the direction of the City Council.

Once the City determines to enter into an Agreement and the proposal maker fails to consummate the sale, the Deposit will be forfeited to the City of Wyandotte.

### Evaluation

In order to best serve the City's interest, proposals will be evaluated for: highest and best use of the property; quality of development as measured by meeting or exceeding the suggested minimum features; and the demonstrated experience, qualifications, and readiness of the prospective purchaser. The highest dollar amount does not necessarily determine the best proposal.

### Equalization Factor

Any current Wyandotte Resident submitting a proposal on lots included in these specifications will receive a five (5%) percent Equalization Factor Credit on their proposal price for the property should their proposal be considered equivalent in quality to the high dollar bid proposal.

Equivalent in quality shall mean similar size square footage, exterior, amenities, such as but not limited to; fireplaces, tile floors, bay windows, counter tops, bedrooms, bathrooms, fixtures, etc.

Proof of residency will be required upon request.



## BUILDING REQUIREMENTS

### Harmony with Adjoining Residential Properties

Proposed building should respect the existing character of the immediate neighborhood. McKinley Neighbors United Picture Portfolio applies on lots located in the Neighborhood Enterprise Zone (NEZ) located between Eureka and Grove. This Portfolio is for reference only. The City does not have any of these plans available.

### Building Features

Proposals must be attached to Signature Sheet and describe the proposed new single family dwelling by specifying the following features:

- a. Number of stories.
- b. Estimated amount of square feet.
- c. Provisions for a garage. *GARAGES PLACED IN FRONT OF THE LIVING QUARTERS, BECOMING THE PREDOMINANT FEATURE (more than 3 feet) IN THE FRONT YARD ARE UNDESIRABLE.*
- d. Number of bathrooms.
- e. Provisions for underground utilities. Contact Wyandotte Municipal Service and Ameritech for information.
- f. Other desirable architectural features such as covered porches, extended soffits, picture windows, bay windows, doorwalls, fireplaces, vaulted ceilings.
- g. Trim on house (vinyl, aluminum or painted wood).
- h. Decks or patios

### Suggested Minimum Features

#### One Story Building Minimum Features:

- a. Consist of a minimum of 1,200 square feet of living area. This does not include basement or garage square footage.
- b. Full brick exterior. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Two Story Building Minimum Features:

- a. Consist of a minimum of 1,500 square feet of living area. This does not include basement or garage square footage.
- b. Brick exterior on the entire first floor. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full Basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Corner Lots:

- a. Wrap around porches

## BUILDING REQUIREMENTS

### Required Feature

1. All basements shall have backflow prevention system, which shall include back water valves and sump pump.
2. All basements shall comply with Section R310 – Emergency Escape and Rescue Openings in accordance with the 2003 Michigan Residential Code. Also a cover over the opening will be required in accordance with Section R310.4 - Bars, grills, covers and screens of the 2003 Michigan Residential Code.

### Standards

Purchaser understands that development of the property is subject to all the current codes and ordinances of the City of Wyandotte applicable for construction and use, such as the following:

Maximum Height: Two (2) stories or thirty (30) feet.

Maximum Lot Coverage: All structures can only cover thirty-five (35%) percent of property.

Yard Requirements: Front: Minimum of twenty (20) feet.  
Side: Minimum of four (4) feet, except corner lots  
require minimum of five (5) feet on side  
abutting street.  
Total Side: Twelve (12) feet.  
Rear: Minimum of twenty-five (25) feet.

**NOTE:** Submittals which exceed these minimums requirements should be clearly stated on the proposal. More specific information of the proposed project will aid the Land Sale Committee in making its recommendation for acceptance to the Mayor and City Council.

The City reserves the right to reject any proposal wherein the square footage of the house does not meeting with the character of the neighborhood or size of the lot.

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: June 30, 2014

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

RESOLVED BY THE MAYOR AND COUNCIL that the communication from the City Engineer regarding the City owned property located at former 1427 Sycamore 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 1427 Sycamore to Vito and Amy Mazzola for the amount of \$10,000.00; AND

BE IT FURTHER RESOVLED that if the Purchasers, Vito and May Mazzola do not undertaking 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 results 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 1427 Sycamore, between Vito and Amy Mazzola and the City of Wyandotte for \$10,000 as presented to Council on June 30, 2014.

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**

MEETING DATE: June 30, 2014

AGENDA ITEM #

12

**ITEM:** Release of Purchase Agreement for 655 Vinewood

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

*Mark Kowalewski 6-24-14*

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

**BACKGROUND:** On January 15, 2014, the City entered into a Purchase Agreement with Joseph and Katherine Munoz to sell them 655 Vinewood, one of the Vinewood Village Condominiums. Unfortunately, Mr. and Mrs. Munoz are unable to secure financing to close on this property and therefore are requesting release of the Purchase Agreement.

**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:** Concur with recommendation to release Purchase Agreement with Mr. and Mrs. Munoz.

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

**IMPLEMENTATION PLAN:** Execute Mutual Release of Buy and Sell Agreement and list property for sale with Downriver Real Estate Group, notify Minnesota Title to release deposit.

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Approved*

**LEGAL COUNSEL'S RECOMMENDATION:** *is good*

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

**LIST OF ATTACHMENTS:** Mutual Release of Buy and Sell Agreement

### RELEASE OF PURCHASE AGREEMENT

This Release of Purchase Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the CITY OF WYANDOTTE, "SELLERS" and JOSEPH AND KATHERINE MUNOZ "PURCHASERS"

WHEREAS, Joseph and Katherine Munoz, executed a Purchase Agreement dated January 15, 2014, to purchase the property known as the 655 Vinewood, Wyandotte ; and

WHEREAS, the parties hereto wish to terminate said Purchase Agreement.

NOW THEREFORE, the Sellers and Purchasers mutually release each other from the above referenced Agreement

IN WITNESS WHEREOF, the parties hereto have executed this Release of Purchase Agreement on MAY 12, 2014.

WITNESSES:

MARCIA De Rocco

Joseph Munoz  
Joseph Munoz  
Katherine Munoz  
Katherine Munoz

CITY OF WYANDOTTE

Nancy Meade

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

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

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: June 30, 2014

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

BE IT RESOLVED by the City Council that Council concurs with the recommendation of the City Engineer regarding the release of Purchase Agreement between the City of Wyandotte and Joseph and Katherine Munoz for the property at 655 Vinewood, Wyandotte; AND

BE IT FURTHER RESOVLED that Council authorizes the Mayor and City Clerk to execute the Mutual Release of Buy and Sell Agreement; AND

BE IT FURTHER RESOLVED that Council authorizes the return of the deposit in the amount of \$558.00; AND

BE IT RESOVLED that said property be listed for sale by Downriver Real Estate Group in accordance with the NSP2 Guidelines.

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**

MEETING DATE: June 30, 2014

AGENDA ITEM #

**13**

**ITEM:** Sale of the former 562 Orange (25' x 140')

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

*Mark Kowalewski 6-24-14*

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

**BACKGROUND:** This property was purchased and demolished with TIFA funds. Recommendation is to sell this property to the adjacent property owners at 568 Orange, Clifford and Wilma Dawson, for the amount of \$1,250.00 which is based on \$50 per front footage price. The combination of the two (2) parcels will result in one (1) parcel measuring 50' x 140'.

Note the City has allowed this property to be adopted for the use of a garden. Therefore, this closing will not occur until November 1, 2014. Mr. and Mrs. Dawson have agreed to this term.

**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 Agreements to sell property to the adjacent property owners.

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

**IMPLEMENTATION PLAN:** Once approved, will schedule closing on property in the fall of 2014.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Support*

**LEGAL COUNSEL'S RECOMMENDATION:** *W Look*

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

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

LOOK, MAKOWSKI and LOOK  
ATTORNEYS AND COUNSELORS AT LAW  
PROFESSIONAL CORPORATION  
2241 OAK STREET  
WYANDOTTE, MICHIGAN 48192-5390

William R. Look  
Steven R. Makowski

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

Richard W. Look  
(1912-1993)

PURCHASE AGREEMENT

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the City of

Wyandotte, Wayne County, Michigan, described as follows:  
East 25 feet of Lot 14 Plat of Part of Wyandotte, Block 151, as recorded in Liber 1, Page 142 of Plats, Wayne County Records  
being known as the former 562 Orange Street, and to pay therefore the sum of One Thousand Two Hundred Fifty & 00/100  
(\$1,250.00) Dollars, subject to the existing building and use restrictions, easements, and zoning ordinances, if any, upon the  
following conditions;

**THE SALE TO BE CONSUMMATED BY  
PROMISSORY NOTE/MORTGAGE SALE**

<b>PROMISSORY/ MORTGAGE SALE</b>	1. The Purchase Price of \$1,250.00 plus closing costs to be determined at closing shall be paid to the Seller when the above described property is sold, refinanced, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property and the adjacent property currently owned by Purchaser. Purchaser is responsible to pay for the recording costs of the mortgage and discharge of mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. Should this property or the property at <u>568 Orange, Wyandotte, MI</u> be foreclosed on by any Financial or County Entity this property shall be returned to the Seller.
<b>Evidence of Title</b>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
<b>Time of Closing</b>	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close. 4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
<b>Purchaser's Default</b>	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
<b>Seller's Default</b>	
<b>Title Objections</b>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ _____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ _____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
<b>Taxes and Prorated Items</b>	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with due date (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. Due dates are August 1 and December 1.
<b>Broker's Authorization</b>	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.



9. The Broker is hereby authorized to make this offer and the deposit of N/A Dollars may be held by him under Act No. 112. P.A. of 1960 Sect. 13, (j) and applied on the purchase price if the sale is consummated.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

The closing of this sale shall take place at the office of \_\_\_\_\_

However, if a new mortgage is being applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: Contingent upon the following: 1. City Council approval, 2. Seller agrees, at closing, to combine this property with property currently owned by Purchaser known as 568 Orange. 3. Purchaser will be responsible for closing fees including, but not limited, to engineering & tax mapping services of Wayne County in the amount of \$150.00, title premium and recording fees. Closing fees will be included into the Promissory Note/Mortgage amount. Further, a deed restriction will be placed on the deed which will indicate that if the property at 568 Orange is foreclosed on by any entity the property being purchased under this Agreement will revert back to the City of Wyandotte. Property is being purchased in an "as is" condition.

☐ CHECK BOX IF CLOSING FEE OF \$200.00 IS TO BE PAID BY PURCHASER IS REQUIRED.

IN PRESENCE OF:

Diana Magnuson

Clifford Dawson L.S.  
Clifford Dawson Purchaser

Wilma Dawson L.S.  
Wilma Dawson Purchaser

Address 568 Orange, Wyandotte, MI 48192

Phone: 313-434-0586

Dated 6-16-14

#### BROKER'S ACKNOWLEDGMENT OF DEPOSIT

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address \_\_\_\_\_

Broker

Phone \_\_\_\_\_

By: \_\_\_\_\_

This is a co-operative sale on a \_\_\_\_\_ basis with \_\_\_\_\_

#### ACCEPTANCE OF OFFER

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of ( \_\_\_\_\_ Dollars) ( \_\_\_\_\_ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if unconsummated, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

CITY OF WYANDOTTE:

IN PRESENCE OF:

Joseph R. Peterson, Mayor L.S.  
Seller

William R. Griggs, City Clerk L.S.  
Address 3200 Biddle Ave., Wyandotte  
Seller

Dated: \_\_\_\_\_

Phone 734-324-4555

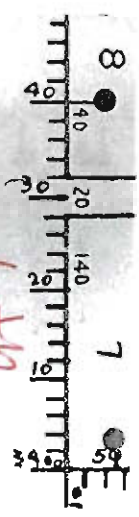
#### PURCHASER'S RECEIPT OF ACCEPTED OFFER

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

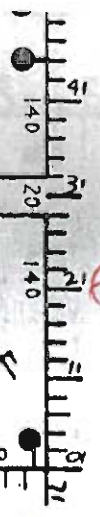
Dated \_\_\_\_\_

L.S.  
Purchaser

THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP



6+7



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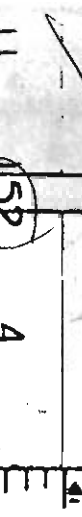
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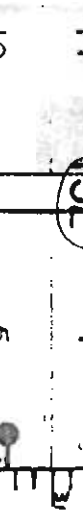
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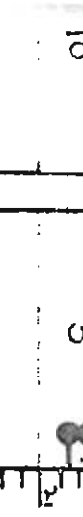
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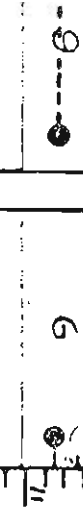
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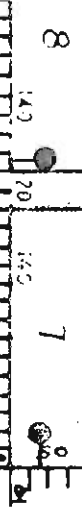
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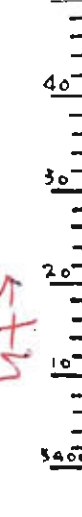
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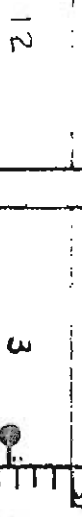
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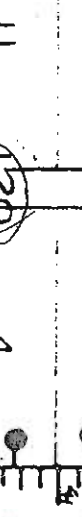
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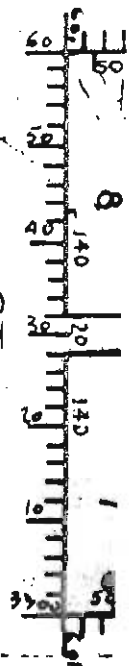
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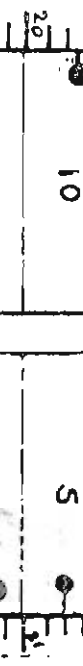
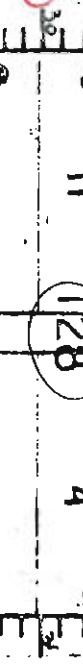
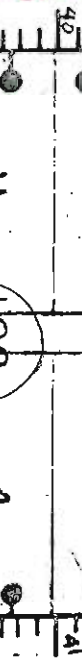
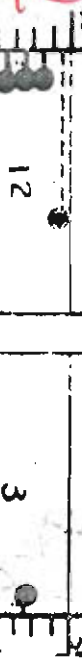
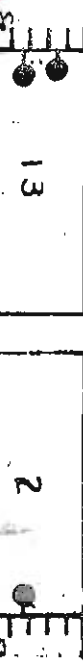
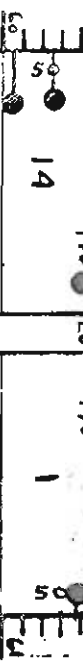
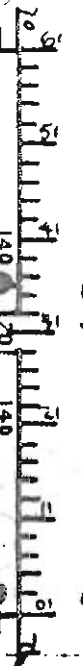
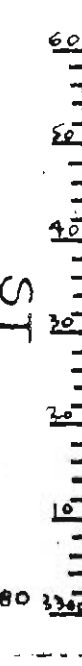
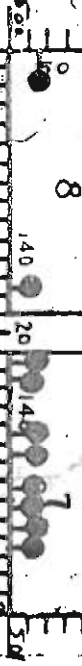
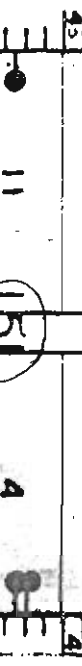
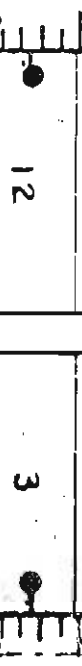
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568



ST



600



Eureka

15

SEC LINE

ST

5+7

Orange

129

152

151

128

# POLICY FOR THE SALE OF NON-BUILDABLE LOTS

## OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keelm  
CITY ASSESSOR



## COUNCIL

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

September 11, 2012.

JOSEPH R. PETERSON  
MAYOR  
RESOLUTION

Marjorie Griggs  
2442-9th Street  
Wyandotte, Michigan 48192

By Councilman Leonard Sabuda  
Supported by Councilman Todd M. Browning

RESOLVED by the City Council that the communication from Marjorie Griggs, 2442-9th Street, Wyandotte relative to the purchase of adjacent property is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer's office is directed to offer for sale all non-buildable lots at the cost of \$50.00 per front foot and to permit the purchase to be made by deferred payment. This resolution applies to any pending sales that have not yet closed.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda Stec  
NAYS: None

RESOLUTION DECLARED ADOPTED

I, William R. Griggs, City Clerk for the City of Wyandotte, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Mayor and Council of the City of Wyandotte, at the regular meeting held on September 10, 2012.

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

CC: City Engineer, City Assessor

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: June 30, 2014

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

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that Council approves the Purchase Agreement to sell the former 562 Orange to the adjacent property owners at 568 Orange, Clifford and Wilma Dawson, for the amount of \$1,250.00; AND

BE IT FURTHER RESOLVED that this closing will not take place until November 1, 2014; AND

BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said

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**

**14**

**MEETING DATE:** June 30, 2014

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

**ITEM:** Purchase Additional 96 Gallon Toters

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

*Mark Kowalewski 6-26-14*

**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 was effective. Therefore, the demand for leasing toters has increased. The Department of Public Service (DPS) desires to purchase an additional 144 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 \$6,730.56 (144 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 144- ninety-six gallon carts at a cost of \$6,730.56 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:** *Support*

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

**MAYOR'S RECOMMENDATION:** *AKM*

**LIST OF ATTACHMENTS:** None

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: June 30, 2014

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

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the recommendation of the City Engineer to purchase 144 – Ninety-Six Gallon Carts from Cascade Engineering of Grand Rapids, Michigan in the amount of \$6,730.56 from account no. 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\_\_\_\_\_

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**

MEETING DATE: June 30, 2014

AGENDA ITEM #

15

**ITEM:** Sale of the former 1141 7<sup>th</sup> Street (30' x 101')

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

*Mark Kowalewski 6-25-14*

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

**BACKGROUND:** This property was purchased and demolished with TIFA funds. Recommendation is to sell 13.5 feet of this property to the adjacent property owners at 1131 7<sup>th</sup> Street, Krystyna and Zdzislaw Jermacz, for the amount of \$675.00 which is based on \$50 per front footage price. The combination of the two (2) parcels will result in one (1) parcel measuring 58.50' x 101'.

**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 Agreements to sell property to the adjacent property owners.

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

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

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:**

*3/25/14*

**LEGAL COUNSEL'S RECOMMENDATION:**

*W. Pool*

**MAYOR'S RECOMMENDATION:**

*JK*

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

LOOK, MAKOWSKI and LOOK  
ATTORNEYS AND COUNSELORS AT LAW  
PROFESSIONAL CORPORATION  
2241 OAK STREET  
WYANDOTTE, MICHIGAN 48192-5390

William R. Look  
Steven R. Makowski

(734) 283-6500  
FAX (734) 283-4160

Richard W. Look  
(1912-1993)

PURCHASE AGREEMENT

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the City of

Wyandotte, Wayne County, Michigan, described as follows:  
The north 13.5 feet of Lot 32 Kingsley Park Subdivision, as recorded in Liber 38, Page 22 of Plats, Wayne County Records being known as part of the former 1141 7<sup>th</sup> Street, and to pay therefore the sum of Six Hundred Seventy-Five & 00/100 (\$675.00) Dollars, subject to the existing building and use restrictions, easements, and zoning ordinances, if any, upon the following conditions;

THE SALE TO BE CONSUMMATED BY

PROMISSORY NOTE/MORTGAGE SALE

<b>PROMISSORY/ MORTGAGE SALE</b>	1. The Purchase Price of <u>\$675.00 plus closing costs to be determined at closing</u> shall be paid to the Seller when the above described property is sold, refinanced, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property and the adjacent property currently owned by Purchaser. Purchaser is responsible to pay for the recording costs of the mortgage and discharge of mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. Should this property or the property at <u>1131 7<sup>th</sup> Street, Wyandotte, MI</u> be foreclosed on by any Financial or County Entity this property shall be returned to the Seller.
<b>Evidence of Title</b>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
<b>Time of Closing</b>	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close. 4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
<b>Purchaser's Default</b>	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
<b>Seller's Default</b>	
<b>Title Objections</b>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ _____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ _____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
<b>Possession</b>	
<b>Taxes and Prorated Items</b>	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with <u>due date</u> (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. <b>Due dates are August 1 and December 1.</b>
<b>Broker's Authorization</b>	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.



9. The Broker is hereby authorized to make this offer and the deposit of N/A Dollars may be held by him under Act No. 112. P.A. of 1960 Sect. 13, (j) and applied on the purchase price if the sale is consummated.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

The closing of this sale shall take place at the office of \_\_\_\_\_. However, if a new mortgage is being applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: Contingent upon the following: 1. City Council approval, 2. Seller agrees, at closing, to combine this property with property currently owned by Purchaser known as 1131 7<sup>th</sup> Street. 3. Purchaser will be responsible for closing fees including, but not limited, to engineering & tax mapping services of Wayne County in the amount of \$150.00, title premium and recording fees. Closing fees will be included into the Promissory Note/Mortgage amount. Further, a deed restriction will be placed on the deed which will indicate that if the property at 1131 7<sup>th</sup> Street is foreclosed on by any entity the property being purchased under this Agreement will revert back to the City of Wyandotte. Property is being purchased in an "as is" condition.

☐ CHECK BOX IF CLOSING FEE OF \$200.00 IS TO BE PAID BY PURCHASER IS REQUIRED.

IN PRESENCE OF:

Elzbieta Zoba

Krzyszna Jermacz L.S.  
Krzyszna Jermacz Purchaser

Zdzislaw Jermacz L.S.  
Zdzislaw Jermacz Purchaser  
Address 1131 7<sup>th</sup> Street, Wyandotte, MI 48192

Dated 6-5-2014

Phone: \_\_\_\_\_

#### **BROKER'S ACKNOWLEDGMENT OF DEPOSIT**

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address \_\_\_\_\_

Broker

Phone \_\_\_\_\_

By: \_\_\_\_\_

This is a co-operative sale on a \_\_\_\_\_ basis with \_\_\_\_\_

#### **ACCEPTANCE OF OFFER**

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of ( \_\_\_\_\_ Dollars) ( \_\_\_\_\_ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if unexecuted, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

CITY OF WYANDOTTE:

IN PRESENCE OF:

\_\_\_\_\_  
Joseph R. Peterson, Mayor L.S.  
Seller

\_\_\_\_\_  
William R. Griggs, City Clerk L.S.  
Seller  
Address 3200 Biddle Ave., Wyandotte

Dated: \_\_\_\_\_

Phone 734-324-4555

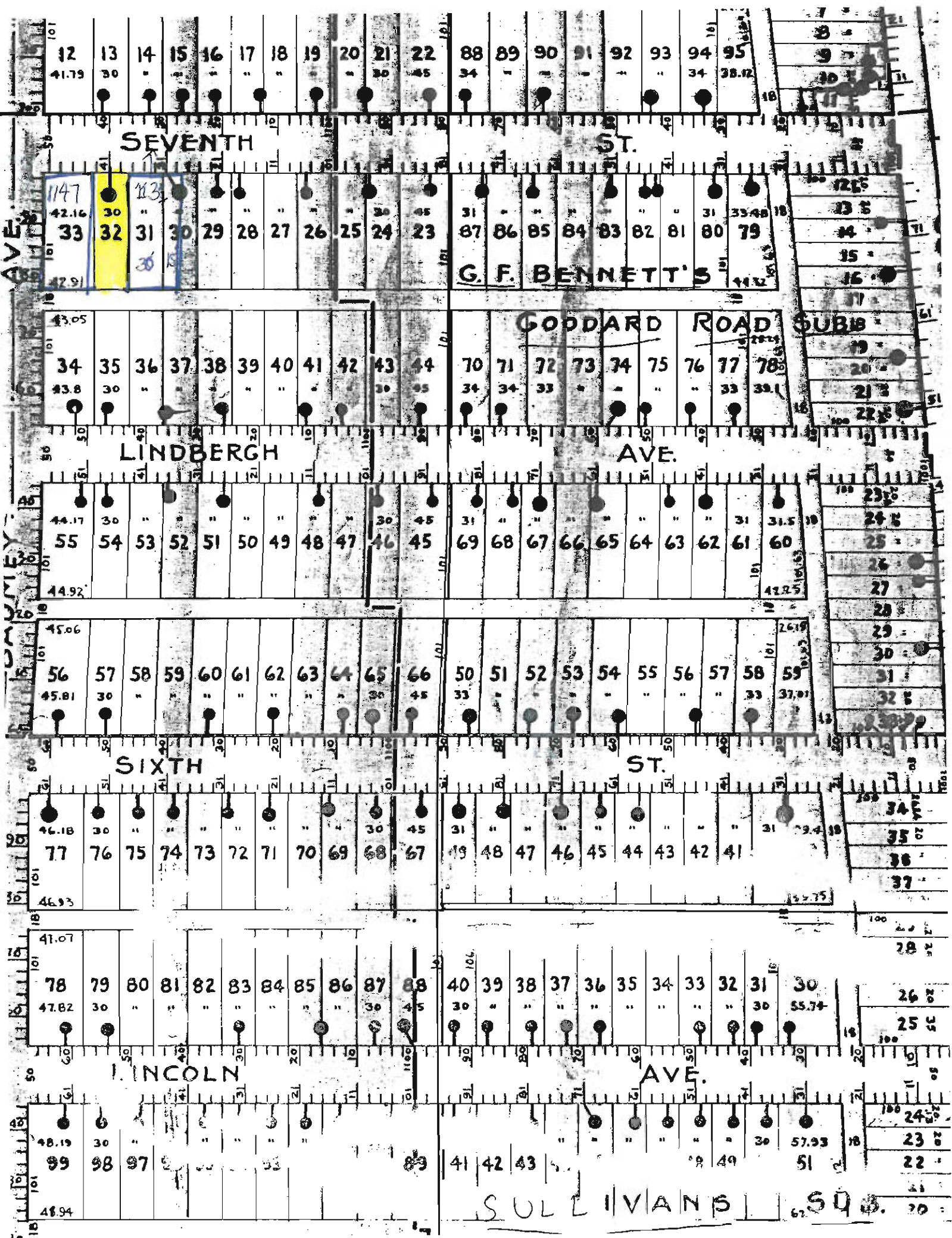
#### **PURCHASER'S RECEIPT OF ACCEPTED OFFER**

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

Dated \_\_\_\_\_

\_\_\_\_\_  
L.S.  
Purchaser

**THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP**



# POLICY FOR THE SALE OF NON-BUILDABLE LOTS

## OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keehn  
CITY ASSESSOR



## COUNCIL

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

September 11, 2012.

JOSEPH R. PETERSON  
MAYOR  
RESOLUTION

Marjorie Griggs  
2442-9th Street  
Wyandotte, Michigan 48192

By Councilman Leonard Sabuda  
Supported by Councilman Todd M. Browning

RESOLVED by the City Council that the communication from Marjorie Griggs, 2442-9th Street, Wyandotte relative to the purchase of adjacent property is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer's office is directed to offer for sale all non-buildable lots at the cost of \$50.00 per front foot and to permit the purchase to be made by deferred payment. This resolution applies to any pending sales that have not yet closed.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda Stec  
NAYS: None

RESOLUTION DECLARED ADOPTED

I, William R. Griggs, City Clerk for the City of Wyandotte, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Mayor and Council of the City of Wyandotte, at the regular meeting held on September 10, 2012.

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

CC: City Engineer, City Assessor

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan

Date: June 30, 2014

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

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that Council approves the Purchase Agreement to sell 13.5 feet of the former 1141 7<sup>th</sup> Street to the adjacent property owners at 1131 7<sup>th</sup> Street, Krystyna and Zdzislaw Jermacz, for the amount of \$675.00; AND

BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said

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**

MEETING DATE: June 30, 2014

AGENDA ITEM #

16

**ITEM:** Neighborhood Stabilization Homes (NSP3) - Sales Price

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

*Mark Kowalewski 6-25-14*

**BACKGROUND:** On, October 29, 2013, the City Council approved the listing of the NSP3 Home at 1749 2<sup>nd</sup> Street for the amount \$119,900. On March 31, 2014, Council approved reducing the sales price by 10% or to \$107,910.00. 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 home by 10% or to \$97,119.00. 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 2<sup>nd</sup> Street with Downriver Real Estate Group for \$97,119.00.

**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:** *Shupale*

**LEGAL COUNSEL'S RECOMMENDATION:** *W. Joel*

**MAYOR'S RECOMMENDATION:** *MRP*

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



## 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](http://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: June 30, 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 2<sup>nd</sup> Street to \$97,119.00 in accordance with the NSP2 Single Family Sales Program Guidelines. All buyers are also eligible to receive homebuyer subsidy between \$16,995.83 and \$62,119.00. Therefore, the minimum required mortgage amount would be \$35,000.00 and the maximum mortgage amount would be \$80,123.17.

I move the adoption of the foregoing resolution.

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

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

**YEAS**

**COUNCIL**

**NAYS**

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

cc: Downriver Real Estate Group

Ann Leen, MCD, Deputy Director of Community Development, Wayne County EDGE

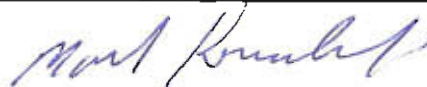
**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE:** June 3~~0~~ 2014

**AGENDA ITEM #** 17

**ITEM:** Department of Engineering – 2014 HMA Resurfacing Program

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



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

**BACKGROUND:**

On June 9, 2014, proposals were opened and read aloud in the Wyandotte City Hall for File #4639-2014 HMA Street Concrete Base Repair and Resurfacing Program. A tabulation of the proposals is attached.

The undersigned recommends acceptance of the proposal from Pavex Corporation, Trenton, Michigan, in the amount of \$418,067.90 as being the best bid received meeting specifications.

Attached is a list of the streets to be resurfaced. The work includes milling, base concrete pavement repair, utility structure adjustment and sealing, curb replacement, resurfacing and ADA crosswalks.

**STRATEGIC PLAN/GOALS:**

This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of infrastructure.

**ACTION REQUESTED:**

Approve award of contract to Pavex Corporation.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

The 2014 HMA concrete street base repair and resurfacing costs will be paid from the fiscal year 2014 Major Street Resurfacing Fund Account #202-440-825.460 (\$50,168.50), the fiscal year 2014 TIFA Street Fund Account #492-200-825.460 (\$83,613.58), and the fiscal year 2014 Local Street Resurfacing Fund Account #203-440-825.460 (\$284,286.17).



**IMPLEMENTATION PLAN:**

If approved by Council, authorize Mayor and Clerk to sign contract.

**COMMISSION RECOMMENDATION:**

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

**LEGAL COUNSEL'S RECOMMENDATION:** *W Foot*

**MAYOR'S RECOMMENDATION:**



**LIST OF ATTACHMENTS:**

Bid Summary  
List of 2014 HMA Streets  
Proposed Resolution

## OFFICIALS

William R. Griggs  
CITY CLERK

Todd M. Browning  
CITY TREASURER

Thomas R. Woodruff  
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

MAYOR  
Joseph R. Peterson

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

## BID OPENING SUMMARY

### FILE #4639 – 2014 HMA STREET CONCRETE BASE REPAIR AND RESURFACING PROGRAM

<u>CONTRACTOR</u>	<u>AMOUNT BID</u>
Pavex Corporation Trenton, MI	\$418,067.90
Century Cement Co., Inc. Riverview, MI	\$471,675.00
Ajax Paving Industries, Inc. Troy, MI	\$499,060.00
Cadillac Asphalt, LLC Belleville, MI	\$570,615.00



**OFFICIALS**

**William R. Griggs**  
CITY CLERK

**Todd M. Browning**  
CITY TREASURER

**Thomas R. Woodruff**  
CITY ASSESSOR



**MARK A. KOWALEWSKI, P.E.**  
CITY ENGINEER

**MAYOR**  
**Joseph R. Peterson**

**COUNCIL**  
**Sheri Sutherby Fricke**  
**Daniel E. Galeski**  
**Ted Miciura, Jr.**  
**Leonard T. Sabuda**  
**Donald C. Sehultz**  
**Lawrence S. Stec**

**FILE #4639 – 2014 HMA STREET CONCRETE BASE REPAIR  
AND RESURFACING PROGRAM**

**PROGRAM STREETS**

**23<sup>RD</sup> STREET – OAK STREET TO VINEWOOD AVENUE**

**ELM STREET – 15<sup>TH</sup> STREET TO 17<sup>TH</sup> STREET**

**14<sup>TH</sup> STREET – FORD AVENUE TO ALKALI STREET**

**ALKALI STREET – 15<sup>TH</sup> STREET TO 13<sup>TH</sup> STREET**

**LINDBERGH STREET – ALKALI STREET TO ANTOINE STREET**

**LABADIE STREET – 2<sup>ND</sup> STREET TO BIDDLE AVENUE**



RESOLUTION

Wyandotte, Michigan

Date: June 30, 2014

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

RESOLVED BY MAYOR AND COUNCIL that Council hereby concurs in the recommendation of the City Engineer to accept the proposal from Pavex Corporation, Trenton, Michigan, for File #4639-2014 HMA Street Concrete Base Repair and Resurfacing Program, in the amount of \$418,067.90, as being the best bid received meeting specifications, and, that the HMA concrete street base repair and resurfacing costs will be paid from the fiscal year 2014 Major Street Resurfacing Fund Account #202-440-825.460 (\$50,168.50), the fiscal year 2014 TIFA Street Fund Account #492-200-825.460 (\$83,613.58), and the fiscal year 2014 Local Street Resurfacing Fund Account #203-440-825.460 (\$284,286.17),

FURTHER, this recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of infrastructure.

FURTHER RESOLVED that all bid bonds be returned to the unsuccessful bidders.

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, Jr.	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

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

**MEETING DATE:** June 30, 2014

**AGENDA ITEM #** 18

**ITEM:** Department of Engineering – 2014 Block Grant HMA Resurfacing Program

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

*Mark Kowalewski - 6-25-14*

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

**BACKGROUND:**

On June 9, 2014, proposals were opened and read aloud in the Wyandotte City Hall for File #4640-2014 Block Grant HMA Street Concrete Base Repair and Resurfacing Program. A tabulation of the proposals is attached.

The undersigned recommends acceptance of the proposal from Ajax Paving Industries, Inc., Troy, Michigan, in the amount of \$146,042.80 as being the best bid received meeting specifications.

The work is to be performed on McKinley Street from Alkali to Antoine and includes milling, base concrete pavement repair, utility structure adjustment and sealing, curb replacement, resurfacing and ADA crosswalks.

**STRATEGIC PLAN/GOALS:**

This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of infrastructure.

**ACTION REQUESTED:**

Approve award of contract to Ajax Paving Industries, Inc.

*C*

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

The 2014 Block Grant HMA concrete street base repair and resurfacing costs will be paid from the fiscal year 2014 Block Grant Street Resurfacing Fund Account #283-200-875.684 (\$98,621.00) and, the fiscal year 2014 TIFA Street Fund Account #492-200-825.460 (\$47,421.80).

**IMPLEMENTATION PLAN:**

If approved by Council, authorize Mayor and Clerk to sign contract.

**COMMISSION RECOMMENDATION:**

**CITY ADMINISTRATOR'S RECOMMENDATION:** 

**LEGAL COUNSEL'S RECOMMENDATION:** 

**MAYOR'S RECOMMENDATION:** 

**LIST OF ATTACHMENTS:**

Bid Summary  
Proposed Resolution

## OFFICIALS

William R. Griggs  
CITY CLERK

Todd M. Browning  
CITY TREASURER

Thomas R. Woodruff  
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

MAYOR  
Joseph R. Peterson

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

## BID OPENING SUMMARY

FILE #4640 – 2014 BLOCK GRANT HMA STREET CONCRETE BASE REPAIR  
AND RESURFACING PROGRAM

### CONTRACTOR

### AMOUNT BID

Ajax Paving Industries, Inc.  
Troy, MI

\$146,042.80

Century Cement Co., Inc.  
Riverview, MI

\$148,662.50

Pavex Corporation  
Trenton, MI

\$168,404.50

Cadillac Asphalt, LLC  
Belleville, MI

\$200,633.00

RESOLUTION

Wyandotte, Michigan

Date: June 30, 2014

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

RESOLVED BY MAYOR AND COUNCIL that Council hereby concurs in the recommendation of the City Engineer to accept the proposal from Ajax Paving Industries, Inc., Troy, Michigan, for File #4640-2014 Block Grant HMA Street Concrete Base Repair and Resurfacing Program, in the amount of \$146,042.80, as being the best bid received meeting specifications, and, that the HMA concrete street base repair and resurfacing costs will be paid from the 2014 Fiscal Year Block Grant Street Resurfacing Fund Account #283-200-875.684 (\$98,621.00) and, 2014 Fiscal Year TIFA Street Fund Account #492-200-825.460 (\$47,421.80);

FURTHER, this recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of infrastructure.

FURTHER RESOLVED that all bid bonds be returned to the unsuccessful bidders.

I move the adoption of the foregoing resolution.

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

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

YEAS

COUNCIL

NAYS

\_\_\_\_\_

Fricke

\_\_\_\_\_

\_\_\_\_\_

Galeski

\_\_\_\_\_

\_\_\_\_\_

Miciura, Jr.

\_\_\_\_\_

\_\_\_\_\_

Sabuda

\_\_\_\_\_

\_\_\_\_\_

Schultz

\_\_\_\_\_

\_\_\_\_\_

Stec

\_\_\_\_\_

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

MEETING DATE: **June 30, 2014**

AGENDA ITEM #

**19**

**ITEM:** DEMOLITIONS BIDS FOR 1207 LEE STREET

**PRESENTER:** Mark Kowalewski – City Engineer

*Mark Kowalewski 6-24-14*

**INDIVIDUALS IN ATTENDANCE:** Mark Kowalewski – City Engineer

**BACKGROUND:**

Council directed the demolition of 1207 Lee Street after a show cause hearing on June 2, 2014. (Attached)

Bids were received on June 11, 2014, and Pro Excavation was determined to be the most qualified bid. See attached bids.

**STRATEGIC PLAN/GOALS:** Fostering the maintenance and development of stable and vibrant neighborhoods.

**ACTION REQUESTED:** Adopt a resolution concurring with the City Engineer selecting Pro Excavation as the contractor of record.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Expense the work form Account No. 492- *000-041-040*.

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to Pro Excavation directing them to begin demolition.

**COMMISSION RECOMMENDATION:**

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shupdals*

**LEGAL COUNSEL'S RECOMMENDATION:** *W Look*

**MAYOR'S RECOMMENDATION:** *OK gmp*

**LIST OF ATTACHMENTS:**

Council Resolution from June 2, 2014.  
Summary of bids for demolition.

	1207 Lee Street
Pro Excavation	\$7,900
Homrich	\$9,680
21st Century	\$10,600



**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. Galecki**  
**Ted Miciura Jr.**  
**Leonard T. Sabuda**  
**Donald C. Schultz**  
**Lawrence S. Stec**

June 3, 2014

**RESOLUTION**

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

By Councilman Lawrence S. Stec  
Supported by Councilwoman Sheri M. Fricke

RESOLVED by the City Council that a hearing was held on the 2nd day of June 2014, where all parties were given an opportunity to show cause, if any they had, why the dwelling at 1207 Lee, Wyandotte should not be demolished, removed or otherwise made safe, AND BE IT FURTHER RESOLVED that the Council considered all reports and recommendations previously received by the City Council from the City's Engineering Office and all other facts and considerations were brought to their attention at said hearing and at previously held Council meetings; AND BE IT RESOLVED that the City Council hereby directs that said dwelling located at 1207 Lee, Wyandotte should be DEMOLISHED and that the cost 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.

YEAS: Councilmembers Fricke 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 June 2, 2014.

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

CC: City Assessor, All interested parties, Department of Legal Affairs, Municipal Service

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan

Date: June 30, 2014

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

BE IT RESOLVED by the City Council that Council Concurs with the City Engineer in the following resolution.

A Resolution authorizing the acceptance of Pro Excavation's bid of \$7,900 for the demolition of 1207 Lee Street from account 492-200-850-519. The cost will be assessed against 1207 Lee Street; AND

000-041-040

BE IT FUTHER RESOLVED that the parties of interest shall be forwarded a copy of this resolution by the City Clerk.

I move the adoption of the foregoing resolution.

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

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

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

---

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: June 30, 2014

AGENDA ITEM #

20

**ITEM:** Leasing of City Owned Property known as the Former 1169 Orchard

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

*Mark Kowalewski 6-26-14*

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

**BACKGROUND:** The City purchased and demolished this property with TIFA Funds. Brick-Jeda Oil, 3810 11<sup>th</sup> Street, Wyandotte has been acquired by Corrigan Oil Co. Corrigan Oil Co. desires to expand the business and building foot print but would need additional parking to do so. As a temporary measure, Corrigan Oil Co., has an immediate need to park vehicles. Therefore, it is the recommendation that the City vacant lots on the south side of Orchard, the former 1169 Orchard (Lots 10 to 14 County Estates Subdivision), be leased to them for nine (9) months for \$2,000. Corrigan Oil Co. would have permission to remove any trees, remove soil up to 12" deep provided any soil removed from the site is transported to a landfill or TCLP Testing is conducted on the soil and authorization is provided from owner's accepting the soil, and allow the placement of stone for temporary parking of vehicles. If any Purchase Agreement is entered into with the Corrigan Oil Co., for the sale of this City property, then Corrigan Oil Co., would receive a \$2,000 credit towards the purchase price. A Hold Harmless Agreement will be required from the Lessee.

**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 conditions of Lease stated above subject to final approval of City Attorney and City Engineer. Authorize the Mayor and City Clerk to execute said Lease.

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

**IMPLEMENTATION PLAN:** Execute Lease

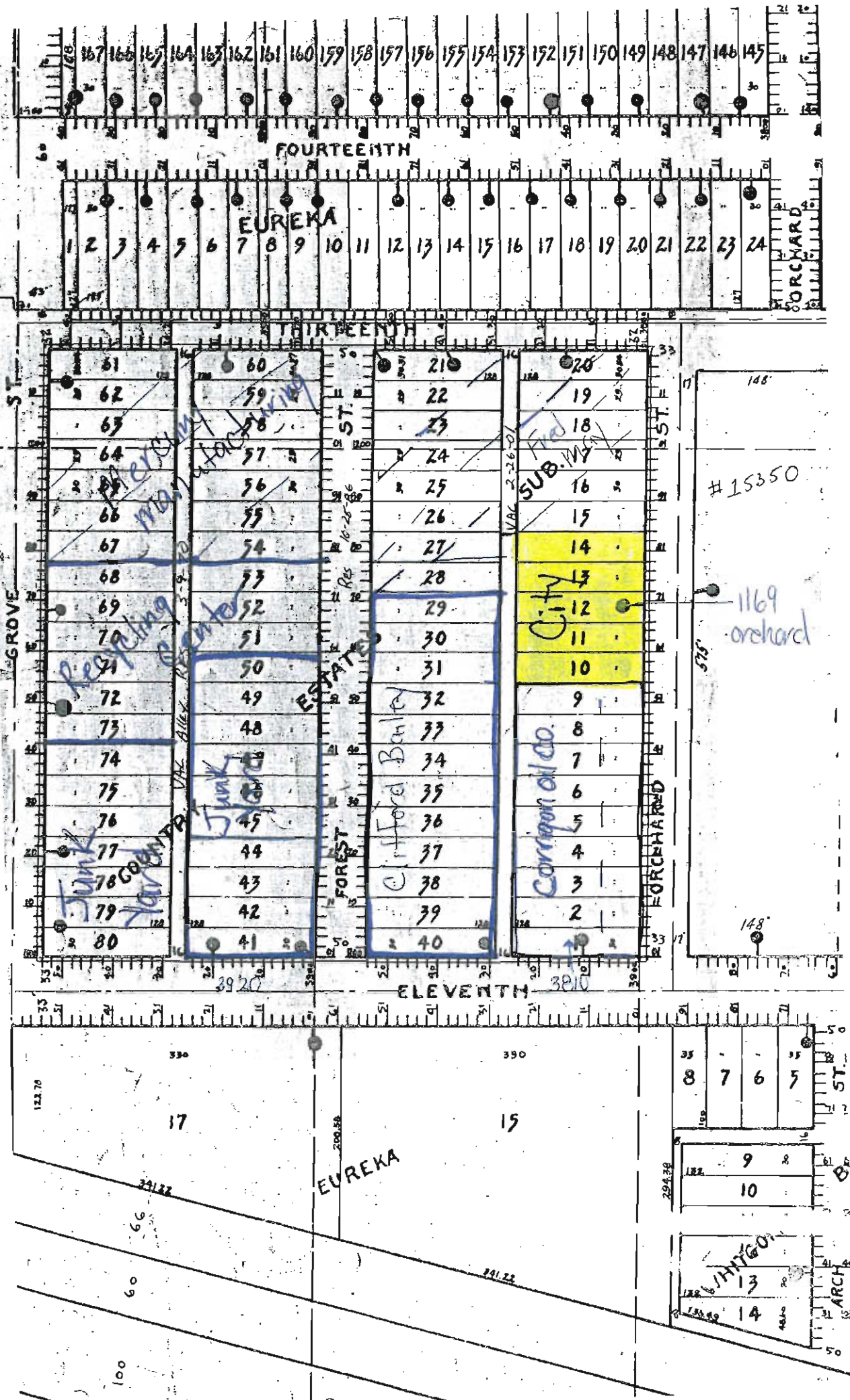
**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shupda*

**LEGAL COUNSEL'S RECOMMENDATION:** *W. Fook*

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

**LIST OF ATTACHMENTS:** Map of area.



**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: June 30, 2014

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

BE IT RESOLVED by the City Council that the City approves leasing the property known as former 1169 Orchard to Corrigan Oil Co., for nine (9) months for \$2,000, Lease conditions are subject to the approval of the City Attorney and City Engineer; AND

BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents.

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**

MEETING DATE: June 30, 2014

AGENDA ITEM #

21

**ITEM: Municipal Services Request for usage of City Owned Lots 2-4 and 10-14, Adelaide Sub during ITC Construction and closure and vacation of adjacent alley**

**PRESENTER:** Mark A. Kowalewski, City Engineer; Charlene Hudson, Power Systems Supervising Engineer

*Mark Kowalewski Charlene Hudson*

**INDIVIDUALS IN ATTENDANCE:** Charlene Hudson, Power Systems Supervising Engineer; Paul LaManes, Assistant General Manager

**BACKGROUND:** The Wyandotte Municipal Services Electric Department, Storeroom and Yard are located at 3575 11<sup>th</sup> Street and house material and equipment for Wyandotte Municipal Services. Due to the expansion by ITC for a second 120 kV feed making necessary the use of existing yard space, additional space is now necessary for storage of material and equipment.

**STRATEGIC PLAN/GOALS:** To provide the finest services and quality of life by providing reliable electric services

**ACTION REQUESTED:** Request Council to close alley; set a public hearing for the vacation of portion of an alley, and to approve the use of City Lots 2 through 4 and Lots 10-14 in the Adelaide Sub by Municipal Services

**BUDGET IMPLICATIONS:** N/A

**IMPLEMENTATION PLAN:** DPS to install alley closed signs; City Clerk to schedule Public Hearing to vacate a portion of the alley, approve the use of City Lots 2 through 4 and Lots 10-14, Adelaide Sub by Municipal Services

**COMMISSION RECOMMENDATION:** Municipal Services Commission approved resolution # 6-2014-01 at regular meeting on June 25, 2014.

**CITY ADMINISTRATOR'S RECOMMENDATION:**

*Support*

**LEGAL COUNSEL'S RECOMMENDATION:**

*Wook*

**MAYOR'S RECOMMENDATION:**

*OK*

**LIST OF ATTACHMENTS**

- Municipal Services Commission approved resolution # 6-2014-01 at regular meeting on June 25, 2014.
- Diagram showing Alley closure/vacation and City Lots 2 through 4 and Lots 10-14, Adelaide Sub

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

**MEETING DATE:** 6-25-2014

**RESOLUTION # 6-2014-01**

**ITEM:** Approval of Request to use City Owned Vacant Land and Alley Ways by the Electric Department

**PRESENTER:** Charlene Hudson, Power System Supervising Engineer

**INDIVIDUALS CONSULTED:** Rod Lesko- General Manager and Paul LaManes, Assistant General Manager

**BACKGROUND:** The Wyandotte Municipal Services Electric Department, Storeroom and Yard are located at 3575 11<sup>th</sup> Street and house material and equipment for Wyandotte Municipal Services. Due to the expansion by ITC for a second 120Kv feed making necessary the use of existing yard space, additional space is now necessary for storage of material and equipment. WMS Management intends to solicit City approval to utilize existing alleys and City property bordering the 11<sup>th</sup> Street facility to facilitate the expansion of the Electric yard.

**STRATEGIC PLAN/GOALS:** Providing Electric services in a reliable manner.

**ACTION REQUESTED:** Requesting concurrence from the Commission of plan for usage of the City owned vacant land next to the Storeroom building at 3575 11<sup>th</sup> Street and next to the Water Tower located at 987 Adelaide Street , both adjacent to the existing property for material handling and storage of the Wyandotte Municipal Services Electric Department. Legal Description for property: Lots 2, 3 and 4 off 11<sup>th</sup> Street and Lots 10-15 off Adelaide Street in the Adelaide Sub Par of Lot 7 Eureka Iron & Steel Works Sub of NW ¼ of Sec 32 T3S R11E L33 P48. Request will also be made to close and vacate the alley ways near the affected properties. Both requests are recommended by WMS Management.

**BUDGET IMPLICATIONS:** None for Fiscal 2014. Capital Budget for Fiscal 2015 expected to include request for screen fencing.

**IMPLEMENTATION PLAN:** Upon Commission approval, proceed with the necessary steps to request usage of this property from the City of Wyandotte, including a petition of adjacent property owners for vacating the alley ways.

**MAYOR'S RECOMMENDATION -**

**CITY ADMINISTRATOR'S RECOMMENDATION –**

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

**LIST OF ATTACHMENTS** – Copy of Plot Map and Scale Map of affected area.

**RESOLUTION # 06-2014-01**

**WHEREAS**, the City of Wyandotte – Department of Municipal Services Commission understands the need for material storage in the Electric Department Yard located at 3575 11<sup>th</sup> Street, and

**WHEREAS**, the Electric Department is looking to provide for such storage needs due to existing property utilized for an additional ITC electrical feed,

**WHEREAS**, the Electric Department is working with our City Engineer to vacate the alley adjacent to Lots 10 through 18 of Adelaide Sub, close the remaining alley Lots 1 to the extended west property line of Lot 10, Adelaide Sub, and allow use of City Lots 2 through 4 and Lots 10 through 14 Adelaide Sub during construction, now

**THEREFORE BE IT RESOLVED** that the City of Wyandotte -- Department of Municipal Services Commission concurs with the recommendation by WMS Management to move forward with the request to use City owned property by the Electric Department and the closure and vacation of the alley adjacent to the affected property for Electric Department Yard expansion during construction.

**ADOPTED** this 25<sup>th</sup> of June, 2014

MOTION by  
Commissioner Lupo

Supported by  
Commissioner Cole

YEAS

COMMISSIONER

NAYS

Sadowski ✓  
Lupo ✓  
Cole ✓  
Alderman  
Hughes ✓

**ATTEST:**

**WYANDOTTE MUNICIPAL SERVICE COMMISSION**

By:

Michael J. Adams  
President

By:

[Signature]  
Secretary





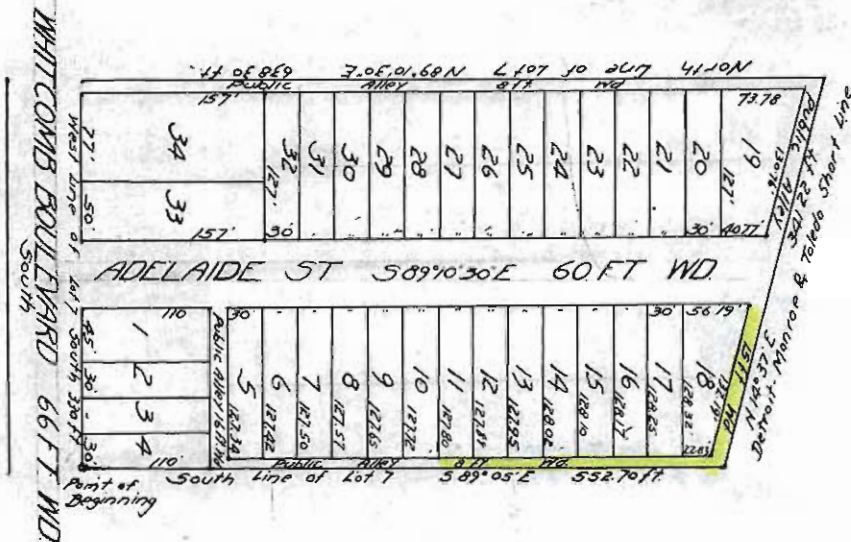
# ADELAIDE SUB.

PART OF LOT 7- EUREKA IRON & STEEL WORKS SUBD.  
OF N.W. 1/4 OF SEC. 32 T.3.S. R.11.E. ECORSE TWP  
WAYNE CO. MICH.

Scale 1 in = 100 ft

Note: All dimensions are in feet and decimals thereof

MASON L BR  
CIVIL ENG.  
820-24 CHAMBER  
DETROIT



Proposed to be  
Vacated

I hereby certify that the above plat is correct, and that the same, consisting of Slaves 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, has been placed in the ground at all angles in the boundaries, and at the intersection of all Streets or Streets and Alleys, as shown on said plat by to  
Detroit,

Engineer and Surveyor

Charles W. O'Brien  
and Ida A. O'Brien (his wife), Herman Schaefer and  
Anna Schaefer (his wife) as Proprietors  
do hereby certify that the above plat is correct, and that the same, consisting of Slaves 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, has been placed in the ground at all angles in the boundaries, and at the intersection of all Streets or Streets and Alleys, as shown on said plat by to  
Detroit,

Witness our hands and seals this 1st day of December  
1915

Charles W. O'Brien  
Ida A. O'Brien  
Herman Schaefer  
Anna Schaefer

The property hereon plan  
Iron & Steel works Subd.  
Wayne Co. Mich. - Describe  
along the south line of Lot 7  
thence along the North Line  
along the West Line of said

The above plot was on  
of the Township of Ecorse

STATE OF MICHIGAN  
COUNTY OF Wayne

On this, the 1st day of December, 1915, before  
me, a Notary Public in and for said county, personally appeared the

**MODEL RESOLUTION:**

RESOLVED BY THE MAYOR AND CITY COUNCL that Council approve the closure of the north-south alley south of Adelaide Street; set a public hearing for the vacation of portion of the east-west alley south of Adelaide Street and north-south alley south of Adelaide adjacent to Railroad; AND

BE IT RESOLVED that Council approves the use of City Lots 2 through 4 and Lots 10-14 by Municipal Services.

I move the adoption of the foregoing resolution.

Councilmen \_\_\_\_\_

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

YEAS

COUNCIL

NAYS

Stec  
Sabuda  
Fricke  
Galeski  
Schultz  
Miciura

X

RESOLUTION

Wyandotte, Michigan

RESOLUTION BY COUNCILPERSON \_\_\_\_\_

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

That it is a necessary public improvement for the health, welfare, comfort and safety of the People of the City of Wyandotte, and is deemed advisable to vacate the following land as a public alley in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

The eight (8) foot wide public alley adjacent to Lots 10 through 18, both inclusive, Adelaide Sub. of part of Lot 7, Eureka Iron & Steel Works Subd'n. of N.W. ¼ of Sec. 32, T.3.S. R.11.E. Ecorse Twp. (now City of Wyandotte), Wayne Co. Mich. as recorded in Liber 33 of Plats, Page 48, Wayne County Records.

RESOLVED FURTHER, that this Council will meet on Monday, \_\_\_\_\_, 2014, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3200 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

RESOLVED FURTHER, that the City Clerk shall give notice of such meeting, with a copy of this Resolution, in a newspaper published and circulating in said City, in accordance with the provisions of the City Charter.

I move the adoption of the foregoing Resolution.

Councilperson \_\_\_\_\_

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

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

X

NOTICE OF HEARING OF OBJECTIONS TO THE  
PROPOSED VACATION OF AN ALLEY  
IN THE CITY OF WYANDOTTE

---

NOTICE IS HEREBY GIVEN that the Council of the City of Wyandotte has heretofore determined that it is advisable and necessary to vacate the eight (8) foot wide public alley south of Adelaide extending 262.83 feet west from the railroad right-of-way in the City of Wyandotte, Wayne County, Michigan.

The eight (8) foot wide public alley adjacent to Lots 10 through 18, both inclusive, Adelaide Sub. of part of Lot 7, Eureka Iron & Steel Works Subd'n. of N.W. ¼ of Sec. 32, T.3.S. R.11.E. Ecorse Twp. (now City of Wyandotte), Wayne Co. Mich. as recorded in Liber 33 of Plats, Page 48, Wayne County Records.

That said Council will meet on Monday, \_\_\_\_\_, 2014, at 7:00 P.M., Local Time, in the Council Chambers in the City Hall of said City, 3200 Biddle Avenue, Wyandotte, Michigan, to hear objections to the proposed vacation of said described land as a public alley, in the City of Wyandotte, Wayne County, Michigan.

Dated at Wyandotte, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WILLIAM R. GRIGGS  
City Clerk  
City of Wyandotte

RESOLUTION

Wyandotte, Michigan

RESOLUTION BY COUNCILPERSON \_\_\_\_\_

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

That it is a necessary public improvement for the health, welfare, comfort and safety of the People of the City of Wyandotte, and is deemed advisable to vacate the following land as a public alley in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

The fifteen (15) foot wide public alley abutting the easterly lot line of Lot 18, Adelaide Sub. of part of Lot 7, Eureka Iron & Steel Works Subd'n. of N.W. ¼ of Sec. 32, T.3.S. R.11.E. Ecorse Twp. (now City of Wyandotte), Wayne Co. Mich. as recorded in Liber 33 of Plats, Page 48, Wayne County Records.

RESOLVED FURTHER, that this Council will meet on Monday, \_\_\_\_\_, 2014, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3200 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

RESOLVED FURTHER, that the City Clerk shall give notice of such meeting, with a copy of this Resolution, in a newspaper published and circulating in said City, in accordance with the provisions of the City Charter.

I move the adoption of the foregoing Resolution.

Councilperson \_\_\_\_\_

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

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

X

NOTICE OF HEARING OF OBJECTIONS TO THE  
PROPOSED VACATION OF AN ALLEY  
IN THE CITY OF WYANDOTTE

---

NOTICE IS HEREBY GIVEN that the Council of the City of Wyandotte has heretofore determined that it is advisable and necessary to vacate the fifteen (15) foot wide public alley south of Adelaide running north and south 132.19 feet adjacent to the railroad right-of-way in the City of Wyandotte, Wayne County, Michigan.

The fifteen (15) foot wide public alley abutting the easterly lot line of Lot 18, Adelaide Sub. of part of Lot 7, Eureka Iron & Steel Works Subd'n. of N.W. ¼ of Sec. 32, T.3.S. R.11.E. Ecorse Twp. (now City of Wyandotte), Wayne Co. Mich. as recorded in Liber 33 of Plats, Page 48, Wayne County Records.

That said Council will meet on Monday, \_\_\_\_\_, 2014, at 7:00 P.M., Local Time, in the Council Chambers in the City Hall of said City, 3200 Biddle Avenue, Wyandotte, Michigan, to hear objections to the proposed vacation of said described land as a public alley, in the City of Wyandotte, Wayne County, Michigan.

Dated at Wyandotte, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WILLIAM R. GRIGGS  
City Clerk  
City of Wyandotte

7

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

22

**MEETING DATE:** June 30, 2014

**AGENDA ITEM #**

**ITEM:** Labadie Park Neighborhood Master Deed Amendment

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

*Mark Kowalewski*  
*6-26-14*

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

**BACKGROUND:**

For the purposes of the development, the City of Wyandotte is named as the developer of the Labadie Park Neighborhood condominium project. The project is ready to expand from twenty three (23) units to twenty nine (29) units. This expansion necessitates, in accordance with Article VI, an amendment to Article II of the Master Deed. The attached "Second Amendment to the Amended and Restated Master Deed of Labadie Park Neighborhood Condominium" will accomplish this.

**STRATEGIC PLAN/GOALS:** Neighborhood Renewal and Development

**ACTION REQUESTED:**

Adopt the "Second Amendment to the Amended and Restated Master Deed of Labadie Park Neighborhood Condominium"

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** None

**IMPLEMENTATION PLAN:** City Attorney to record amendment.


**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** ok'd By T. Drysdale/KC



**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:**

A handwritten signature in black ink, reading "Joseph R. Peterson". The signature is written in a cursive style with a horizontal line underlining the name.

**LIST OF ATTACHMENTS:**

1. Second Amendment to the Amended and Restated Master Deed of Labadie Park Neighborhood Condominium
2. Labadie Park Neighborhood Condominium Plans Sheets 1 thru 9

## SECOND AMENDMENT TO THE AMENDED AND RESTATED MASTER DEED OF LABADIE PARK NEIGHBORHOOD CONDOMINIUM

The City of Wyandotte, a Michigan municipal corporation, whose address is 3200 Biddle Avenue, Wyandotte, Michigan 48192, being the Developer of Labadie Park Neighborhood Condominium, a Condominium Project established pursuant to the Amended and Restated Master Deed ("Master Deed") thereof, recorded in Liber 49218, Page 982 through 1047, First Amendment to the Amended and Restated Master Deed recorded in Liber 50835, Page 619, Wayne County Records, and known as Wayne County Condominium Subdivision Plan No. 876, hereby amends the Master Deed of Labadie Park Neighborhood Condominium pursuant to the authority reserved in Article VI thereof for the purposes of enlarging the Condominium Project from 23 to 29 Units by the addition of the land described in paragraph 1 to Article II of the Master Deed. Upon recordation in the Office of the Wayne County Register of Deeds of this Amendment, said Master Deed and Exhibit B shall be amended in the following manner:

1. The following land shall be added to Article II of the Master Deed of Labadie Park Neighborhood Condominium by this Amendment:

### LEGAL DESCRIPTION : (PROPERTY ADDED BY REPLAT NO. 3)

#### (PART OF AREA DESCRIBED AS PART 3 IN REPLAT NO. 2)

PART OF LOT 68 AND ALSO PART OF VACATED LABADIE STREET THEREOF, CHAS H. RIOPELLE SUB. NO. 1 OF THE EAST PART OF PRIVATE CLAIM 179 LYING EAST OF THE D.T. & I.R.R. AND WEST OF LABADIE & REAUME'S SUB. AS RECORDED IN LIBER 39 OF PLATS, PAGE 50, WAYNE COUNTY RECORDS, BEGINNING AT A POINT BEING N84°42'52"E 119.29'; THENCE S05°38'51"E 11.93'; THENCE S84°31'01"W 299.97' TO THE WEST LINE OF SECOND ST. 55' WIDE AS NOW ESTABLISHED; THENCE S05°30'00"E 95.00' FROM THE NORTHWEST CORNER OF SAID LOT 68 OF CHAS H. RIOPELLE SUB. NO. 1 AND PROCEEDING THENCE S05°30'00"E 95.16' ALONG SAID WEST RIGHT OF WAY LINE OF SECOND STREET; THENCE S84°30'00"W 149.09'; THENCE N05°30'00"W 75.16'; THENCE S84°30'00"W 151.61 TO A POINT ON THE EASTERLY R.O.W. LINE OF THIRD STREET 50' WD.; THENCE FOLLOWING TWO COURSES ALONG SAID EASTERLY LINE OF THIRD STREET A CURVE TO LEFT HAVING LEFT HAVING A RADIUS OF 150.00', ARC LENGTH OF 16.91', CHORD BEARING N02°23'04"W AND DISTANCE OF 16.90'; THENCE N05°38'51"W 3.12'; THENCE N84°30'00"E 299.78' TO THE POINT OF BEGINNING. CONTAINING 0.396 ACRES OF LAND.

2. Article III, Section 15, of the Master Deed of Labadie Park Neighborhood Condominium, as set forth below shall replace and supersede Article III, Section 15, as originally recorded, and Article III, Section 15, as originally recorded shall be of no further force or effect.

#### *Amended Article III, Section 15:*

Section 15. **Unit or Condominium Unit.** "Unit" or "Condominium Unit" each mean a single Unit in Labadie Park Neighborhood Condominium as the same is described in Article V, Section 1 hereof and on Exhibit B hereto, and shall have the same meaning as the term "Condominium Unit"

as defined in the Act. All structures and improvements now or hereafter located within the boundaries of a Unit shall be owned in their entirety by the Co-Owner of the Unit within which they are located and shall not, unless otherwise expressly provided in the Condominium Documents, constitute Common Elements. There are 3 different types of Condominium Units in Labadie Park Neighborhood Condominium which are described on Exhibit B hereto. The different types of Condominium Units are as follows:

(a) Villas Unit. "Villas Unit" is a typical site type condominium unit. Unit numbers 32, 33, 34, 52, 53 and 54, are Villas Units.

(b) Manors Unit. "Manors Unit" is a typical attached type condominium unit. Unit numbers 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 are Manors Units.

(c) Townhouse Unit. "Townhouse Unit" is a site type condominium unit where attached dwellings are divided by a unit boundary which splits a common wall. Unit numbers 23, 24, 25, 26, 27, 28, 29, 30 and 31, are Townhouse Units.

3. Article V, Section 2, of the Master Deed of Labadie Park Neighborhood Condominium, as set forth below shall replace and supersede Article V, Section 2, as originally recorded, and Article V, Section 2, as originally recorded shall be of no further force or effect.

***Amended Article V, Section 2, of the Master Deed:***

Section 2. **Percentage of Value.** The percentage of value assigned to each Unit is equal. There are 29 Units numbered 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 in Labadie Park Neighborhood Condominium and the percentage of value for each Unit is 1/29. The percentages of value were computed on the basis of comparative characteristics of the Units and concluding that there are not material differences among them insofar as the allocatable expenses of maintenance for each Units with respect to the General Common Elements. The total value of the Project is precisely 100%. The percentage of value assigned to each Unit shall be determinative of each Co-owner's respective share of the Common Elements of the Condominium Project, the proportionate share of each respective Co-owner in the proceeds and expenses of the administration and the value of such Co-owner's vote at meetings of the Association of Co-owners.

4. Article VI, Section 1, of the Master Deed of Labadie Park Neighborhood Condominium, as set forth below shall replace and supersede Article VI, Section 1, as originally recorded, and Article VI, Section 1, as originally recorded shall be of no further force or effect.

***Amended Article VI, Section 1, of the Master Deed:***

Section 1. **Area of Future Development.** The Condominium Project established pursuant to this Master Deed of Labadie Park Neighborhood Condominium and consisting of 29 Units is

intended to be the first stage of an Expandable Condominium under the Act to contain in its entirety a maximum of approximately 85 Units. Additional Units, if any, will be constructed upon all or some portion or portions of the following described land:

#### LEGAL DESCRIPTION : (PROPOSED FUTURE DEVELOPMENT)

##### PART 3

PART OF LOT 68 CHAS H. RIOPELLE SUB. NO. 1 OF THE EAST PART OF PRIVATE CLAIM 179 LYING EAST OF THE D.T. & I.R.R. AND WEST OF LABADIE & REAUME'S SUB. AS RECORDED IN LIBER 39 OF PLATS, PAGE 50, WAYNE COUNTY RECORDS, BEGINNING AT A POINT BEING N84°42'52"E 119.29' AND S05°36'51"E 11.93' FROM THE NORTHWEST CORNER OF SAID LOT 68 OF CHAS H. RIOPELLE SUB. NO. 1 AND PROCEEDING THENCE N84°31'01"E 299.97' TO THE WEST LINE OF SECOND ST. 55' WIDE AS NOW ESTABLISHED; THENCE S05°30'00"E 95.00'; THENCE S84°30'00"W 299.78' TO A POINT ON THE EASTERLY R.O.W. LINE OF THIRD STREET 50' WD.; THENCE N05°36'51"W 95.09' ALONG SAID EASTERLY LINE OF THIRD STREET TO THE POINT OF BEGINNING. CONTAINING 0.654 ACRES OF LAND.

##### PART 4

PART OF LOTS 47-54, ASSESSOR'S WYANDOTTE PLAT NO. 4 OF LOTS 21 TO 30 INCLUSIVE OF THE SUBDIVISION OF PRIVATE CLAIM 112 FOR THE HEIRS OF ANTOINE LABADIE, DECEASED, AS RECORDED IN LIBER 65 OF PLATS, PAGE 31 OF WAYNE COUNTY RECORDS, AND PART OF LOTS 58-68 CHAS H. RIOPELLE SUB. NO. 1 OF THE EAST PART OF PRIVATE CLAIM 179 LYING EAST OF THE D.T. & I.R.R. AND WEST OF LABADIE & REAUME'S SUBDIVISION AS RECORDED IN LIBER 39 OF PLATS, PAGE 50, WAYNE COUNTY RECORDS INCLUDING VACATED LABADIE ST., SECOND ST., AND THE ADJACENT VACATED ALLEY THEREOF, DESCRIBED AS BEGINNING AT A POINT BEING N84°30'01"E 21.17' AND S00°00'00"E 33.81' FROM THE NORTHWEST CORNER OF LOT 47 OF SAID ASSESSOR'S WYANDOTTE PLAT NO. 4; THENCE N84°30'00"E 286.90'; THENCE N05°23'05"W 98.91'; THENCE S84°30'00"W 259.13'; THENCE S10°17'14"W 102.79' TO THE POINT OF BEGINNING. CONTAINING 0.62 ACRES OF LAND.

##### PART 5

PART OF LOTS 67 & 68, PART OF VACATED SECOND ST., AND THE ADJACENT VACATED ALLEYS THEREOF, CHAS H. RIOPELLE SUBDIVISION NO. 1 OF THE EAST PART OF PRIVATE CLAIM 179 LYING EAST OF THE D.T. & I.R.R. AND WEST OF LABADIE & REAUME'S SUB. AS RECORDED IN LIBER 39 OF PLATS, PAGE 50, WAYNE COUNTY RECORDS, AND PART OF LOTS 43 TO 45 AND PART OF LOT 46, AND THE VACATED ALLEY THEREOF, ASSESSOR'S WYANDOTTE PLAT NO. 4 OF LOTS 21 TO 30 INCLUSIVE OF THE SUBDIVISION OF PRIVATE CLAIM 112 FOR THE HEIRS OF ANTOINE LABADIE, DECEASED, AS RECORDED IN LIBER 65 OF PLATS, PAGE 31 OF WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS BEGINNING ON THE NORTHERLY LINE OF ST. JOHNS STREET 49.94' WIDE AS PLATTED AND EAST LINE OF D.T. & I.R.R. AND PROCEEDING THENCE ALONG SAID EAST LINE OF D.T. & I.R.R. N10°17'14"E 542.57' TO THE SOUTH LINE OF BENNETT ST. 50' WIDE AS NOW ESTABLISHED; THENCE ALONG SAID SOUTH LINE N84°31'01"E 72.79' TO THE WEST LINE OF THIRD ST. 50' WIDE. THENCE ALONG SAID LINE S05°36'51"E 98.33'; THENCE ALONG A CURVE TO THE RIGHT HAVING RADIUS OF 100.00', ARC LENGTH OF 27.75', CHORD BEARING S02°20'12"W AND DISTANCE 27.68'; THENCE S10°17'14"W 314.67'; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 139.00', ARC LENGTH OF 38.30', CHORD BEARING S02°23'37"W 38.18'; THENCE S05°30'02"E 55.73' TO THE NORTH LINE OF SAID ST. JOHNS ST.; THENCE ALONG SAID LINE S84°30'00"W 125.98' TO THE POINT OF BEGINNING. CONTAINING 1.233 ACRES OF LAND.

##### PART 6

PART OF LOTS 67-74 OF ASSESSOR'S WYANDOTTE PLAT NO. 4 OF LOTS 21 TO 30 INCLUSIVE OF THE SUBDIVISION OF PRIVATE CLAIM 112 FOR THE HEIRS OF ANTOINE LABADIE, DECEASED, AS RECORDED IN LIBER 65 OF PLATS, PAGE 31 OF WAYNE COUNTY RECORDS, DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF D.T. & I.R.R. AND BEING N10°17'14"E 8.31' FROM THE SOUTHWEST CORNER OF LOT 74 AND PROCEEDING THENCE ALONG SAID EAST LINE N10°17'14"E 163.85' TO THE SOUTH LINE OF ST. JOHNS STREET 49.94' WIDE AS PLATTED; THENCE ALONG SAID LINE N84°30'00"E 531.28'; THENCE S00°25'01"W 158.53'; THENCE S84°30'00"W 559.52' TO THE POINT OF BEGINNING. CONTAINING 1.974 ACRES OF LAND.

##### PART 7

PART OF LOT 68, CHAS H. RIOPELLE SUBDIVISION NO. 1 OF THE EAST PART OF PRIVATE CLAIM 179 LYING EAST OF THE D.T. & I.R.R. AND WEST OF LABADIE & REAUME'S SUBDIVISION AS RECORDED IN LIBER 39 OF PLATS, PAGE 50, WAYNE COUNTY RECORDS, BEGINNING AT A POINT BEING N84°30'00"E 75.68' FROM THE NORTHEAST CORNER OF LOT 67 OF SAID CHAS H. RIOPELLE SUBDIVISION NO. 1 TO A POINT ON EAST RIGHT OF WAY LINE OF THIRD STREET (50' WIDE) AND N10°17'14"E 16.52' ALONG SAID EAST RIGHT OF WAY LINE OF THIRD STREET; THENCE CONTINUING N10°17'14"E 52.92' ALONG SAID EAST RIGHT OF WAY LINE OF THIRD STREET AND CURVE TO LEFT HAVING A RADIUS OF 150.00', ARC LENGTH OF 24.72', CHORD BEARING N05°33'59"E AND DISTANCE 24.69'; THENCE S84°30'00"E 151.61'; THENCE S05°30'00"E 75.16'; THENCE S84°30'00"W 170.74' TO THE POINT OF BEGINNING. CONTAINING 0.276 ACRES OF LAND.

5. Amended Sheets 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the Condominium Subdivision Plan of Labadie Park Neighborhood Condominium as attached hereto, shall replace and supersede Sheets 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the Condominium Subdivision Plan of Labadie Park Neighborhood Condominium as originally recorded, and originally recorded sheets 1, 2, 3, 4, 5, 6, 7, 8 and 9, shall be of no further force or effect. The legal description of the Condominium Premises contained on said Amended Sheet 1 shall replace and supersede the description of said Premises contained in Article II of the originally recorded Master Deed.

6. Sheet 10 is a new sheet which is being added to Condominium Subdivision Plan of Labadie Commons Neighborhood Condominium.

In all respects, other than as hereinabove indicated, the original Master Deed of Labadie Park Neighborhood Condominium, including the Bylaws and Condominium Subdivision Plan respectively attached thereto as Exhibits A and B, recorded as aforesaid, is hereby ratified, confirmed and redeclared.

Dated this \_\_\_\_\_, day of \_\_\_\_\_, 2014.

CITY OF WYANDOTTE, a Michigan municipal  
corporation

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

By: \_\_\_\_\_  
William R. Griggs, Clerk

STATE OF MICHIGAN            )  
  ) SS.  
COUNTY OF                    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the foregoing instrument was acknowledged before me by Joseph R. Peterson, the Mayor, and by William R. Griggs, the Clerk, of the City of Wyandotte, a Michigan municipal corporation, on behalf of it.

\_\_\_\_\_  
Notary Public  
Acting in \_\_\_\_\_ County, Michigan  
My Commission Expires: \_\_\_\_\_

***Drafted by:***

Mark J. Abdo, Attorney at Law  
43928 Mound Road, Suite 100  
Sterling Heights, Michigan 48314  
***When recorded, return to drafter***

WAYNE COUNTY CONDOMINIUM SUBDIVISION PLAN NO.876

**DEVELOPER:**  
CITY OF WYANDOTTE  
3200 BIDDLE AVE.  
WYANDOTTE, MICHIGAN 48192

**ENGINEER:**  
LAND DEVELOPMENT CONSULTING SERVICES, INC.  
46600 ROMEO PLANK, SUITE 2  
MACOMB, MI 48044  
(586) 868-2150

**SURVEYOR:**  
METROPOLITAN LAND CONSULTANT, INC.  
3737 SCHOOLCRAFT ROAD  
LIVONIA, MI 48150  
(734) 464-0822

# INDEX OF DRAWINGS

No.	TITLE
* 1	COVER SHEET
* 2	SURVEY PLAN
* 3	SITE PLAN
* 4	UTILITY PLAN
* 5	COORDINATE PLAN
* 6	FOUNDATION PLAN ( UNITS 55-68 )
* 7	FIRST FLOOR PLAN ( UNITS 55-68 )
* 8	SECOND FLOOR PLAN ( UNITS 55-68 )
* 9	CROSS SECTION-1
* 10	CROSS SECTION-2

NOTE:

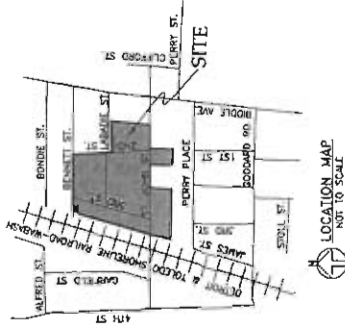
"THE ASTERISK (\*) AS SHOWN IN THE SHEET INDEX INDICATES NEW OR AMENDED DRAWINGS WHICH ARE DATED OCTOBER 08, 2012. THESE DRAWINGS ARE TO REPLACE OR BE SUPPLEMENTAL TO THOSE PREVIOUSLY RECORDED."

## COVER SHEET

PROPOSED JANUARY 31, 2014

SHEET 1 of 10

PHOTO SERVICES, INC.  
PHONE: (586) 868-2350  
FAX: (586) 868-2351



## LEGAL DESCRIPTION: (PROPERTY ADDED BY REPLAT NO. 31)

(PART OF AREA DESCRIBED AS PART 3 IN REPLAT. NO. 3.)

[illegible]

## LEGAL DESCRIPTION: (PROPOSED FUTURE DEVELOPMENT)

[illegible][illegible]

PART 1 OF LOT 67 & 68, PART OF WAGONER BEARING S1 AND THE ADJACENT VACATED ALBERT TRACT, CHAS. H. RUSSELL SUBDIVISION, S1, OF THE EAST PART OF PRIVATE CLAIM NO. 179, 178 AND 177, 176, 175, 174, 173, 172, 171, 170, 169, 168, 167, 166, 165, 164, 163, 162, 161, 160, 159, 158, 157, 156, 155, 154, 153, 152, 151, 150, 149, 148, 147, 146, 145, 144, 143, 142, 141, 140, 139, 138, 137, 136, 135, 134, 133, 132, 131, 130, 129, 128, 127, 126, 125, 124, 123, 122, 121, 120, 119, 118, 117, 116, 115, 114, 113, 112, 111, 110, 109, 108, 107, 106, 105, 104, 103, 102, 101, 100, 99, 98, 97, 96, 95, 94, 93, 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, 0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670,

PAGE 6 PART 6

PART 7

OF THE EAST PART OF PRIVATE CLAIM 175, LYING EAST OF THE S1, S1 & 1/2 R. AND WEST OF LABARGE & BEAULIEU'S SUBDIVISION AS RECORDED IN LIBER 309 OF PLATS, PAGE 20, WAYNE COUNTY, RECORDS, BEGINNING AT A POINT BEING N84°30'00" E 75.86' FROM THE NORTHEAST CORNER OF LOT 67 OF SAID CLAIM 1, ALONG THE SUBDIVISION S1, TO A POINT ON SAID RIGHT OF WAY LINE OF THIRD STREET, HENCE S10°17'10" E 16.62' ALONG SAID EAST RIGHT OF WAY LINE OF THIRD STREET, HENCE CONTINUING N107°17'40" E 53.92' ALONG SAID EAST RIGHT OF WAY LINE OF THIRD STREET, HENCE S10°17'10" E 16.62' ALONG SAID RIGHT OF WAY LINE OF THIRD STREET, HENCE S84°10'00" W 170.74' TO THE POINT OF BEGINNING, CONTAINING 0.276 ACRES OF LAND.

NORTH 33°10'00" E 24.69' HENCE S84°10'00" E 151.61' HENCE S00°00'00" E 75.16' HENCE S84°10'00" W 170.74' TO THE POINT OF BEGINNING, CONTAINING 0.276 ACRES OF LAND.

# **SURVEYOR'S CERTIFICATE**

1. PAUL W. KINNUNEN, PROFESSIONAL SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS WAYNE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 123456789, IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS AND INTERESTS THEREIN, AND THAT THERE ARE NO EXISTING ENCUMBRANCES UPON THE LANDS AND INTERESTS HEREIN DESCRIBED.

THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN ACCORDANCE WITH THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

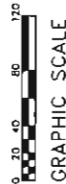
THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

THAT THE BEARINGS AS SHOWN ARE NOTED ON SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

REGISTRATION NUMBER 48781  
PAUL W. KINNUNEN, P.S.  
37451 SCHOOLCRAFT  
LIVONIA, MI 48150



SCALE: 1" = 40'



GRAPHIC SCALE

## **SURVEY PLAN**

PROPOSED JANUARY 31, 2014

LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 2 of 10

**LAND DEVELOPMENT CONSULTING SERVICES, INC.**  
16600 CONEO PLANK, SUITE 2  
MACOMB, MI 48041  
PHONE: (989)868-2350  
FAX: (989)868-2351

**BASIS OF BEARING**  
BEARING DATUM IS BASED ON SOUTH LINE OF "ASSESSOR'S WYANDOTTE PLAT NO. 4," AS RECORDED IN LIBER 65, PAGE 31 OF PLATS, WAYNE COUNTY RECORDS.



LOCATION MAP  
NOT TO SCALE

### **BENCHMARKS**

- BM#1  
PK NAIL NORTH SIDE OF UTILITY POLE 30' WEST OF HOUSE  
# 221 ST. JOHN STREET, ELEV. 582.52 N.G.D. 1929
- BM#2  
ARROW ON HYDRANT, NORTH SIDE OF ST. JOHNS ST.,  
FRONT OF HOUSE # 163, ELEV. 585.42 N.G.D. 1929
- BM#3  
PK NAIL SOUTH SIDE ST. JOHNS ST., 50' WEST OF  
BUDDLE ST. ELEV. 583.53 N.G.D. 1929

### **PROPERTY LINE CURVE TABLE**

NO.	ARC	CHORD	BEARING	Δ DIST.
C1	100.00'	27.75'	S02°00'00" E	27.68'
C2	130.00'	38.50'	S02°00'00" E	38.18'
C3	160.00'	49.25'	S02°00'00" E	48.86'
C4	190.00'	59.99'	S02°00'00" E	59.54'
C5	220.00'	70.73'	S02°00'00" E	70.22'
C6	250.00'	81.47'	S02°00'00" E	80.90'
C7	280.00'	92.21'	S02°00'00" E	91.64'
C8	310.00'	102.95'	S02°00'00" E	102.38'

**FLOOD PLAIN NOTE:**  
LABADIE PARK NEIGHBORHOOD CONDOMINIUM IS NOT  
LOCATED IN FLOOD PRONE AREA AS DETERMINED BY  
NATIONAL FLOOD INSURANCE PROGRAM FOR CITY OF  
OF 277 CONSUMERS # 2818400000, PLAT 407  
FEBRUARY 02, 2012.

### **LEGEND:**

- 52 UNIT NUMBER
- ⊕ BENCHMARK
- FOUND IRON ROD
- SET MONUMENT (MONUMENTS ARE  
1/2" DIA. IRON BARS, 3' LONG  
ENCASED IN 4" DIA. CONCRETE  
CYLINDERS)

### **NOTE:**

PER RULE 404 (3) 1/2" DIA. x 18" LONG  
IRON RODS HAVE BEEN SET AT THE UNIT  
CORNERS FOR UNITS 22 THRU 34 AND  
UNITS 52 THRU 54.



GEO. PERRY 5400' N. LIBER 25, PAGE 27, W.C.M.

# **BASIS OF BEARING**

BEARING DATUM IS BASED ON SOUTH LINE OF "ASSESSOR'S WYANDOTTE PLAT NO. 4" AS RECORDED IN LIBER 65, PAGE 31 OF PLATS, WAYNE COUNTY RECORDS.

INTERSECTION OF THE EAST LINE OF RAILROAD AND NORTHEAST CORNER OF LOT 66

SITE

LOCATION MAP

## **BENCHMARKS**

BM#1  
PK NAIL NORTH SIDE OF UTILITY POLE 30' WEST OF HOUSE # 221 ST. JOHN STREET. ELEV. 582.52 N.G.V.D. 1929

BM#2  
ARROW ON HYDRANT, NORTH SIDE OF ST. JOHN'S ST., FRONT OF HOUSE # 163. ELEV. 585.42 N.G.V.D. 1929

BM#3  
PK NAIL, SOUTH SIDE ST. JOHN'S ST., 50' WEST OF SIDDLE ST. ELEV. 583.53 N.G.V.D. 1929

UNIT #	FIRST FLOOR ELEVATION
23	586.44
24	586.44
25	586.44
26	586.44
27	586.44
28	586.44
29	586.44
30	586.44
31	586.44
32	586.44
33	586.44
34	586.44
52	585.10
53	584.80
54	583.78

INTERSECTION OF THE EAST LINE OF RAILROAD AND NORTH LINE OF ST. JOHN'S STREET

## **PROPERTY LINE CURVE TABLE**

NO.	RADIUS	ARC	CHORD BEARING & DIST.
C1	150.00	21.70	S62°20'12"W 27.68
C2	150.00	38.50	S07°22'27"W 38.18
C3	150.00	24.72	N08°33'59"E 24.89
C4	86.00	24.52	N02°23'33"E 24.40
C5	150.00	18.91	N02°23'04"E 18.90
C6	25.00	39.32	S50°26'32"E 35.39

INTERSECTION OF THE EAST LINE OF RAILROAD AND SOUTH LINE OF SUBDIVISION

BENNETT STREET 50 FT. WIDE

PROPOSED FUTURE DEVELOPMENT AREA

PROPOSED FUTURE DEVELOPMENT AREA

LABADIE STREET (PRIVATE)

OPEN SPACE

ST. JOHN'S STREET 40.94' WIDE

PROPOSED FUTURE DEVELOPMENT AREA

SECOND STREET 55 FT. WIDE

SECOND ST. 50 FT.

ASSESSOR'S WYANDOTTE PLAT NO. 4

GEO PERRY SUBD'N., LIBER 25, PAGE 27, W.C.R.



SCALE: 1" = 40'



GRAPHIC SCALE

EXISTING 16' ALLEY SUBJECT TO GRANT OF LICENSE AS RECORDED IN LIBER 49161, PAGES 1358-1359 OF W.C.R. AND TO BE MAINTAINED BY HOMEOWNERS' ASSOCIATION FOR LABADIE PARK NEIGHBORHOOD CONDOMINIUM

## **LEGEND**

- 52 UNIT NUMBER (FOR DETACHED AND TOWNHOUSE UNITS ONLY)
- 56 LOWER LEVEL UNIT NUMBER
- 58 UPPER LEVEL UNIT NUMBER
- ⊙ BENCHMARK
- FOUND IRON ROD
- SET MONUMENT (MONUMENTS ARE 1/2" DIA. IRON BARS, 3' LONG ENCASED IN 4" DIA. CONCRETE CYLINDERS)
- ▨ GENERAL COMMON ELEMENT
- ▤ LIMITED COMMON ELEMENT (UNITS 23,24,25,26,27,28,29,30,31)
- ▥ LIMITED COMMON ELEMENT (UNITS 52 THRU 58)
- P PORCH (LIMITED COMMON ELEMENT)
- GSS DESIGNATED UNIT GARAGE
- D DRIVEWAY (LIMITED COMMON ELEMENT)

## **SITE PLAN**

PROPOSED JANUARY 31, 2014

LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 3 of 10

**LAND DEVELOPMENT CONSULTING SERVICES, INC.**  
46800 ROMEO PLANK, SUITE 2  
MACOMB, MI 48044  
PHONE: (586)868-2350  
FAX: (586)868-2351

**NOTES:**  
UNITS 23 THRU 31 MUST BE BUILT. ALL OTHER UNITS NEED NOT BE BUILT.



**PROPERTY LINE CURVE TABLE**

C1	150.00'	24.72'	N89°13'59"E	24.89'
C4	82.00'	24.52'	N62°13'37"E	24.45'
C5	150.00'	16.91'	N62°23'04"W	16.90'

**UTILITY SOURCE:**

STORM SEWER — ENGINEERING PLANS PREPARED  
 SANITARY SEWER — BY HUNNESSEY ENGINEERING INC.  
 WATER MAIN —  
 GAS — DTE ENERGY/MICHIGAN  
 ELECTRICAL & CABLE — WYANDOTTE MUNICIPAL SERVICES  
 TELEPHONE — SBC

**UTILITY NOTES:**

ALL UTILITIES SHOWN MUST BE BUILT  
 GAS LINES, OTHER PUBLIC UTILITIES, UTILITY LEADS & METERS  
 WILL BE SHOWN ON AS BUILT PLANS

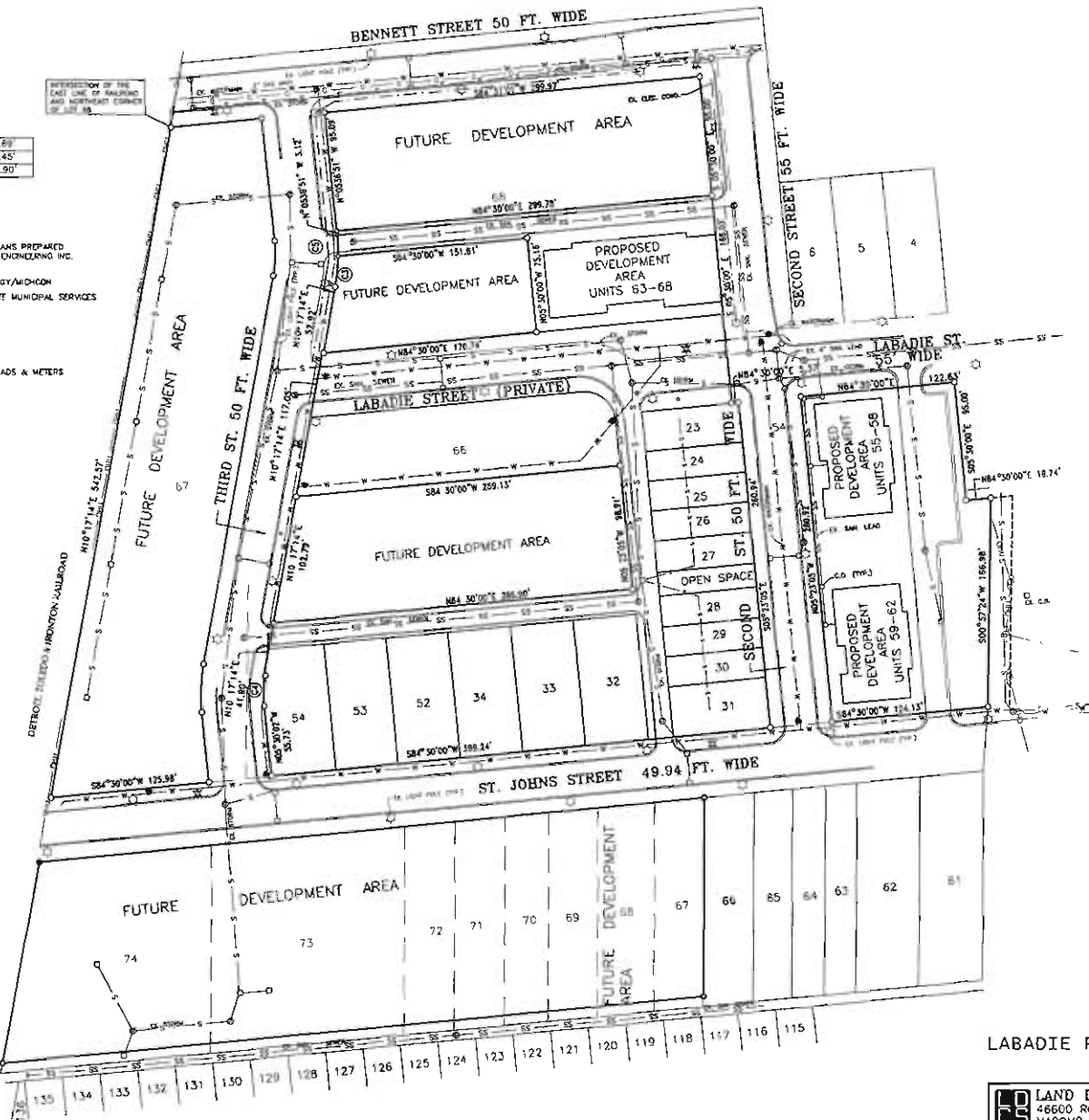
**LEGEND:**

- 52 UNIT NUMBER
- S STORM SEWER
- SS SANITARY SEWER/SANITARY LEAD
- W WATER MAIN
- SM STORM SEWER MANHOLE
- SSM SANITARY SEWER MANHOLE
- L LIGHT POLE
- H FIRE HYDRANT
- OH OVERHEAD UTILITY
- OHU OVERHEAD UTILITY POLE

**NOTE:**

THE LOCATIONS OF ALL UTILITIES  
 AS SHOWN ARE APPROXIMATE AND  
 ARE NOT FIELD VERIFIED

INTERSECTION OF THE  
 EAST LINE OF RAILROAD  
 AND NORTH LINE OF  
 SUBDIVISION



SCALE: 1" = 40'



GRAPHIC SCALE

**UTILITY PLAN**

PROPOSED JANUARY 31, 2014

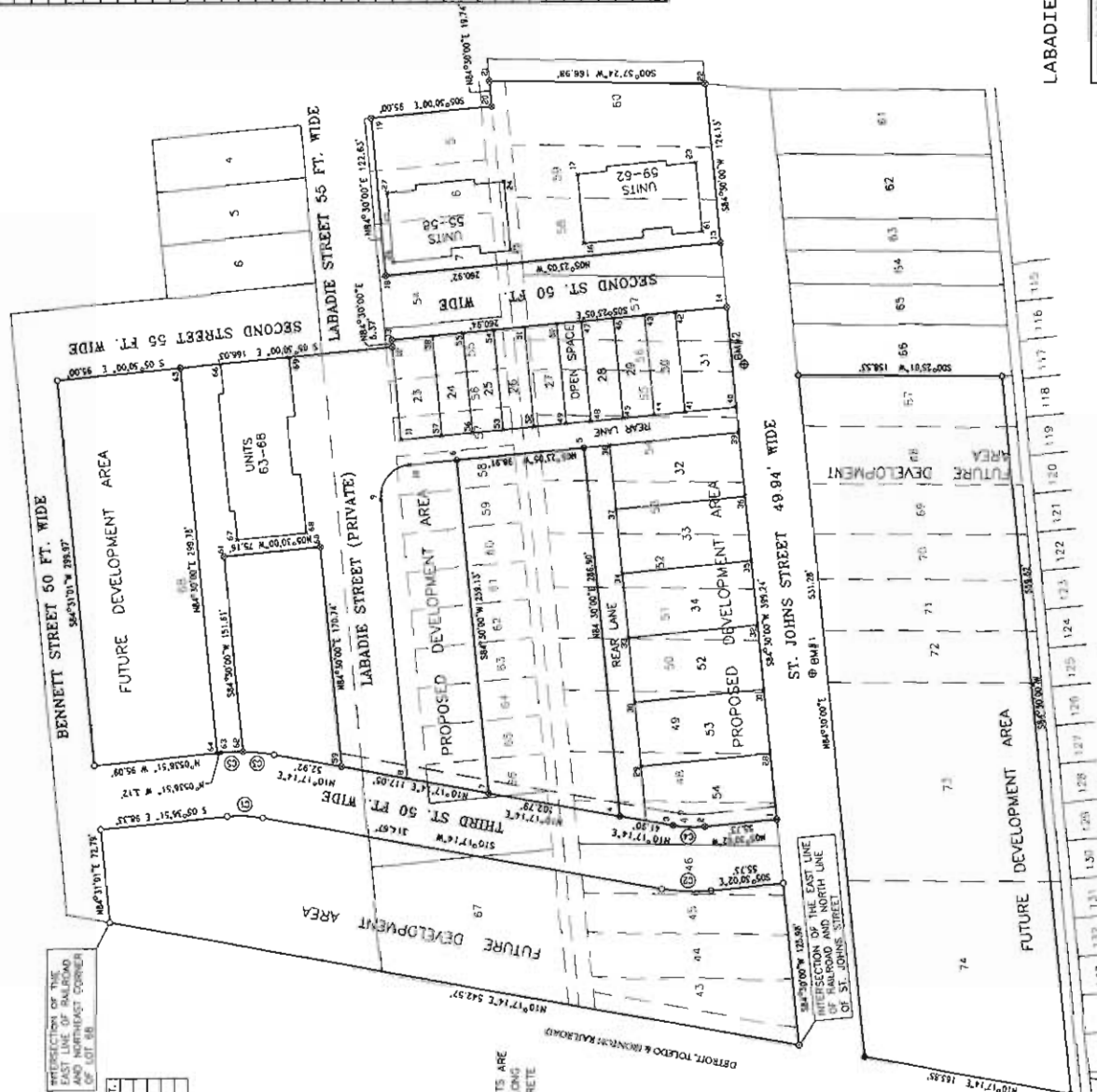
LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 4 OF 10

**LD** LAND DEVELOPMENT CONSULTING SERVICES, INC.  
 46600 ROMEO PLANK, SUITE 2  
 MACOMB, MI 48044  
 PHONE: (586)868-2350  
 FAX: (586)868-2351

# COORDINATE TABLE

POINT #	NORTHING	EASTING	POINT #	NORTHING	EASTING
1	5091.05	5013.70	39	5456.14	5013.70
2	5091.05	5020.35	40	5095.95	5020.35
3	5091.05	5026.98	41	5095.95	5026.98
4	5091.05	5033.61	42	5095.95	5033.61
5	5091.05	5040.24	43	5095.95	5040.24
6	5091.05	5046.87	44	5095.95	5046.87
7	5091.05	5053.50	45	5095.95	5053.50
8	5091.05	5060.13	46	5095.95	5060.13
9	5091.05	5066.76	47	5095.95	5066.76
10	5091.05	5073.39	48	5095.95	5073.39
11	5091.05	5079.99	49	5095.95	5079.99
12	5091.05	5086.62	50	5095.95	5086.62
13	5091.05	5093.25	51	5095.95	5093.25
14	5091.05	5099.88	52	5095.95	5099.88
15	5091.05	5106.51	53	5095.95	5106.51
16	5091.05	5113.14	54	5095.95	5113.14
17	5091.05	5119.77	55	5095.95	5119.77
18	5091.05	5126.40	56	5095.95	5126.40
19	5091.05	5133.03	57	5095.95	5133.03
20	5091.05	5139.66	58	5095.95	5139.66
21	5091.05	5146.29	59	5095.95	5146.29
22	5091.05	5152.92	60	5095.95	5152.92
23	5091.05	5159.55	61	5095.95	5159.55
24	5091.05	5166.18	62	5095.95	5166.18
25	5091.05	5172.81	63	5095.95	5172.81
26	5091.05	5179.44	64	5095.95	5179.44
27	5091.05	5186.07	65	5095.95	5186.07
28	5091.05	5192.70	66	5095.95	5192.70
29	5091.05	5199.33	67	5095.95	5199.33
30	5091.05	5205.96	68	5095.95	5205.96
31	5091.05	5212.59	69	5095.95	5212.59
32	5091.05	5219.22	70	5095.95	5219.22
33	5091.05	5225.85	71	5095.95	5225.85
34	5091.05	5232.48	72	5095.95	5232.48
35	5091.05	5239.11	73	5095.95	5239.11
36	5091.05	5245.74	74	5095.95	5245.74
37	5091.05	5252.37	75	5095.95	5252.37
38	5091.05	5259.00	76	5095.95	5259.00



PROPERTY LINE SURVEY TABLE

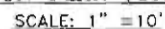
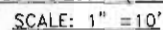
LINE	BEARING	DIST.
1	N 89° 10' 00" E	100.00
2	S 89° 10' 00" E	100.00
3	N 89° 10' 00" E	100.00
4	S 89° 10' 00" E	100.00
5	N 89° 10' 00" E	100.00
6	S 89° 10' 00" E	100.00
7	N 89° 10' 00" E	100.00
8	S 89° 10' 00" E	100.00
9	N 89° 10' 00" E	100.00
10	S 89° 10' 00" E	100.00

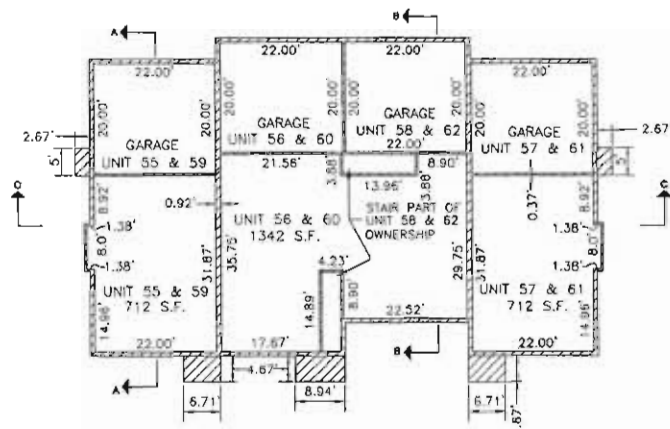
- LEGEND:
- 52 UNIT NUMBER
  - ⊕ BENCHMARK
  - FOUND IRON ROD
  - SET MONUMENT (MONUMENTS ARE 1/2" DIA. IRON BARS, 3' LONG ENCASED IN 4" DIA. CONCRETE CYLINDERS)
  - ✕ COORDINATE POINT



COORDINATE PLAN  
 PROPOSED JANUARY 31, 2014  
 LABADIE PARK NEIGHBORHOOD CONDOMINIUM  
 SHEET 5 OF 10

**LD** LAND DEVELOPMENT CONSULTING SERVICES, INC.  
 45500 ROME PLANK, SUITE 2  
 MACOMB, MI 48044  
 PHONE: (586) 868-2350  
 FAX: (586) 868-2351





FIRST FLOOR PLAN (UNITS 55-62)

SCALE: 1" = 10'

# LEGEND

= LIMITED COMMON ELEMENT (UNITS 55 THRU 68)

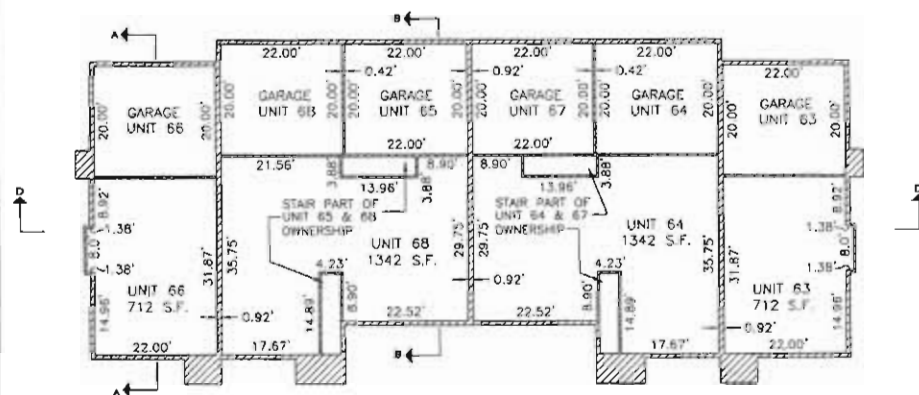
= LIMITS OF OWNERSHIP

0 5 10 20

GRAPHIC SCALE

## NOTE:

- ALL FLOORS, WALLS AND CEILINGS ARE AT APPROX. RIGHT ANGLES TO EACH OTHER.
- DIMENSIONS OF THE UNITS AND COMMON AREAS AS SHOWN ON THESE FLOOR PLANS MAY VARY FROM THE DIMENSIONS OF THE UNITS IN COMMON AREAS AS CONSTRUCTED.



FIRST FLOOR PLAN (UNITS 63-68)

SCALE: 1" = 10'

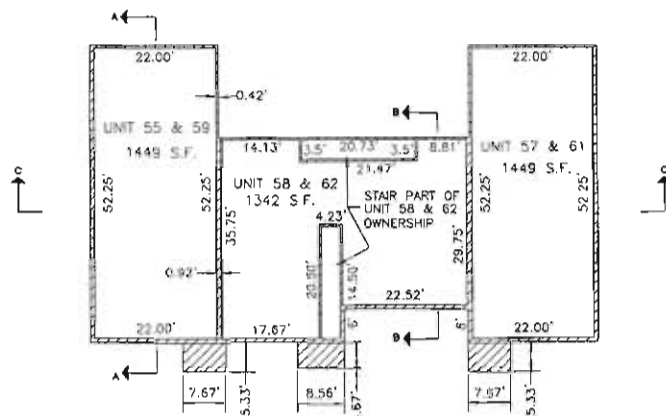
## FIRST FLOOR PLAN

PROPOSED JANUARY 31, 2014

LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 7 of 10

LAND DEVELOPMENT CONSULTING SERVICES, INC.  
46500 ROMEO PLANK, SUITE 2 PHONE (586)868-2350  
MACOMB, MI 48044 FAX (586)868-2351

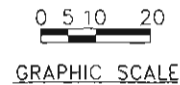


SECOND FLOOR PLAN (UNITS 55-62)

SCALE: 1" = 10'

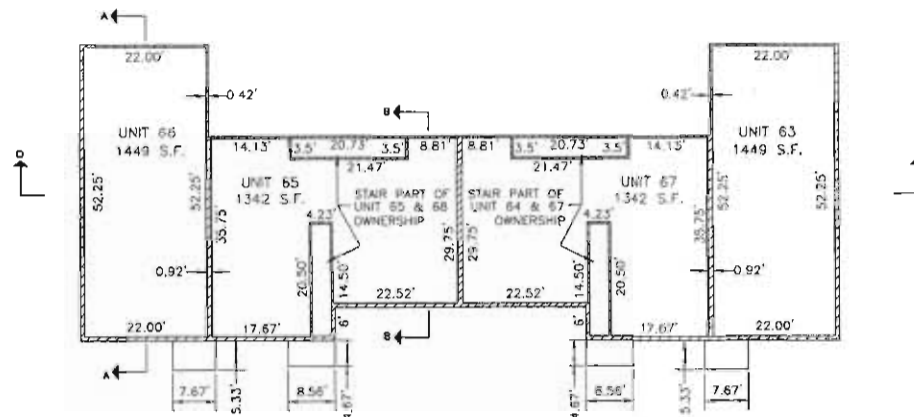
# LEGEND

- = LIMITED COMMON ELEMENT (UNITS 55 THRU 68)
- = LIMITS OF OWNERSHIP



## NOTE:

- ALL FLOORS, WALLS AND CEILINGS ARE AT APPROX. RIGHT ANGLES TO EACH OTHER.
- DIMENSIONS OF THE UNITS AND COMMON AREAS AS SHOWN ON THESE FLOOR PLANS MAY VARY FROM THE DIMENSIONS OF THE UNITS IN COMMON AREAS AS CONSTRUCTED.



SECOND FLOOR PLAN (UNITS 63-68)

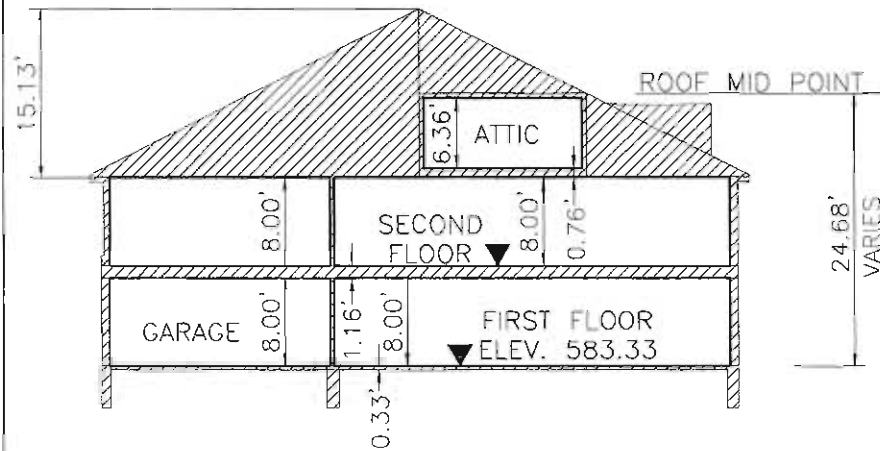
SCALE: 1" = 10'

## SECOND FLOOR PLAN

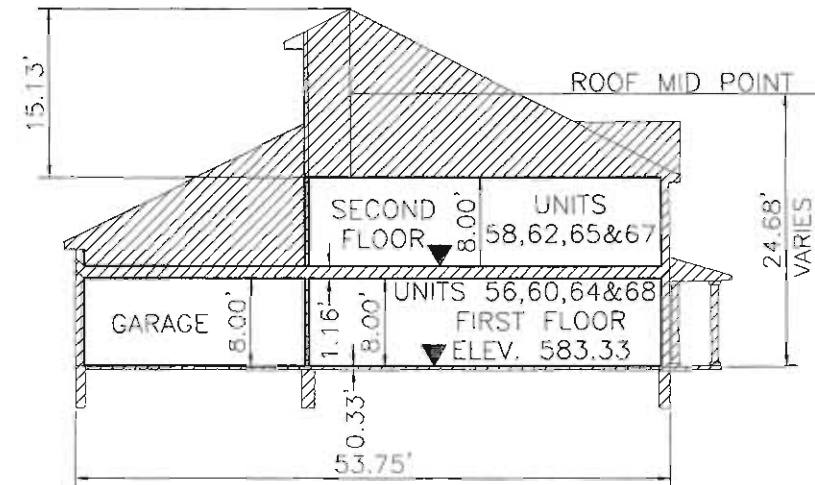
PROPOSED JANUARY 31, 2014

LABADIE PARK NEIGHBORHOOD CONDOMINIUM

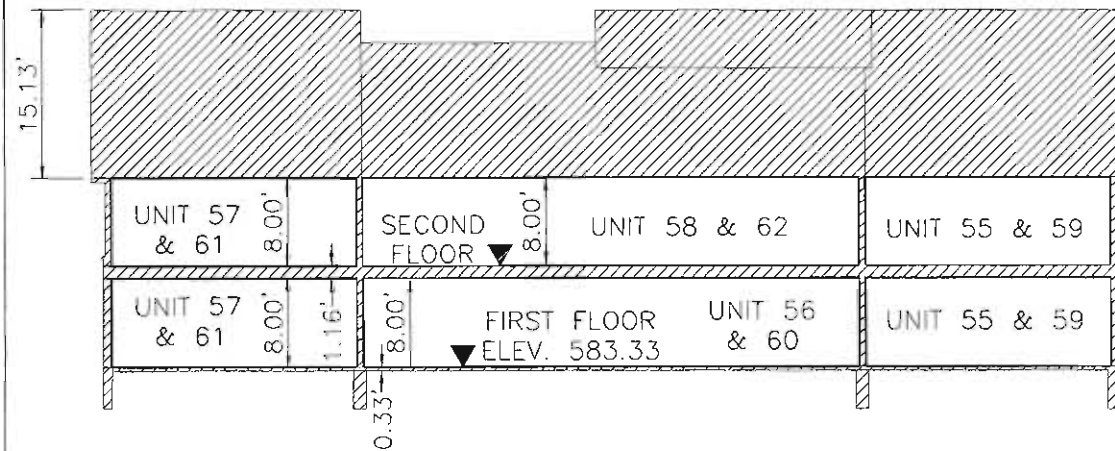
SHEET 8 OF 10



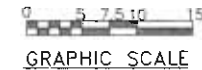
SECTION A-A  
(UNITS 55,57,59,61,63 & 66)  
SCALE: 1" = 5'



SECTION B-B  
(UNITS 56,58,60,62,64,65,67 & 68)  
SCALE: 1" = 5'

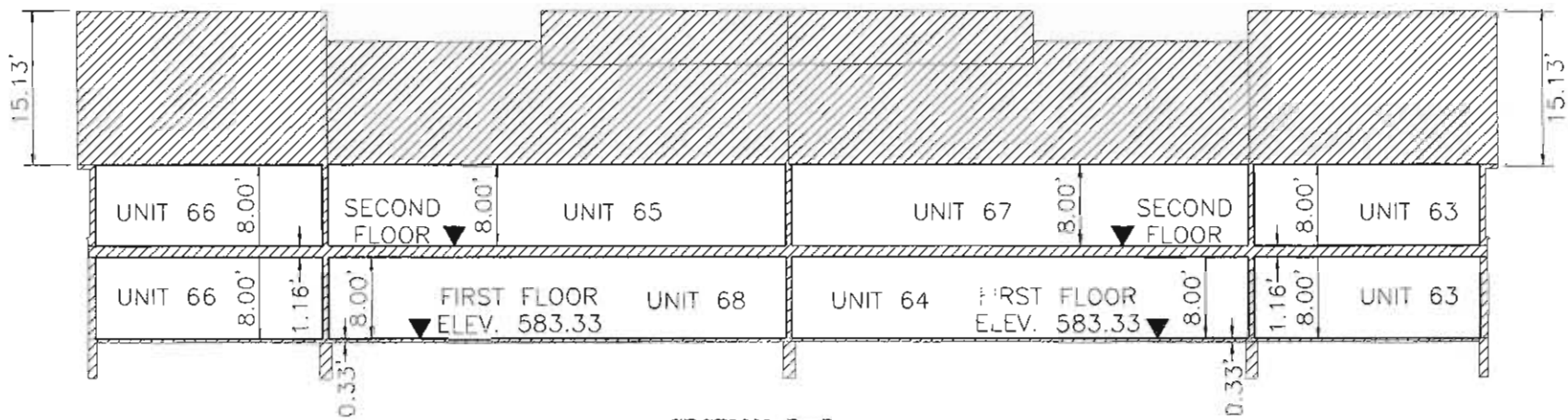


SECTION C-C  
SCALE: 1" = 5'

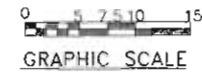


CROSS SECTION - 1  
PROPOSED JANUARY 31, 2014  
LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 9 of 10



SECTION D-D  
SCALE: 1" = 5'



CROSS SECTION-2  
PROPOSED JANUARY 31, 2014  
LABADIE PARK NEIGHBORHOOD CONDOMINIUM

SHEET 10 of 10

LD LAND DEVELOPMENT CONSULTING SERVICES, INC.  
46600 ROWE PLANK, SUITE 2  
WACOMA, MI 48044  
PHONE: (586)868-2350  
FAX: (586)868-2351

RESOLUTION

Wyandotte, Michigan

Date: June 30, 2014

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

BE IT RESOLVED by the City Council that the communication from the, City Engineer, relative to the Labadie Park Neighborhood Condominium is hereby received and placed on file;

AND BE IT FURTHER RESOLVED that Council hereby APPROVES the Second Amendment to the Amended and Restated Master Deed of Labadie Park Neighborhood Condominium, and further, that the Mayor and City Clerk be authorized to sign said amendment on behalf of the City of Wyandotte, and that the City Attorney is hereby directed to record same with the Wayne County Register of Deeds.

I move the adoption of the foregoing resolution.

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

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

YEAS

COUNCIL

NAYS

\_\_\_\_\_

Fricke

\_\_\_\_\_

\_\_\_\_\_

Galeski

\_\_\_\_\_

\_\_\_\_\_

Miciura, Jr.

\_\_\_\_\_

\_\_\_\_\_

Sabuda

\_\_\_\_\_

\_\_\_\_\_

Schultz

\_\_\_\_\_

\_\_\_\_\_

Stec

\_\_\_\_\_



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

23

**MEETING DATE:** June 30, 2014

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

**ITEM:** Amendment to the Code of Ordinances – Section 14-2 Entitled “Receptacles – Generally”

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



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

**BACKGROUND:** The City enacted an ordinance on February 1, 2014, requiring trash placed for collection to be in a metal or durable plastic, or an approved equal material with a tight-fitting cover sufficient to make it water tight, flyproof, odor proof, and prevent entry by rodents or other animals. Such containers shall not exceed thirty-two (32) gallon in capacity and shall not weigh more than sixty (60) pounds when filled.

During the enforcement of this Ordinance, it was observed that solid waste was being stored in the yards not in containers/receptacles with lids. Therefore, attached you will find an Ordinance amendment requiring solid waste be stored in the rear yard and in a receptacle with a cover.

**STRATEGIC PLAN/GOALS:** The City is committed to enhancing the community’s quality of life by fostering the maintenance and development of stable and vibrant neighborhoods.

**ACTION REQUESTED:** Hold the required reading of the Ordinance.

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

**IMPLEMENTATION PLAN:** Hold the required reading of the Ordinance, once approved a notice will be placed on cable.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR’S RECOMMENDATION:**

**LEGAL COUNSEL’S RECOMMENDATION:**

**MAYOR’S RECOMMENDATION:**

**LIST OF ATTACHMENTS:** Proposed Amendment to Code of Ordinance

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: June 30, 2014

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

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the Council concurs with the recommendation of the City Engineer regarding amendment to Section 14-2 Entitled “receptacles – Generally;  
AND

BE IT RESOLVED that the said revision be read for the 1<sup>st</sup> reading at the June 30, 2014 Council meeting.

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	_____

First Reading

AN ORDINANCE ENTITLED  
"AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF WYANDOTTE BY AMENDING SECTION 14-2(a) and 14-2 (f)  
ENTITLED "RECEPTACLES – GENERALLY"

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment of Section 14-2(a) and 14-2 (f) under 14-2 entitled "Receptacles – Generally" as follows:

Sec. 14-2 Receptacles – Generally.

(a) The person in charge of any dwelling, building or structure shall provide a receptacle of substantial construction for the receipt of solid waste and deposit therein or cause to be deposited all solid waste resulting from the use of the premise, and place the same in locations designated by the City. Solid Waste shall not be stored in the front yards. The storage of solid waste shall only be stored in a rear yard in a receptacle with a cover.

Section 2. Amendment of Section 14-2(f) e as follows:

Sec. 14-2 (f) Owner or occupant shall utilize sufficient number of containers with covers to conveniently store the accumulation of solid waste.

Section 3. Severability.

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

Section 4. Effective Date.

This Ordinance takes effect February 1, 2014 and this ordinance or a summary shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

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

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

Absent: \_\_\_\_\_

I hereby approve the adoption of the foregoing ordinance this day of \_\_\_\_\_, 2014

**CERTIFICATE**

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
**JOSEPH R. PETERSON**, Mayor

\_\_\_\_\_  
**WILLIAM R. GRIGGS**, City Clerk

**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 Micura Jr.**  
**Leonard T. Sabuda**  
**Donald C. Schultz**  
**Lawrence S. Stec**

Reports  
+  
minutes

— || —

Wyandotte, Michigan June 23, 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  
Absent: Councilpersons Galeski, Stec

PERSONS IN THE AUDIENCE

None

REPORTS AND MINUTES

Beautification Commission May 14, 2014  
Financial Daily Cash Receipts June 18, 2014

RECESS

RECONVENING

ROLL CALL

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

FIRST AND FINAL READING OF ORDINANCE

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND SUBPARAGRAPH (a) OF SECTION 38.1-18  
ENTITLED "SEWAGE DISPOSAL CHARGES" OF THE  
CODE OF ORDINANCES OF THE CITY OF WYANDOTTE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Subparagraph (a) of Section 3 8.1- 1 8 Entitled "Sewage Disposal Charges" is hereby amended as follows: (a) Generally. Effective as of July 1, 2014 the department of municipal service of the city is directed to increase the billing for sewage disposal charges to Two Thousand Nine Hundred Ten Dollars (\$2,910.00) per one million (1,000,000) gallons of water consumed. This will provide the city with funds for the following purposes: To pay charges for the city's share of the operation and maintenance of the sewage disposal system; to pay for meter loss; to pay for maintaining and operating the city sewers, which are a part of the sewage disposal system; to pay for collection costs. The monies collected, except for collection costs of fifty dollars and fifty cents (\$50.50) per million gallons of water consumed, which shall be retained by the municipal service commission, shall be placed in an appropriate fund to be used for the above-stated purposes and any balance that may accrue shall be retained therein to provide for emergencies and contingencies.

Section 2. Severability.  
All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Effective Date.  
This ordinance shall take July 1, 2014. This ordinance is deemed necessary for the immediate preservation of the public peace, property, health, safety and for providing for the usual daily operation of the City Engineers Office and Department of Municipal Services. This Ordinance or a summary shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. Any summary shall designate the location in the City where a true copy of the ordinance can be inspected or obtained.

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

YEAS: Councilpersons Fricke, Miciura, Sabuda, Schultz

NAYS: None

ABSENT: Councilpersons Galeski, Stec

I hereby approve the adoption of the foregoing ordinance this 23rd day of June, 2014.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the 23rd day of June, 2014.

Dated: June 23, 2014

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

HEARINGHEARING RELATIVE TO THE COMMERCIAL REDEVELOPMENT  
DISTRICT-3233 BIDDLE AVENUE, WYANDOTTE, MICHIGAN

No objections.

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION  
MEETING DATE: June 23, 2014 AGENDA ITEM: HEARING

ITEM: Commercial Redevelopment District – 3233 Biddle Avenue

PRESENTER: Todd A. Drysdale, City Administrator

## INDIVIDUALS IN ATTENDANCE:

BACKGROUND: In accordance with the Commercial Redevelopment Act, Public Act 255 of 1978, a public hearing has been scheduled on June 23, 2014, to consider establishing a Commercial Redevelopment District for the property at 3233 Biddle Avenue. This action was initiated by the request of the property owner (see Attachment).

Establishing the District is the first step in the process. The next step involves the property owner filing an application for a commercial facilities exemption certificate (CFEC), which is subject to approval by the Mayor and City Council. The application would include detailed information on the proposed use, construction activities, estimated costs, a construction time schedule, and economic advantages expected from the project.

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: (1) downtown revitalization and an economic development strategy that emphasizes commercial expansion in the area; and (2) fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas.

ACTION REQUESTED: Approve the attached resolution establishing the Commercial Redevelopment District as proposed.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: JRP

## LIST OF ATTACHMENTS

1. Proposed Resolution
2. Request from property owner to establish Commercial Redevelopment District
3. Commercial Redevelopment Act – MEDC Summary
4. List of Commercial Redevelopment Districts and CFECs approved by the City

June 9, 2014

The Honorable Mayor Joseph R. Peterson And City Council  
3200 Biddle Avenue, Wyandotte, MI 48192

Re: Request to Create a Commercial Redevelopment District for Property at 3233 Biddle Avenue (former location of Lichee Gardens)

Dear Mayor and Members of Council:

To facilitate the redevelopment of the property at 3233 Biddle Avenue, I'm requesting the creation of a Commercial Redevelopment District.

Establishing the District will allow an application for a Commercial Facilities Exemption Certificate to redevelop the property. The plans are to:

Completely renovate the existing building for a restaurant use  
Construct a new addition to the rear of the building

The new investment is estimated at \$250,000

If the District is established, an application for a Commercial Facilities Exemption Certificate will then be filed. Additional information about the proposed project will be submitted along with the application.

Thank you for your consideration of this request. If you have any questions, please contact me.

Very truly yours, Alvin R. Fritz, Alvin's Properties LLC 19095 Parke Lane Grosse Ile MI 48138  
Phone: 734-552-0700

RESOLUTIONS

Wyandotte, Michigan June 23, 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

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

Wyandotte, Michigan June 23, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

WHEREAS, pursuant to the Commercial Redevelopment Act, Act 255 of 1978, as amended (Act 255), the City of Wyandotte has the authority to establish "Commercial Redevelopment Districts" within the City of Wyandotte on its own initiative or upon a request filed by the owners of 75% of the state equalized value of the commercial property located within a proposed district; and

WHEREAS, Alvin's Properties LLC has filed a written request with the clerk of the City of Wyandotte requesting the establishment of the Commercial Redevelopment District for property at 3233 Biddle Avenue located in the City of Wyandotte hereinafter described; and

WHEREAS, the Mayor and City Council finds that property within the District is obsolete commercial property or cleared or vacant land which is part of an existing, developed commercial zone which has been zoned commercial for 3 years before June 21, 1978, and the area is or was characterized by obsolete commercial property and a decline in commercial activity, and hereby determines that the District meets the requirements set forth in Section 5(1)(a) of Act 255; and

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

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

WHEREAS, on June 23, 2014, a public hearing was held and all residents and taxpayers of the City of Wyandotte were afforded an opportunity to be heard thereon; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wyandotte that pursuant to the provisions of Act 255, Commercial Redevelopment District No. 14 is hereby established for the property at 3233 Biddle Avenue, said property more fully described as:

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

S 5 FT OF LOT 35 ALSO LOT 36 EUREKA IRON AND STEEL WORKS RE-SUB T3S R11E L22 P49 WCR

Parcel Number: 82-57-011-15-0035-002

I move the adoption of the foregoing resolution.  
 MOTION by Councilperson Leonard Sabuda  
 SUPPORTED by Councilperson Donald Schultz  
 YEAS: Councilpersons Frickc, Micura, Sabuda, Schultz  
 NAYS: None  
 ABSENT: Councilpersons Galcski, Stec



Wyandotte, Michigan June 23, 2014

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the total bills and accounts in the amount of \$336,967.24 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

YEAS: Councilpersons Fricke, Mieura, Sabuda, Schultz

NAYS: None

ADJOURNMENT

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Donald Schultz

That we adjourn.

Carried unanimously

Adjourned at 7:20 PM

June 23, 2014

  
William R. Griggs, City Clerk

MINUTES FOR THE RETIREMENT COMMISSION MEETING  
THURSDAY, JUNE 19, 2014, 9 AM

ROLL CALL

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

Absent: Commissioners Brohl, Schultz

RESOLUTION ON THE MINUTES

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

COMMUNICATIONS MISCELLANEOUS

MOTION by Commissioner Mayhew, supported by Commissioner Yoscovits, that we receive and place on file the communication relative to the appointment of the Assistant General Manager to the Retirement Commission. UNANIMOUSLY CARRIED

MOTION by Commissioner LaManes, supported by Commissioner Yoscovits, that we receive and place on file the Anchor Capital Advisors LLC Investment Policy Outlook dated April 2014. UNANIMOUSLY CARRIED

MOTION by Commissioner Lyon, supported by Commissioner LaManes, that we receive and place on file the Lazard City of Wyandotte Employee Retirement System Portfolio Review dated January 1, 2014 – March 31, 2014. UNANIMOUSLY CARRIED

MOTION by Commissioner LaManes, supported by Commissioner Lyon, that the Secretary request a Gabriel, Roeder, Smith Representative be present for the August 21, 2014 Meeting to discuss the Seventieth Annual Actuarial Valuation of the City of Wyandotte Employees Retirement System as of September 30, 2013. UNANIMOUSLY CARRIED

SPECIAL ORDER

Mr. Galanis discussed the June 19, 2014 report. Our Portfolio has been underperforming. He will have a report for the August Meeting along with recommendations for replacement of various investment managers.

Mr. Galanis' recommendations on Investment Policy Changes:

Change page 4 Asset Allocation %. Delete last paragraph page 4.

Page 5 Diversification: delete portion highlighted

Page 9 A-Add new paragraph to equity manager objective (top of page)

B-Note delete first sentence (highlighted)

Page 10 Delete real estate manager objectives (whole paragraph)

MOTION by Commissioner Lyon, supported by Commissioner Yoscovits, that we adopt the June 19, 2014 new Investment Policy (replacing the March 16, 2005 Investment Policy) as recommended by our Investment Manager, Mr. Sam Galanis of Oppenheimer Corporation.

YEAS: Commissioners Browning, LaManes, Lyon, Mayhew, Yoscovits

NAYS: None

MOTION CARRIED

Commissioners recommended we cancel July Meeting.

#### ADJOURNMENT

MOTION by Commissioner Lyon, supported by Commissioner Mayhew, that we adjourn at 9:53 AM. UNANIMOUSLY CARRIED

A handwritten signature in blue ink, appearing to read "William R. Griggs", is written over a horizontal line.

William R. Griggs, Secretary  
Wyandotte Employees' Retirement Commission  
June 19, 2014

**City of Wyandotte**  
**PLANNING COMMISSION**  
***Minutes of the Thursday, June 19, 2014, Meeting***  
**MINUTES AS RECORDED**

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

COMMISSIONERS PRESENT: Adamczyk, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

COMMISSIONERS EXCUSED: Benson

ALSO PRESENT: Ben Tallerico  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

- All communications were received and placed on file.

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

MOTION BY COMMISSIONER PASKO, supported by Commissioner Lupo to approve the minutes of the Meeting of May 16, 2014. MOTION PASSED.

**NEW BUSINESS:**

1. PUBLIC HEARING #306 – Request from City of Wyandotte (Owner) and Jonathan R. Crane, P.C. (Appellant) for a Building Permit for a communication antenna at 266 Maple, City of Wyandotte, County of Wayne, State of Michigan where the proposed conflicts with Section 2202.II.1 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER LUPO, Supported by Commissioner Rutkowski to hold this matter in abeyance until the July meeting so the Applicant can supply information that the tower meets all federal, state and city rules and regulations for the construction and placement of cellular towers. Further, the Commission is requesting how this tower will benefit Wyandotte. Also, the Commission is requesting a letter from the Fire Chief indicating that they are aware of this new tower.

YES: Adamczyk, Duran, Lupo, Parker, Rutkowski

NO: Krimmel, Pasko, Tavernier ABSENT: Benson

MOTION PASSED

**PERSONS IN THE AUDIENCE:**

No persons in audience.

**SPECIAL ORDER:**

Motion by COMMISSIONER PASKO, supported by Commissioner Tavernier to receive and place on file the communication from the City of Lincoln Park regarding their Community Development Block Grant Program.

Motion by COMMISSIONER PASKO, supported by Commissioner Tavernier to approve the 2014-2015 Planning Commission Budget as follows:

101-810-725-120 \$4,000	101-810-725-150 \$306.00	101-810-750-210 \$100.00
101-810-825-390 \$8,400.00	101-810-925-710 \$1,500.00	

YES: Adamczyk, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

NO: None ABSENT: Benson

MOTION PASSED

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Pasko to:  
Pay Beckett & Raeder for Planning Consultant fee for June 2014 in the amount of \$700.00  
Hours for Secretarial Services: 04/18/14 to 05/30/14

YES: Adamczyk, Duran, Krimmel, Lupo, Parker, Pasko Rutkowski Tavernier

NO: None

ABSENT: Benson

MOTION PASSED

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER PARKER, supported by Commissioner Duran to adjourn the meeting at 7:35 p.m.

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

Dan Gee, 303 Maple, Wyandotte.

Mr. Gee asked what the zoning classification CBD was.

Commissioner Parker indicated that it was Central Business District.

Mr. Gee stated that he is opposed to this antenna because of the health risks for his children and the children in the area. Mr. Gee indicated that he Googled cellular antenna and his research indicated that there is a link between brain tumors and cancer and cellular antennas and Mr. Gee feels this is a risk that that City should not take. Mr. Gee indicated that additional testing needs to be completed before a tower should be allow in this area. Mr. Gee feels that this antenna could be moved somewhere else away from residential area.

Mr. Gee stated that he understands that this might help the Fire Department but at what expense to the adjacent residential properties. Mr. Gee indicated that the proposed building for the antenna will look nice, but the antenna will really stick-out in the downtown area. Mr. Gee indicated that he looks at the adjacent Cities and the antenna in Southgate off of Northline and Dix and it is ugly and Mr. Gee does not feel this should go in Wyandotte's downtown.

Mr. Gee further indicated that this proposed antenna will also depreciate their property values 20 to 30 percent. Mr. Gee indicated that they have put a lot of money into their home and they do not want to see their values go down.

Mr. Gee further indicated that if the property is not zoned for this antenna it should not be approved in this area.

Mr. and Mrs. Murphy, 233 Elm, Wyandotte.

Mr. Murphy indicated that they are concerned with the antenna falling down on their property and if they were to try to sell their property they would not be FHA and VA eligible for financing and that would shrink there pools for possible buyers.

Mrs. Murphy indicated that she is a Realtor and she had a case where the property was adjacent to a cell tower and they were unable to get FHA buyers and the home was sold for \$6,000 less than asking price. Mrs. Murphy stated that they also have the same concerns that Mr. Gee has with the health risks and they feel that their values will go down.

Mrs. Murphy continued that she is happy that the tower was lowered by 20 feet, but they are not happy that the tower is being considered for this area.

Mr. Hedger, 329 Maple, Wyandotte

Mr. Hedger asked what the benefit to the City for this tower is and he is concerned with the health risk. Mr. Hedger asked why the tower can't be moved to another area.

Commissioner Tavernier stated that he was at the City Council meeting when this was discussed and one of the benefits to the City is to help the Fire Department reach the entire City with the 911 Communication Service.

Mr. Ben Herrick, representative for Mr. Jonathan Crane, the appellant.

Mr. Herrick indicated that there is a current antenna at this location and they are proposing to remove this antenna and construct a new cell tower that the current equipment will go on. Mr. Herrick indicated that the tower is owned by the City and the City rents space on the tower. Mr. Herrick indicated that there is a need for this tower for the 911 system for the City.

Commissioner Lupo asked about the environmental hazards.

Mr. Herrick indicated that the concern of radiation is at the top of the tower which is 100 feet above the ground. Mr. Herrick further indicated that at the ground, there is minimal radiation if any.

Mr. Herrick further indicated that the tower meets all federal, state and local regulations.

Mr. Herrick further indicated that the building, for the tower, design will match the fire station building. Mr. Herrick reviewed the pole design and type with the Commissioners.

Commissioner Tavernier asked if other antennas could go on this antenna.

Mr. Herrick stated that there could be other antennas at 85 feet and 75 feet, but at this time there is only 1 antenna proposed and the height of the pole is 100 feet and it will not go any higher.

Chairperson Krimmel asked what the benefit was to the City.

Mr. Herrick indicated that the current 911 system needs to be upgraded and this antenna will help get a signal throughout the City. Mr. Herrick further indicated that the City will also receive rental funds from this tower.

Mr. Herrick indicated that the City currently has two (2) other towers in the City which are managed by Mr. Crane. Mr. Herrick also indicated that they do not just put up a tower anywhere, they do surveys to see where the best place is for service.

Commissioner Rutkowski asked about the health risks.

Mr. Herrick indicated that tower meets all federal, state and local requirements. Mr. Herrick further indicated that they perform a pre and post environmental test at the tower. Mr. Herrick indicated that this report would be given to the City.

Commissioner Adamczyk asked if there are cameras on the tower.

Mr. Herrick stated no, there will not be any cameras on the tower.

Commissioner Adamczyk asked about the environmental risk and any risk to the firemen at the fire station and Commissioner Adamczyk is concerned since they are there 24 hours at a time.

Mr. Herrick stated that most of the studies have been debunked that the theory that cell towers cause any harm to people. Mr. Herrick indicated again that they will meet federal, state and local guidelines and Mr. Herrick will be happy to supply these regulations to the Commission.

Commissioner Lupo asked about the radiation emission from the tower.

Mr. Herrick indicated that they perform a pre and post radiation study.

Commissioner Rutkowski asked if it increases at the top and decreases at the bottom.

Mr. Herrick stated that at the top is the most radiation and if someone climbs up the tower, they could be exposed. Mr. Herrick continued that at the bottom, it is minimal if any.

Commissioner Adamczyk indicated that he has Sprint so the tower will not benefit him.

Mr. Herrick stated that if you switch carriers it will.

Commissioner Krimmel asked if they considered any other sites.

Mr. Herrick stated that they have done studies and this is the best location.

Commissioner Lupo asked if he could put the additional antennas on the current antenna instead of adding an additional tower.

Mr. Herrick stated that they already have antennas there and an additional one is needed to reach all areas of Wyandotte. Mr. Herrick stated that there are a lot of factors that go into where an antenna should go, like radio frequency and this is the best location.

Ms. Janet Husey, 306 Sycamore, Wyandotte

Ms. Husey indicated that she can see the Fire Station from her home and has lived there from 1982 and she feels this tower will be unsightly. Ms. Husey further indicated that she does not want to see a tower from her window every day. Ms. Husey further indicated that this tower will devalue her property and her property taxes keep going up now. Ms. Husey further stated that she feels the tower should be somewhere else. Ms. Husey stated that she is opposed to the tower at this location.

Mr. Gee asked the Commission if any studies have been done about the tower being so close to the Yack Area with the metal roof. Mr. Gee also stated that when you come to Wyandotte for the Art Fair you would turn down 3<sup>rd</sup> Street and looking north all you would see is that tower, because it is so much higher than the buildings. Mr. Gee stated that is not the image Wyandotte should portray.

Commissioner Krimmel stated that if the Commission approves this request, it will be final this does not go back to City Council.

Commissioner Lupo stated that he feels additional information should be supplied to the Commission.

Commissioner Pasko asked what information would the Commission like.

Commissioner Lupo stated that a letter from the Fire Chief indicating that the Fireman and residential area will be safe.

Mr. Herrick stated that the tower will meet all the federal and state rules and regulations. Mr. Herrick indicated that he would be happy to supply the FCC rules and regulations to the Commission along with the benefits to the City.

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

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

No communications were received regarding this request.



CITY OF WYANDOTTE  
BEAUTIFICATION COMMISSION MEETING MINUTES, DRAFT  
JUNE 11, 2014

Members Present: John Darin, Chairman, Michael Bozymowski, Andrea Fuller, Noel Galeski, Linda Orta, Alice Ugljesa

Members Excused: Lisa Lesage, Stephanie Pizzo, Bill Summerell, Karen Tavernier

Guests: None

1. Call to Order: The meeting was called to order by John at 6:02 pm.
2. Reading and Approval of Previous Minutes:
  - a. May 14, 2014 Regular Meeting: Noel noted that the Adopt-A-Spot agenda item was to be deferred until August, with the minutes stating June. The minutes were revised accordingly. Motion was made by Alice, seconded by Andrea, to approve the draft minutes of the May 14, 2014 regular meeting of the Beautification Commission as revised. The revised minutes were approved unanimously.
3. Approval of Agenda: Motion was made by Noel, seconded by Andrea to approve this meeting's agenda as submitted. The agenda was approved unanimously.
4. Chairperson's Report:
  - a. Documents: John distributed an updated Attendance Log for review.
  - b. Upcoming BCSEM Quarterly Meeting: The commissioners were reminded of the upcoming quarterly meeting of the BCSEM. It will be held Thursday, June 19, 2014 at the Auburn Hills Community Center. All commissioners are encouraged to attend, if available.
  - c. Review of BCSEM Meeting Caterer Proposals: John distributed clarified proposed menus and pricing for the BCSEM luncheon from three Wyandotte-based caterers: Silver Shore Catering, Campbell-York Catering, and Portofino Catering. It was again noted that there were no provisions for linens in any of the proposals. After much discussion, there was a motion by Alice, seconded by Linda, to approve the Campbell-York catering proposal. The commissioners were requested to vote by roll call, with results as follows:
    - Michael Bozymowski – No
    - John Darin - Yes
    - Andrea Fuller – Yes
    - Noel Galeski – Yes
    - Linda Orta – Yes
    - Alice Ugljesa – YesThe motion carried.  
Follow-Ups: John will contact Campbell-York Catering and inform them of the Commission's favorable vote on their catering proposal for the September 17, 2014 BCSEM meeting hosted in Wyandotte. Alice confirmed that she will be able to obtain sufficient quantity of linens for "round tables of eight" from local source at no cost to the Commission.
5. Treasurer's Report:
  - a. FY 2013-2014 Expense Report: Mike distributed the Treasurer's report. Discussion occurred regarding Dig-In expenses and Vietnam Veterans Memorial landscaping expenses. Account balance remaining is \$4,700.14. Total expenses for each project are still in the process of being clarified and accounted for. Additional invoices from Linda Orta (Dig-In reimbursement) and Four Star Greenhouse (Dig-In) were presented and reviewed for payment. John will email Mike copies of recent invoices sent for payment to Natalie Rankine (DDA) and Dave Polcynski (VVM), in case Mike was not previously copied.
  - b. FY 2014-2015 Budget Request: John distributed the completed FY 2014-2015 Budget Request, as requested by Natalie Rankine, DDA Director. The commissioners reviewed the submitted document and agreed with the budget submission by consensus.
6. Public and Media Communications: Andrea reported that she has been posting some vintage downtown store signage, revealed from the demolition at the former LTB's location. There was follow-up on the inquiry regarding planting a tree in memoriam that was discussed at the May meeting. John contacted the party, and relayed the information that Mike had offered, namely that

there are programs within the Recreation Department that would engage such requests. The person was very thankful for the follow-up. There were no other communication items of significance to report.

7. Community Garden Update: Garden Work Day – Saturday, June 21, 2014  
Karen's report was deferred. It was noted that the grass cutting has been inconsistent, with the easement not being cut regularly. John emailed the Mayor's office for assistance. John requested that barricade fencing be installed at the community garden 1) along the west lot line on a regular basis, and 2) behind the garden at the alley during the Art Fair only. John also requested that a DPS trash can be installed on Oak Street on the sidewalk near the front of the community garden. These requests were being considered for approval and implementation.
8. Hanging Baskets and Planter Pots Update:
  - a. Hanging Baskets: Alice reported that the spring hanging baskets have been delivered and installed by Eckert's Greenhouses. They look very beautiful. Regarding the broken hanger, Alice will contact a local welder to repair the bracket. Going forward, Alice recommended looking at purchasing hanging baskets from Four Stars Greenhouses at only \$35 each.
  - b. Sprinklers: Alice will contact Natalie to confirm that the sprinklers at the fountain, HFW Rehab facility, and teardrop are on and are functioning properly.
9. Vietnam Veterans Memorial Landscape Planting Update:
  - a. Boxwoods: The 13 back-ordered boxwood shrubs have been received and planted. The invoice has been sent for payment to Dave Polczynski.
  - b. Landscaping Expense Spreadsheet: Mike is working on a spreadsheet tallying all related expenses to date, which will be presented at an upcoming meeting. Additional invoices were presented for his accounting and reconciliation.
  - c. Service Ribbon Signage: Andrea presented a proposal to have a local vendor produce permanent discrete outdoor signage explaining the service ribbon planting. It will be on a post cemented into the ground. Cost was \$265. Noel made a motion to approve purchase from Committee landscaping budget funds, Mike seconded. The motion was approved unanimously.
  - d. Sprinkler System: The sprinkler system at the memorial needs to be checked because the plants do not seem to be getting sufficient water. Andrea will follow-up with DPS on behalf of the Commission.
  - e. Vietnam Veterans Memorial Landscaping Media Event: This event is being postponed by the Committee until further notice.
10. Old Business:
  - a. Boxwood Shrubs at Nanna's: There was much discussion regarding the condition of the boxwood shrubs at Nanna's Kitchen. John made a motion, seconded by Andrea, to remove the boxwoods. Andrea will engage a group of youths for \$100 for this task, and will obtain a receipt for payment. The motion was approved.
  - b. Perennial Planting: After much discussion, there was a motion by Noel, seconded by Andrea, to re-plant the area vacated by the boxwoods with perennials and grasses in an amount not to exceed \$350. The motion was approved.
11. New Business: There was no New Business.
12. Round-Table Reports and Announcements: There were no reports or announcements.
13. Next Meeting: The next regular meeting of the Beautification Commission is scheduled for Wednesday, July 16, 2014 at 6:00 pm in City Hall, Mayor's Conference Room, Third Floor, 3200 Biddle Avenue.
14. Adjournment: The meeting was adjourned at 7:55 pm.

Respectfully Submitted,

John Darin  
Chairman, Wyandotte Beautification Commission