



AGENDA

REGULAR SESSION

MONDAY, DECEMBER 21, 2015 7: 00 PM

PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON

CHAIRPERSON OF THE EVENING: THE HONORABLE DANIEL E. GALESKI

ROLL CALL

PRESENTATIONS

- Presentation by Wyandotte Roosevelt High School Students & Paint the Town Pink to Henry Ford Wyandotte Hospital Yes Ma'am Program.
- Presentation by Rob Woelkers of Biddle Bowl to the Wyandotte Goodfellows.

COMMUNICATIONS MISCELLANEOUS

1. Michael G. Dallos Resignation from the Fire Fighter's Civil Service Commission

PERSONS IN THE AUDIENCE

NEW BUSINESS (ELECTED OFFICIALS)

COMMUNICATION FROM CITY AND OTHER OFFICIALS

2. Employee Compensation
3. District Court Consolidation Study
4. Publicly Funded Health Insurance Contribution Act (PFHIC) Compliance
5. 2016 Blount Small Ship Adventures Docking Contract
6. Christmas Tree Collection
7. Antenna Site License Agreement
8. Precinct 1 Polling Location Change
9. 2016 City Council Meeting Cancellations

CITIZENS PARTICIPATION

FINAL READING OF AN 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"

REPORTS & MINUTES

City Council

December 14, 2015

Police Commission

December 8, 2015

Retirement Commission

December 17, 2015

Zoning Board of Appeals and Adjustment

December 2, 2015

PRESENTATIONS

- Presentation by Wyandotte Roosevelt High School Students & Paint the Town Pink to Henry Ford Wyandotte Hospital Yes Ma'am Program.
- Presentation by Rob Woelkers of Biddle Bowl to the Wyandotte Goodfellows.

OFFICIALS

Thomas Woodruff
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
TREASURER



JOSEPH R. PETERSON
MAYOR

COUNCIL

Sheri M. Sutherby-Fricke
Daniel E. Galeski
Tadeusz Miciura Jr.
Leonard T. Sabuda
Donald Schultz Jr.
Kevin VanBoxell

TO: Beth Lekity
Deputy City Clerk

FROM: Julie Sadlowski
Office of the Mayor & City Council

DATE: December 15, 2015

SUBJECT: Presentation at 12/21/15 Council Meeting

Monday, December 21, 2015

**Presentation from Wyandotte Roosevelt High School Students and
Paint the Town Pink to Henry Ford Wyandotte Hospital Yes Ma'am
Program.**

Please place this item at beginning of the agenda as you have so kindly done in the past. Feel free to contact me at Ext. 4544 if you have any questions.

Thank you.



December 14, 2015

Dear Mayor Peterson & Council Members:

The 4th Annual Paint the Town Pink month has come & gone and another successful campaign is complete. We are so proud of all the volunteers that came together to assist in making the month of October an inspiring & educational campaign while also celebrating, remembering & honoring those affected by breast cancer.

Paint the Town Pink held two main events this year. The kick-off event was our ribbon cutting ceremony and Family Fun Run, Walk & Roll. It was a very chilly and windy day for an outdoor event, but that did not deter our participants. Our Emcee & DJ's, Sean & Riley Pigott, kept us energized and the Zumba gals, Kelly Nagy & Leslie Ray, warmed us up. Several businesses contributed to this event – Shoppers Valley Market, Live Smart Bars, & Discount Drinks, supplying fruit, energy bars & water. There was also a fantastic group of busy bees that put together a wonderful raffle booth for the event.

The closing event was our Pink-A-Palooza celebration held at the beautiful Biddle Hall. The food provided by Cathie Daly & Biddle Hall was superb. Chrissy with the Flower House Florist in Wyandotte, created & donated fabulous fresh floral arrangements. Our guests danced the night away with live music by the fun & fantastic group, Girl's Night Out/Date Night. The Bras for a Cause auction is always a big hit with our guests. The bras are created & donated by individuals from our community and judged by local dignitaries. This year's judges were Congresswoman Debbie Dingell, Cindy Dingell, & Jo Wahl, Chief Nursing Officer of Henry Ford Wyandotte Hospital. We also had several raffles & door prizes with items donated by generous local businesses & individuals. A spectacular evening was had by all.

We would like to recognize and acknowledge all the volunteers who participated on the Paint the Town Pink committee this year, giving of their valuable time & energy to this worthwhile campaign. If you're in attendance, please stand when your name is mentioned.

Janelle & Peter Rose
Dianne & Tom Woodruff
Geri & Phil Rutkowski
Linda & Mike Susko
Stephanie Susko
Dawn Baffi
Diana Wiebusch
Katie Wiebusch
Bernie Nareski
Chris Sickle
Tammy Kramer
Gloria Klein
Dan & Stacy Cataldo
Michael Lucy

Ginger Giardina
Brad Washburn
Elizabeth Gonzalez
Sean & Andrea Pigott
Suzy Borg
Ken Gonzalez
Michele Feyen
Christine Stan
Robin Rupert & the youth group from
Wyan 1st United Methodist Church
The Family Fun Run, Walk & Roll
Raffle Booth Group:
Kim, Kali & Jakob Sims and
Brian & Cindi Hill

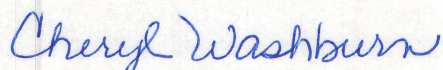
There were other individuals, groups & businesses that organized their own successful fundraisers that should also be acknowledged.

Bourbon's Brews & Bayou – Mark & Traci Skehan
Pips Painting Pub – Cathy Bontadelli
Brian Webb & the Zombie Pub Crawlers
Dawn Baffi with the Catholic Central Faculty & French Club

Paint the Town Pink is very fortunate to have so much support from the volunteers, the community and the local businesses. Without them, we would not be successful in our endeavors to raise awareness on breast care health & screenings or be able to raise funds for the Yes Ma'am free mammogram program. A huge, heartfelt **THANK YOU** to all who participated.

Together we have made a difference!

With Sincere Gratitude,



Cheryl Washburn
Paint the Town Pink Event Chairperson

OFFICIALS

Thomas Woodruff
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
TREASURER



JOSEPH R. PETERSON
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Donald Schultz Jr.
Kevin VanBoxell

TO: Larry Stec
City Clerk

FROM: Julie Sadlowski
Office of the Mayor & City Council

DATE: December 4, 2015

SUBJECT: Presentation at 12/21/15 Council Meeting

Monday, December 21, 2015

**Presentation by Rob Woelkers of Biddle Bowl to the
Wyandotte Goodfellows.**

Please place this item at beginning of the agenda as you have so kindly done in the past. Feel free to contact me at Ext. 4544 if you have any questions.

Thank you.

December 9, 2015

Mr. Rod Baker, President
Wyandotte Fire Fighters Civil Service Commission
Wyandotte, Michigan

Dear President Baker,

This letter is to inform the members of the Wyandotte Fire Fighter's Civil Service Commission of my intent to resign from the Commission effective upon the appointment of an "At Large" member to replace me. I have enjoyed my many years of service to the Wyandotte Fire Department, the City of Wyandotte, and the various commissioners I have been associated with on this Commission.

Most respectfully yours,



Michael G. Dallos

cc. Mr. Michael Ptak, Mrs. Debby Harris, Honorable Joseph Peterson, Mayor, and Honorable Larry Stec, Clerk, of the City of Wyandotte.

2015 DEC 15 P 12:55
WYANDOTTE CITY CLERK

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # **2**

ITEM: Employee Compensation – One-time Payment

PRESENTER: Joseph R. Peterson, Mayor *JRP*

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The City has two (2) collective bargaining agreements that do not expire until December of 2018. While the non-union employees and new collective bargaining agreements for the three (3) collective bargaining units whose agreement expired on December 31, 2015, include across-the-board raises, I am recommending that a one-time payment be made to full-time employees of the AFSCME and POAM-Dispatch bargaining unit consistent with the terms used last year.

It is recommended that this one-time payment be approved.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Adopt a resolution concurring with the recommendation.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Estimated cost of approximately \$20,500 to be paid from various payroll line-items.

IMPLEMENTATION PLAN: The City Administrator will prepare the necessary Memorandums of Agreement (MOA) with the collective bargaining units that will specify that no other terms of the existing collective bargaining agreements will be altered. The MOA's will also specify that the payments will not be included in the Final Average Compensation (FAC) used for defined benefit pension purposes nor will it be included in base wages for defined contribution (401a) matching purposes.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: The 2015FY budget expected a use of fund balance of approximately \$97k. Our preliminary 2015FY financial results show an excess of revenues over expenditures. While some of the excess of revenues over expenditures is planned to be used for the recently approved across-the-board increases, the proposed one-time payments will not negatively affect the five (5) year projection presented to the City Council during the budget preparations. Concur *SDuyndal*

LEGAL COUNSEL'S RECOMMENDATION: MOA's to be reviewed by City Labor Attorney

MAYOR'S RECOMMENDATION: Concur

LIST OF ATTACHMENTS: N/A

MODEL RESOLUTION:

Resolved by the City Council that Council concurs with the recommendation of the Mayor as set forth in his communication dated December 21, 2015 relative to a one-time payment to eligible AFSCME and POAM-Dispatch employees and

Further, authorizes the distribution of a one-time compensation payment of \$1,000 to all eligible full-time employees who worked the entire 2015 calendar year and \$500 for all eligible employees who were hired during the 2015 calendar year and

Further, directs the City Administrator to prepare the appropriate Memorandum of Agreement with each collective bargaining unit which will specify that the one-time payment will not be included in Final Average Compensation (FAC) that is used for defined benefit pension purposes nor will it be included in base wages for defined contribution (401a) matching purposes.

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # 3

ITEM: District Court Consolidation Study

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

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: At the end of 2014, the State adopted Public Act 58 of 2014, which allowed for the voluntary merger of the Cities of Southgate, Wyandotte, and Riverview thereby creating a new District Court serving three municipalities. In order to occur, the governing bodies of each city must approve, by resolution, the formation of the new court prior to January 1, 2016.

On June 8, 2015, the City Council approved an agreement with Plante & Moran, PLLC, to analyze the merits of a potential consolidation. Attached you will find their final report which recommends four (4) possible scenarios as follows:

Scenario	Description	Impact
1	No consolidation	No impact – No capital costs, no increase in operational costs
2	28 th District Courthouse absorbs all 27 th District Court activities	Significant capital costs - marginal operational benefits
3	27 th District Courthouse absorbs all 28 th District Court activities	Significant capital costs - marginal operational benefits
4	Both courthouses remain in operation with services redesigned to realize efficiencies	Moderate transition costs - marginal operational benefits

It is recommended that the City Council receive and place on file the 27th & 28th District Court Consolidation Analysis, Shared Services Feasibility Study dated December 2015, and take no action. Essentially, Scenario 1 of the study is being recommended as the best option for the City of Wyandotte as it allows for the current level of service to continue at the 27th District Court and avoids any additional costs in the pursuit of marginal operational benefits. Note that it should be clear that the State may revisit the issue of consolidation of district courts in the future.

STRATEGIC PLAN/GOALS: To be financially responsible and to provide the finest services and quality of life.

ACTION REQUESTED: Receive and place on file

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS:

1. District Court Consolidation Analysis, Shared Services Feasibility Study dated December 2015
2. Council Resolution dated June 9, 2015
3. PA 58 of 2014

MODEL RESOLUTION:

RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the communication from the City Administrator regarding the District Court Consolidation Analysis, Shared Services Feasibility Study dated December 2015 from Plante & Moran, PLLC and

Receives and places on file

{28th and 27th District Court Consolidation Analysis}

SHARED SERVICES FEASIBILITY STUDY | DECEMBER 2015

plante

moran

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Management Summary

PROJECT SCOPE AND OBJECTIVES

The Plante Moran team was selected by the Cities of Southgate, Wyandotte, and Riverview to evaluate the feasibility of consolidating the 28th District Court (servicing Southgate cases) with the 27th District Court (servicing Wyandotte and Riverview cases). The purpose of the analysis was to identify issues, costs, and benefits associated with such a merger. In addition, logistics associated with a municipal consolidation are included for consideration, although the costs associated with those logistics have not been estimated.

Under 2014 Public Act 58 (House Bill 5123), the governing bodies of the three municipalities can authorize a consolidation prior to January 1, 2016. Should that authorization occur, it would be effective immediately and the two courts would consolidate into a single 26th District Court. The judges from the 28th and 27th would then serve in the newly formed 26th and become publicly elected by the new jurisdiction of all three municipal boundaries.

PROJECT APPROACH

The Plante Moran team of consultants received and reviewed several key documents. Key documents reviewed included:

- Budget information for 28th and 27th District Courts
- Position lists and/ or organization charts
- Building floorplans for both facilities (court space only)
- 2015 State Court Administrative Office (SCAO) Performance Measures Data Packet*
- Case filings for both courts

The Plante Moran team also conducted informational meetings with key individuals to gather additional documentation, gain insight into key issues and concerns, and to review and confirm the project objectives. These meetings occurred on-site at the court locations or over the phone and included the following:

- Hon. James A. Kandrevas, 28th District Court Judge
- Hon. Randy L. Kalmbach, 27th District Court Judge
- Bryce Kelley, Southgate City Administrator
- Doug Drysdale, Riverview City Manager
- Todd Drysdale, Wyandotte City Manager
- Stacie Nevalo, 27th District Court Administrator
- Jeff Meussner, 28th District Court Administrator
- David Angileri, Southgate Finance Director Deborah Green, State Court Administrative Office Region 1 Coordinator

Tours of each courthouse were also conducted with an aim to identify any court design deficiencies or concerns. Since court activity varies from day-to-day according to caseload management, efforts were made to identify operational issues that are encountered throughout the court week. Since court activity is dependent upon judicial philosophy and space considerations, attempts to normalize court activities were not made.

COURT PROFILES

The 28th District Court is located at 14720 Reaume Parkway. The facility has two courtrooms – one with jury box that serves as the primary courtroom – and one smaller courtroom that is used by a part time magistrate. The smaller courtroom is in a section of the building that is adjacent to probation and limited training space while the larger courtroom is adjacent to court administration, judicial chambers, detention, jury room, and judicial secretary. The section with the smaller courtroom is an extension that was complete in 2002 and includes storage and filing in a second floor. While the building is shared with the police department, the only shared space between the two operations is a secured inmate transfer area. Currently, Court jurisdiction only includes cases with the City of Southgate. Non-judicial staffing for the Court includes:

- Court administrator
- Judicial secretary
- Four full time court clerks
- One part time court clerk
- Two part time cashiers
- One full time probation agent
- One part time probation agent
- Three part time probation supervisors
- One full time court officer
- Three part time court officers

The 28th District Court is currently establishing a veteran's treatment court. Once established, this court will have a specialty case management process and will handle cases from eighteen jurisdictions. Since this is still in planning phases, it was not considered for this report. However, when the jurisdictions conclude on direction regarding consolidation, the veteran's treatment court might be an additional consideration. Prior to the veteran's treatment court being operational, the court will solidify agreement with the eighteen jurisdictions through a memorandum of understanding.

The 27th District Court is located at 2015 Biddle Avenue. This facility was constructed more recently than the 28th District Court. It also shares space with a police department although there are several public areas in which common space is shared. The majority of court-related activities occur on the first floor including the primary courtroom, cashier, clerk, probation, judicial chambers, court administration, jury room, law library, and file storage. A second floor includes a smaller magistrate court, magistrate's office, and space for cashiering as well as meeting space for attorney-client conferences. The courtroom on the second floor has one noteworthy security concern with the current configuration: furniture is not secure which could potentially become a danger during certain court activities. An additional concern is that the public and the magistrate share common hallway space. For security, public movement and judicial/ court staff movement should be kept separate. However, correcting this within the existing design would cause a greater concern with egress.

The Court's jurisdiction includes the cities of Wyandotte and Riverview through an agreement between the two cities that was reached several years ago. Non-judicial staffing for the Court includes:

- Court administrator
- Probation director
- One part time probation officer (pending full time status)
- Three full time clerk/ court recorders
- One full time clerk/ cashier
- Two part time clerk/ cashiers
- One part time filing clerk/ clerk assistant
- Four part time court officers
- Two part time court officers/ security
- One part time workforce supervisor
- Four part time workforce officers

Both courts have the designation of "third class district court" meaning that each supports one or more municipalities within a county. In general, both courts are above the State average for case disposition. Both courts also exceed the State time guideline of disposing with 85% of misdemeanors within 63 days and 60 percent of felonies within 14 days. The 27th District Court does not meet State guideline of disposing with 90 percent of civil infractions within 35 days but the 28th District Court does. A comparative table for the two courts appears below:

	27 th District Court	28 th District Court
Number of Judges	One	One
Magistrate support	Semi-weekly	Semi-weekly
Online ticket	Yes, through GovPay	Yes, through GovPay
Video	State system	State system
IT system	State JIS	State JIS
Security concerns	None reported	None reported
2014 felony filings*	105	121
Population*	38,369	30,047
2014 misdemeanor filings*	2,296	1,600
2014 Civil Infractions*	7,678	11,487
2014 General Civil*	890	702
2014 Summary Civil*	851	708

*Information taken from State Court Administrative Office

One important distinction between the two courts is personnel arrangements. The 28th District Court's services are provided by unionized employees whereas the 27th District Court is a non-union environment. This may impact consolidating services and reorganizing staffing models.

STATE COURT PRIORITIES

According to the Michigan Supreme Court's Annual Report (2013 is the most recent available) and the Supreme Court's website, the reduction of judicial seats is a priority throughout the State. The report identifies 121 courts in 46 counties as having concurrent jurisdiction plans in which judicial resources are shared. Concurrent jurisdiction plans can have a broad application and can include sharing caseloads, transferring types of cases, combining specific court functions such as arraignments, or shared administrative duties.

Since the 2013 Annual Report, the State in 2014 approved Public Act 58 (House Bill 5123) which further reduced the number of judges statewide. In addition to several reductions in other jurisdictions, this act allows the elimination of the 27th and 28th District Courts and replaces them with the 26th District Court – in essence, combining the two courts and changing its designation. The jurisdiction of the new court would include the cities of Wyandotte, Riverview, and Southgate. Under the Public Act, judges currently presiding over the two courts would also preside in the 26th District Court for the remainder of their elected term. In Michigan, district courts with more than one judge have a chief judge who is appointed by the Supreme Court.

It is important to note that Public Act 58 only mentions courts, jurisdiction of the courts and the number of judges that will serve the court. It does not mention court houses, court rooms, or court activities. This distinction is important, as the Public Act can be interpreted as prescribing a single court house onto the three jurisdictions. While this may become an eventual outcome of a consolidation, it is not specified in the Act.

The SCAO has developed methodologies to identify the extent to which judicial resources are required so that the reduction occurs in a methodological fashion. According to the SCAO's methodology, the combined caseload for the two courts results in need for 1.654 judges. Since Public Act 58 specifies that the newly created 26th District Court would have two judges, it does not appear that the immediate intent of the proposed court consolidation is to reduce the number of judges.

A sampling of the SCAO's analysis appears below. Data was shared by the SCAO Region 1 Administrator:

Case Group	Case Weight	Avg Combined Filings	Workload	Judicial Need by Case Group
Felony	46	271	12,466	0.1385
Misdemeanor	28	1,792	50,704	0.5634
Non-Traffic Civil	4	1,130	4,519	0.0502
Traffic Misdemeanor	9	1,848	16,629	0.1848
Traffic Civil Infraction	1	14,181	18,436	0.2048
OUIL Misdemeanor	46	364	16,796	0.1866

28th and 27th District Court Consolidation Analysis

OUIL Felony	34	23	784	0.0087
General Civil	9	1,1884	16,959	0.1884
Small Claims	12	351	4,208	0.0468
Landlord-Tenant	6	1,227	7,362	0.0818
		Summary	148,863	1.6540

Findings

ANALYSIS

Since Public Act 58 does not specify that all court activities must be provided in a single courthouse, there are multiple options for the jurisdictions to consider. Four scenarios are explored to determine the extent to which a consolidation is preferable.

Scenario 1: No consolidation

In essence, this is the status quo option. If the three jurisdictions fail to take action before January 1, 2016, this will be the default scenario. The two courts would continue to operate as they currently do for the immediate future. The costs and benefits associated with this would be the same as the current configuration.

Scenario 2: 28th District Courthouse absorbs all 27th District Court activities

Of the two courthouses, the 28th District Court has a tighter space configuration with very little unused space. Currently, only a training room and one office are not allocated for a specific regular use. Also, the magistrate courtroom is not configured for a jury box although it can be modified to create a judicial chamber. It is very improbable that the courthouse as it is currently configured could handle an increase of 140% in misdemeanor filings due to the amount of additional staff space that would be required to handle the additional activities.

Additional construction and facility redesign would be required to accommodate the increase in court activity. If this were to occur, it would likely be to the north and to the east of the magistrate's court. The capital costs associated with this scenario was not estimated but it likely would be comparable to the square footage cost of the court expansion after accounting for inflationary factors.

Scenario 3: 27th District Courthouse absorbs all 28th District Court activities

The 27th District Courthouse was designed and constructed more recently. It was designed to account for limited potential growth. Instead, a reduction of personnel has occurred over the course of the last several years. This has resulted in a moderate increase in unused space. Even so, as was the case with Scenario 2, it is improbable that the courthouse as currently configured could accommodate the requisite increase in caseload from the 28th Court. The magistrate's courtroom on the second floor would require significant redesign to create judicial chambers, appropriate egress, and separation of judicial and public foot traffic. A more appropriate redesign would likely include the construction of a second full court on the first floor – likely to the north of the current facility.

Scenario 4: Both courthouses remain in operation with services redesigned to realize efficiencies

A consolidated court can have multiple locations. Under this scenario, the two courthouses would remain in operation but change their jurisdiction to 26-1 District Court and 26-2 District Court. Under this scenario, the following advantages are possible:

Court Administration. In a consolidated arrangement, only one court administrator position would be required. However, additional administrative support would likely be required and creating an administrative assistant position would help with overall administration. Savings would be moderate.

Probation. Both courts currently have active probation, drug testing and work programs. Consolidating these programs into a single location will enable a more efficient delivery of services. In addition, the increased number of probationers may allow additional program offerings for judges to consider when sentencing offenders thereby expanding the continuum of sanctioning options.

Docket Management. Currently, both judges schedule their dockets in advance so that cases can be disposed of in a prompt manner. A judge's unscheduled absences (illness, funeral, etc.) require all cases to be rescheduled. This cascades into the need for other court participants to reschedule their cases with short notice. In a multi-judge court, the second judge may be able to assume the assignment of cases to decrease the impact on the public.

Clerk Duties. Case management and cashiering duties are similar among the two courts and both have times during which case volume results in heavy work activity and times during which case volume results in lighter work activity. If consolidated, staff could be more efficiently assigned. This could lead to moderate savings as well.

However, a consolidated arrangement would cause issues that would lead to additional work activities that must be recognized. These include:

An agreement between the three municipalities will need to be reached. Since some court activities will likely occur in Wyandotte and others will occur in Southgate, it is likely that one location may bear a greater degree of court activity than the other. How this impacts budget, facility support, technology support, etc. will need to be agreed upon.

If criminal docket is handled in just one of the courthouses, this will create a workload imbalance on the police department that is adjacent to that courthouse. Consideration of this issue should be reflected in the agreement.

Currently, one court has a unionized workforce while the other does not. A decision related to collective bargaining and all other employee relation issues should precede an implementation plan.

A plan for implementing the consolidation will need to be developed and executed. Such a plan will likely take months to develop and several months to execute.

SUMMARY

Scenario 1:	No impact – No capital costs, no increase in operational costs
Scenario 2:	Significant capital costs, marginal operational benefits
Scenario 3:	Significant capital costs, marginal operational benefits
Scenario 4:	Moderate transition costs, marginal operational benefits
Conclusion:	Scenario 4 appears preferable

Recommendation

The consolidation of courts may offer modest benefits to the three municipalities – provided that both courthouses remain in operation. Doing so will allow operational savings and increased flexibility for judicial case management without incurring significant capital costs. However, doing so will result in transition costs – particularly as it relates to personnel transition and documented agreement among the three jurisdictions.

If the three municipalities decide to take action to consolidate, they must pass resolutions to do so prior to January 1, 2016. The merger from the Supreme Court's perspective will take effect January 1, 2016 and logistics associated with updating court reporting, appointing a chief judge, and determining case management will need to occur. If this path is chosen, it is recommended that the participating jurisdictions contact the State Treasury and State Court Administrative Office to identify whether this effort may qualify for grant funding to assist with consolidation efforts.

If any or all three municipalities decide not to consolidate, the status quo scenario will result. Both district courts will continue to operate under the current configuration.

In either case, the jurisdictions are cautioned that there appears to be nothing that would prohibit the legislature from taking action requiring a consolidation in the future. Such an action might be similar to the one identified in Public Act 58 or it might require a less preferable arrangement. The consolidation of courts has been a priority of the Supreme Court and it does not appear to be diminishing. If the creation of the 26th District Court appears to be a preferable arrangement to other possibilities, the municipalities may wish to be proactive in this effort.

Finally, many of the potential benefits of consolidation can also be addressed through a concurrent jurisdiction plan. If the two judges identify common interests that can benefit both courts as they are currently configured, they may wish to explore this path.

{THANK YOU!}

plante moran


audit • tax • consulting • wealth management

For more information contact:

Adam Rujan, Partner

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plantemoran.com

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

June 9, 2015

RESOLUTION

Todd A. Drysdale
City Administrator
3200 Biddle Avenue
Wyandotte, Michigan 48192

By Councilman Lawrence Stec
Supported by Councilwoman Sheri M. Fricke

RESOLVED by the City Council that Council acknowledges receipt of the communication from the City Administrator regarding the potential consolidation of the 27th District Court with the 28th District Court and CONCURS with the recommendation to participate in an analysis of the costs associated with a potential merger with the City of Southgate and City of Riverview with the City of Wyandotte's cost estimated to be \$3,365. AND BE IT FURTHER RESOLVED that the Council CONCURS with the recommendation to utilize Plante & Moran, PLLC for this engagement.

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 8, 2015.


William R. Griggs
City Clerk



Act No. 58
Public Acts of 2014
Approved by the Governor
March 26, 2014
Filed with the Secretary of State
March 27, 2014
EFFECTIVE DATE: March 27, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Reps. Cotter and Walsh

ENROLLED HOUSE BILL No. 5123

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 518, 524, 8116, 8121, 8121a, and 8123 (MCL 600.518, 600.524, 600.8116, 600.8121, 600.8121a, and 600.8123), section 518 as amended by 2006 PA 99, section 524 as amended by 2012 PA 35, section 8116 as amended by 2012 PA 19, section 8121 as amended by 2012 PA 37, section 8121a as amended by 1988 PA 135, and section 8123 as amended by 2012 PA 624.

The People of the State of Michigan enact:

Sec. 518. The seventeenth judicial circuit consists of the county of Kent and has 10 judges. Subject to section 550, this judicial circuit may have 1 additional judge beginning January 1, 2017.

Sec. 524. (1) Except as provided in subsection (2), the twenty-third judicial circuit consists of the counties of Alcona, Arenac, Iosco, and Oscoda and has 2 judges. For purposes of the November 2008 general election only, the term of the candidate for circuit judge in this circuit who receives the highest number of votes is 8 years, and the term of the candidate receiving the second highest number of votes is 6 years.

(2) Beginning on the earlier of the following dates, the twenty-third judicial circuit has 1 judge:

(a) The date on which a vacancy occurs in the office of circuit judge in the twenty-third judicial circuit, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(b) The beginning date of the term for which an incumbent circuit judge in the twenty-third judicial circuit no longer seeks election or reelection to that office.

Sec. 8116. The seventh district consists of the county of Van Buren, is a district of the first class, and has 2 judges.

Sec. 8121. (1) The sixteenth district consists of the city of Livonia, is a district of the third class, and has 2 judges.

(2) The seventeenth district consists of the township of Redford in the county of Wayne, is a district of the third class, and has 2 judges.

(3) Except as otherwise provided in this subsection, the eighteenth district consists of the city of Westland, is a district of the third class, and has 2 judges. If the governing bodies of the cities of Westland and Wayne approve by resolutions the consolidation of the eighteenth and twenty-ninth districts prior to January 1, 2016, all of the following apply beginning January 1, 2016:

(a) The twenty-ninth district is abolished and the eighteenth district consists of the cities of Westland and Wayne, is a district of the third class, and has 3 judges. The additional judgeship in the eighteenth district shall be filled by the incumbent judge of the twenty-ninth district, who shall become a judge of the eighteenth district for the balance of the term to which he or she was elected or appointed. For purposes of the November 2018 general election only, the term of the candidate for district judge in the eighteenth district who receives the greatest number of votes is 10 years and the term of the candidate for district judge in the eighteenth district who receives the second greatest number of votes is 6 years.

(b) The clerks of the cities of Westland and Wayne shall file copies of the resolutions with the state court administrator, who, as authorized by the supreme court, shall notify the elections division of the department of state that the consolidation has been approved under this section. A resolution that is filed before January 2, 2015 is a valid approval of the consolidation.

(c) By proposing or authorizing the consolidation of the eighteenth and twenty-ninth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(4) The nineteenth district consists of the city of Dearborn, is a district of the third class, and has 3 judges.

(5) The twentieth district consists of the city of Dearborn Heights, is a district of the third class, and has 2 judges.

(6) The twenty-first district consists of the city of Garden City, is a district of the third class, and has 1 judge.

(7) The twenty-second district consists of the city of Inkster, is a district of the third class, and has 1 judge.

(8) The twenty-third district consists of the city of Taylor, is a district of the third class, and has 2 judges.

(9) The twenty-fourth district consists of the cities of Allen Park and Melvindale, is a district of the third class, and has 2 judges.

(10) The twenty-fifth district consists of the cities of Ecorse, Lincoln Park, and River Rouge, is a district of the third class, and has 2 judges.

(11) If the governing bodies of the cities of Southgate, Wyandotte, and Riverview approve by resolutions the formation of the twenty-sixth district by the consolidation of the twenty-seventh and twenty-eighth districts prior to January 1, 2016, all of the following apply beginning January 1, 2016:

(a) The twenty-sixth district is created by the consolidation of the former twenty-seventh and twenty-eighth districts, consists of the cities of Southgate, Wyandotte, and Riverview, is a district of the third class, and has 2 judges. The judgeships in the twenty-sixth district shall be filled by the individuals who were judges of the twenty-seventh and twenty-eighth districts on December 31, 2015, and who shall serve as judges of the twenty-sixth district for the balance of the terms to which they were elected or appointed. The twenty-seventh and twenty-eighth districts shall cease to exist as separate districts.

(b) The clerks of the cities of Southgate, Wyandotte, and Riverview shall file copies of the resolutions with the state court administrator, who, as authorized by the supreme court, shall notify the elections division of the department of state that the consolidation has been approved under this section. A resolution that is filed before January 2, 2015 is a valid approval of the consolidation.

(c) By proposing or authorizing the consolidation of the twenty-seventh and twenty-eighth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(12) Except as otherwise provided in subsection (11), the twenty-seventh district consists of the cities of Wyandotte and Riverview, is a district of the third class, and has 1 judge.

(13) Except as otherwise provided in subsection (11), the twenty-eighth district consists of the city of Southgate, is a district of the third class, and has 1 judge.

(14) Except as otherwise provided in subsection (3), the twenty-ninth district consists of the city of Wayne, is a district of the third class, and has 1 judge.

(15) The thirtieth district consists of the city of Highland Park, is a district of the third class, and has 1 judge.

(16) The thirty-first district consists of the city of Hamtramck, is a district of the third class, and has 1 judge.

(17) The thirty-second-a district consists of the city of Harper Woods, is a district of the third class, and has 1 judge.

(18) The thirty-second-b district consists of the cities of Grosse Pointe Woods, Grosse Pointe Park, Grosse Pointe, and Grosse Pointe Farms, and the village of Grosse Pointe Shores, is a district of the third class, and has 1 judge.

(19) The thirty-third district consists of the cities of Trenton, Gibraltar, Woodhaven, Rockwood, and Flat Rock and the townships of Brownstown and Grosse Ile in the county of Wayne, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), 3 judges.

(b) Beginning on the earlier of the following dates, 2 judges:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(20) The thirty-fourth district consists of the townships of Sumpter, Van Buren, and Huron in the county of Wayne and the cities of Romulus and Belleville, is a district of the third class, and has 3 judges.

(21) The thirty-fifth district consists of the cities of Northville and Plymouth and the townships of Northville, Plymouth, and Canton in the county of Wayne, is a district of the third class, and has 3 judges.

Sec. 8121a. The thirty-sixth district consists of the city of Detroit, is a district of the third class, and has the following number of judges:

(a) Until 12 noon, January 1, 2015, 31 judges.

(b) Beginning 12 noon, January 1, 2015, 30 judges. The 1 judgeship eliminated from this district at 12 noon, January 1, 2015 shall be the judgeship of a judge who is not eligible to run for reelection in 2014 due to constitutional limitation on the effective date of the amendatory act that added this subdivision.

Sec. 8123. (1) The forty-third district consists of the cities of Madison Heights, Ferndale, and Hazel Park, is a district of the third class, and has 3 judges.

(2) Except as otherwise provided in this subsection, the forty-fourth district consists of the city of Royal Oak, is a district of the third class, and has 2 judges. Beginning January 2, 2015, the forty-fourth district consists of the cities of Royal Oak and Berkley and has the following number of judges:

(a) Until the dates determined under subdivisions (b) and (c), 3 judges.

(b) Beginning January 3, 2016, the forty-fourth district has 2 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in the forty-fourth district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in the forty-fourth district no longer seeks election or reelection to that office.

(c) Following the reduction in the number of judgeships from 3 to 2 under subdivision (b), the forty-fourth district has 1 judge beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in the forty-fourth district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in the forty-fourth district no longer seeks election or reelection to that office.

(3) Except as otherwise provided in this subsection, the forty-fifth-a district is created, consists of the city of Berkley, is a district of the third class, and has 1 judge. The person serving as judge of the forty-fifth-a district on June 30, 2012, or his or her successor, shall serve as judge of the forty-fifth-a district until that district is abolished under this subsection. For purposes of the November 2014 general election only, the term of the person elected district judge in the forty-fifth-a district is 8 years. Beginning January 2, 2015, the forty-fifth-a district is abolished and the judge of the forty-fifth-a district shall become a judge of the forty-fourth district for the balance of the term to which he or she was elected or appointed. Sections 8175 and 8176 do not apply to the reorganization of the forty-fourth, forty-fifth, forty-fifth-a, and forty-fifth-b districts. Any physical reorganization required to accomplish the reorganization of district boundaries under this subsection and subsection (2) shall be completed no later than January 1, 2021.

(4) Except as otherwise provided in this subsection, the forty-fifth-b district consists of the cities of Huntington Woods, Oak Park, and Pleasant Ridge and the township of Royal Oak in the county of Oakland, is a district of the third class, and has 2 judges. Beginning July 1, 2012, the forty-fifth district is created. The forty-fifth district consists of the cities of Huntington Woods, Oak Park, and Pleasant Ridge and the township of Royal Oak in the county of Oakland, is a district of the third class, and has 2 judges. Beginning July 1, 2012, the forty-fifth-b district is abolished and the judges of the forty-fifth-b district shall become judges of the forty-fifth district for the balance of the term to which they were elected or appointed. For purposes of the November 2014 general election only, the term of the candidate for district judge in the forty-fifth judicial district who receives the greatest number of votes is 8 years and the term of the candidate for district judge in the forty-fifth judicial district who receives the second greatest number of votes is 6 years.

(6) The forty-sixth district consists of the cities of Southfield and Lathrup Village and the township of Southfield in the county of Oakland, is a district of the third class, and has 3 judges.

(6) The forty-seventh district consists of the cities of Farmington and Farmington Hills, is a district of the third class, and has 2 judges.

(7) The forty-eighth district consists of the cities of Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and Orchard Lake Village and the townships of Bloomfield and West Bloomfield in the county of Oakland, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), the forty-eighth district has 3 judges.

(b) The forty-eighth district has 2 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(8) The fiftieth district consists of the city of Pontiac, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), 4 judges.

(b) The fiftieth district has 3 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(9) The fifty-first district consists of the township of Waterford in the county of Oakland, is a district of the third class, and has 2 judges.

(10) The fifty-second district consists of the county of Oakland except the cities of Madison Heights, Ferndale, Hazel Park, Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge, Southfield, Lathrup Village, Farmington, Farmington Hills, Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village, Birmingham, Bloomfield Hills, and Pontiac and the townships of Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford, is a district of the second class, and is divided into the following election divisions:

(a) The first division consists of the cities of Novi, South Lyon, Wixom, and Walled Lake and the townships of Milford, Highland, Commerce, Lyon, and Novi and has 3 judges.

(b) The second division consists of the city of the village of Clarkston and the townships of Springfield, Independence, Holly, Groveland, Brandon, Rose, and White Lake and has 2 judges.

(c) The third division consists of the cities of Rochester, Auburn Hills, Rochester Hills, and Lake Angelus and the townships of Oxford, Addison, Orion, and Oakland and has 3 judges.

(d) The fourth division consists of the cities of Troy and Clawson and has 2 judges.

Enacting section 1. Section 8121 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8121, as amended by this amendatory act, takes effect on January 2, 2015.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

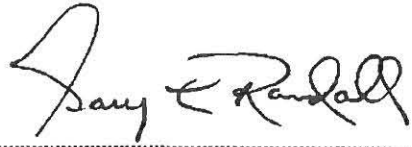
(a) House Bill No. 5121.

(b) House Bill No. 5122.

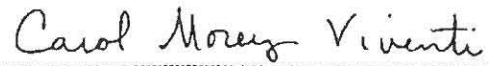
(c) House Bill No. 5124.

(d) House Bill No. 5125.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # 4

ITEM: Compliance with PA 152 of 2011, as amended

PRESENTER: Todd A. Drysdale, City Administrator



INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: In 2011, the State passed PA 152 otherwise known as the Publicly Funded Health Insurance Contribution Act (PFHIC), which was amended in PA 269-273 of 2013 and PA 184 of 2014. These laws were designed to lessen the burden of employee healthcare costs on public employers. There are four (4) options available to each public entity:

1. Apply the Hard Cap (capped dollar amount each government employer may pay towards an employee's healthcare costs;
2. Adopt by majority vote the 80%/20% cost-sharing-model;
3. Opt out of the cost-sharing model as set forth in the law;
4. Elect not to follow the statute (non-compliance).

For the first four years that this law has been in effect (2012, 2013, 2014, 2015), the City has adopted the 80%/20% cost sharing model. Using this option for compliance requires an annual resolution from the elected body.

It is recommended that this cost-sharing model continues to be approved due to the significant cost savings derived by the City.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Adopt a resolution affirming the continued application of the 80%/20% Cost Sharing Option allowed under PA 152 of 2011

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The application of the 80%/20% cost sharing of medical and prescription costs provides approximately \$400,000 in savings to the City. The amount is already included in the current and future year budgets.

IMPLEMENTATION PLAN: N/A – already ongoing.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: *AP.*

LIST OF ATTACHMENTS: N/A

MODEL RESOLUTION:

Resolved by the City Council that Council concurs with the recommendation of the City Administrator as set forth in his communication dated December 21, 2015 to maintain the 80/20 Cost Sharing Option available under PA 152 of 2011 that was originally adopted on December 19, 2011, May 20, 2013, November 29, 2013 and December 15, 2014.

Further, acknowledges that this action will continue to limit the City from paying more than eighty percent (80%) of the aggregate cost of medical and prescription insurance costs for its employees with the remaining medical and prescription costs being borne by the employees

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # **5**

ITEM: 2016 Blount Small Ship Adventures Docking Contract

PRESENTER: Justin N. Lanagan, Superintendent of Recreation

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: For the past 16+ years, the Blount Cruise Line has been renting and utilizing our docking facility at Bishop Park as a port destination for several of their trips on the Great Lakes. The ships are docked for a 24 hour period, often arriving and departing early in the morning. Each ship has 44 cabins which can accommodate 88 passengers. The ships utilize the northern most dock so that they do not interfere with the Diamond Jack dockings. During their brief stay, passengers have free time in which they may partake in an optional trip to Greenfield Village, or they can shop and dine in our downtown shops and restaurants. Last year Blount utilized the docks for 4 trips. This year, the ships would like to use the docks a total of 6 times: May 27th, June 8th, June 24th, July 6th, and August 14th. On July 6th, two separate cruise ships will be coming in, one utilizing the north gate and the other the south gate. This will not conflict with Diamond Jack operations.

STRATEGIC PLAN/GOALS: To provide the finest services and quality of life while advocating our heritage.

ACTION REQUESTED: Adopt a resolution concurring with the Superintendent of Recreation's recommendation to have the Mayor and City Clerk sign the contract for the 2016 Blount Small Ship docking dates. .

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 101-000-651-095. Docking vessels pay a daily rate of \$200 per day plus \$25 for garbage removal.

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Mayor and City Clerk to sign.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION: Approved by Legal Affairs

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: 1) Copy of 2016 Docking Contract with Blount Adventures
2) Copy of Hold Harmless Agreement with Blount Adventures

RESOLUTION

DATE: December 21st, 2015

RESOLUTION by Councilperson _____

RESOLVED by the City Council that Council **CONCURS** with the recommendation of the Superintendent of Recreation and hereby **APPROVES** the 2016 Bishop Park Docking Agreement with Blount Small Ship Adventures. Ships will dock on May 27th, June 8th, June 24th, July 6th (2 docks), and August 14th at a rate of \$200 per docking plus \$25 per docking for garbage removal, funds will be deposited into Account #101-000-651-095. **AND BE IT FURTHER RESOLVED** that the City Council authorizes the Mayor and City Clerk to sign the docking contract

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

NAYS

**Fricke
Galeski
Miciura
Sabuda
Schultz
Van Boxell**

AGREEMENT BETWEEN THE CITY OF WYANDOTTE
AND BLOUNT SMALL SHIP ADVENTURES
FOR THE OPERATION
OF THE DOCKING FACILITIES AT BISHOP PARK

AGREEMENT made and entered into this ____ day of _____, A.D., 2015, by and between the CITY OF WYANDOTTE, a Municipal corporation in the County of Wayne, State of Michigan, hereinafter designated FIRST PARTY, and BLOUNT SMALL SHIP ADVENTURES, hereinafter designated SECOND PARTY;

WITNESSETH:

WHEREAS, First Party owns and maintains a Docking Facility at the Bishop Park; and

WHEREAS, First Party is the owner of Bishop Park, which abuts on the Detroit River, and has docking facilities; and WHEREAS, the Second Party has requested permission to use said Bishop Park for dockage;

NOW, THEREFORE, in consideration of the mutual promises of the parties hereto, IT IS AGREED, as follows:

1. The First Party shall permit the Second Party to use BISHOP PARK for dockage for a fee as agreed upon by the parties.
2. Total payment is to be made to the Wyandotte Recreation, Leisure & Culture Department, 3131 Third Street, Wyandotte, MI 48192, by May 1, 2016.
3. The Dock is to be used only for the purpose of allowing passengers to board and exit the Second Party's vessels and for reasonable incidental uses associated therewith.
4. The Second Party shall comply with all Federal, State, County and City of Wyandotte laws, regulations, ordinances and rules.
5. The Second Party shall furnish the First Party with a Certificate of Insurance showing that Second Party has adequate insurance coverage for public liability, property damage and worker's compensation in amounts reasonably acceptable to the First Party. The Second Party shall add the City of Wyandotte as an "Additional Insured" on the public liability and property damage insurance policies maintained by it for its vessels and deliver said insurance policy to the First Party at least four (4) weeks prior to the date of the first docking.

6. The Second Party agrees that it shall indemnify and save harmless the First Party and its officers, elected officers, elected officials, commissions, agents, employees, or representatives for and from all claims, demands, payments, suits, actions, recoveries and judgments, of every type and nature, brought or recovered against it or either/or any of them for or on account of any personal injuries (including death) or damages to property received or sustained by any person or persons by reason of or arising out of or in connection with the Second Party's utilization of said docking facility under this agreement.

	<u>MV Grande Mariner</u>	<u>Length: 184' - Draft: 6'6" Flag: US</u>
	<u>MV Grande Caribe</u>	<u>Length: 184' - Draft: 6'6" Flag: US</u>
Grande Mariner	Arrive: May 27, 2016 @ 0900	Depart : May 28, 2016 @ 0700
Grande Mariner	Arrive: June 8, 2016 @ 0900	Depart : June 9, 2016 @ 0200
Grande Caribe	Arrive: June 24, 2016 @ 0900	Depart: June 25, 2016 @ 0700
Grande Mariner	Arrive: July 6, 2016 @ 0900	Depart: July 7, 2016 @ 0700
Grande Caribe	Arrive: July 6, 2016 @ 0900	Depart: July 7, 2016 @ 0200
Grande Mariner	Arrive: August 14, 2016 @ 0900	Depart: August 15, 2016 @ 0200
DOCKING FEE:	6 @ \$200 = \$1200 docking fees	
	6 @ \$25 = \$150 trash pickup	
	Total Amount Due \$1350	

PERSON IN CHARGE Cassie Doyle, Operations Manager
ADDRESS 461 Water Street, Warren, RI 02885
TELEPHONE 800-556-7450

IN WITNESS WHEREOF, the Parties hereto, by authority of the representative officials of the First Party and the Second Party have caused these presents to be signed, the day and year above setforth:

CITY OF WYANDOTTE
Authorized by

Mayor Joseph Peterson FIRST PARTY

Lawrence S. Stec City Clerk FIRST PARTY

Cassie Doyle, Operations Manager
SECOND PARTY

I hereby certify that the within document is correct as to legality and form, subject to receipt of proper insurance.

Name William R. Jork
Department of Legal Affairs

HOLD HARMLESS AGREEMENT

In consideration of the City of Wyandotte granting permission to **Blount Small Ship Adventures** for the use of the Bishop Park Boat Docking Facility on

May 27, 2016, June 8, 24, 2016, July 6, 2016 & August 14, 2016,
the undersigned hereby assumes all risk and liability relating to the use of the Bishop Park Boat Docking Facility, and agrees to hold harmless and indemnify the City of Wyandotte, its officers, agents, and employees from any and all damages, claims, liability and responsibility whatever for injury (including death) to persons and for any damage to any City of Wyandotte property or to property of others arising out of the said use of the Bishop Park Boat Docking Facility, except that the undersigned shall not be liable for any damages, claims for liability are due to the negligence of the City of Wyandotte, its agents and employees or from the existence of a dangerous or defective condition of the Bishop Park Boat Docking Facility

Except as set forth above, the undersigned further does hereby indemnify, remise, release and forever discharge the City of Wyandotte, its officers, agents and employees from any and all claims, demand, actions, causes of action, damages and liabilities resulting or arising out of, either directly or indirectly, from Permittee's use of the Bishop Park Boat Docking Facility. .

In addition, the undersigned hereby affirms that there are no violations from a city, county, state or federal agency pending pertaining to your organization/event.

Agreed to this _____ day of _____, 20 ____.

Name of Organization _____

By _____

Its _____

EVENT INFORMATION

Contact Person _____

Address _____

City, State, Zip _____

Home Phone # _____

Cell Phone # _____

Alternate Phones _____

I hereby certify that the within document is correct as to legality and form, subject to receipt of proper insurance.

Name William R. Joth

Department of Legal Affairs

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 15, 2015

AGENDA ITEM # **6**

ITEM: Christmas Tree Collection

PRESENTER: Mark A. Kowalewski, City Engineer *Mark Kowalewski 12-15-15*

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City provides collection of Christmas Trees during the month of January. Trees will be collected on Tuesdays north of Vinewood and Thursdays south of Vinewood. Ornaments, decorations, tree stands and plastic bags MUST BE REMOVED to permit composting.

STRATEGIC PLAN/GOALS: Committed to protect and manage our natural resources vigorously by promoting recycling and insuring yard waste is disposed of properly.

ACTION REQUESTED: Concur in the collection schedule.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Part of current contract with Waste Management.

IMPLEMENTATION PLAN: Post notice on cable.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: *Shrysdale*

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: *AKP*

LIST OF ATTACHMENTS: n/a

cc: Brain Conaway, Waste Management
Terel Patrick, Waste Management
Keith Fickel, Waste Management
Gary Ellison, DPS
David Rothermal, DPS

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: December 21, 2015

RESOLUTION by Councilperson _____

RESOLVED BY MAYOR AND COUNCIL that the communication from the City Engineer regarding the collection of Christmas Trees is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Waste Management will collect Christmas Trees beginning January 4, 2016, until January 29, 2016. Trees will be collected on Tuesdays north of Vinewood and Thursdays south of Vinewood. Ornaments, decorations, tree stands and plastic bags MUST BE REMOVED to permit composting of trees.

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	_____
_____	VanBoxell	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # 7

ITEM: Antenna Site License Agreement with New Cingular Wireless PCS, LLC for 1077 Grove

PRESENTER: Mark A. Kowalewski, City Engineer *Mark Kowalewski - 12-16-15*

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: In 1996, the City had constructed two (2) communication towers at 1077 Grove Street and 365 Hudson Avenue which the City owns. Space on the tower is licensed to various communication carriers. The enclosed Antenna Site License Agreement and Memorandum of Agreement with New Cingular Wireless PCS, LLC is for applicable portions of the communication tower at 1077 Grove Street.

STRATEGIC PLAN/GOALS: : This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to create revenues to support the City financially.

ACTION REQUESTED: Approve the Antenna Site License Agreement and Memorandum of Agreement for 1077 Grove with New Cingular Wireless PCS, LLC.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Increase revenue to account no. 295-000-655-020 by \$47,400.00 the 1st year and 4% increase thereafter.

IMPLEMENTATION PLAN: Execute Agreements and collect fees

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: *Shrysdale*

LEGAL COUNSEL'S RECOMMENDATION: Review by Bill Look 12/15/15 *in book*

MAYOR'S RECOMMENDATION: *ALP*

LIST OF ATTACHMENTS: Antenna Site License Agreement and Memorandum of Agreement

RESOLUTION

Wyandotte, Michigan

Date: December 21, 2015

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council approves the Antenna Site License Agreement and Memorandum of Agreement for the communication tower at 1077 Grove with New Cingular Wireless PCS, LLC; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said Amendments.

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	_____
_____	VanBoxell	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # **8**

ITEM: Precinct 1 Polling Location Change

PRESENTER: Lawrence S. Stec, City Clerk 

INDIVIDUALS IN ATTENDANCE: Lawrence S. Stec, City Clerk

BACKGROUND: The Downriver Italian-American Club at 646 Biddle was sold in the summer of 2015 to Nakad 646 Biddle, LLC. Michigan Election Law states that a polling place must be owned or controlled by an organization that is “exempt from federal income tax pursuant to section 501(c) other than 501(c)(4), (5), or (6) of the internal revenue code of 1986...”. Due to the sale of the property to a profit organization, the Clerk’s office was obligated and took the necessary steps to move the polling location for Precinct 1 to the Salvation Army, located at 1258 Biddle Avenue, in order to comply with Michigan Election Law.

STRATEGIC PLAN/GOALS: To comply with Michigan Election Law in regards to the establishment of polling places.

ACTION REQUESTED: Concur with the recommendation from the City Clerk to permanently move the polling location for Precinct 1 to the Salvation Army at 1258 Biddle.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds will be used from account #101-840-825-490 (Contractual Services, Election Commission). The Salvation Army has agreed to accept the same payment as was agreed to by the Downriver Italian American Club. As a result, there is no change in the budgeted amount for this service.

IMPLEMENTATION PLAN: There are approximately 1,480 voters in Precinct 1. Printing Systems, Inc., a reputable and State of Michigan approved print vendor, is currently processing, printing, and will mail out a new voter ID card to each of those voters in mid-January, 2016.

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR’S RECOMMENDATION: 

LEGAL COUNSEL’S RECOMMENDATION:

MAYOR’S RECOMMENDATION: 

LIST OF ATTACHMENTS:

MODEL RESOLUTION:

DATE: December 21, 2015

RESOLUTION by Councilperson _____

WHEREAS the City Clerk's office was required to move the polling location of Precinct 1 due to the sale of the Downriver Italian-American Club to a profit organization.

WHEREAS, in accordance with Michigan Election Law, a notice to voters of a permanent polling location change in the form of an updated Voter Identification Card is required to occur.

BE IT RESOLVED that the Council concurs with the request from the City Clerk to establish a permanent polling location for Precinct 1 at the Salvation Army, 1258 Biddle Avenue, AND

BE IT FURTHER RESOLVED that the Council approves the notification of said change via a new Voter Identification Card printed and mailed by the services of Printing Systems, Inc. in the amount of \$750 from account #101-840-825-350 (Printing, Election Commission) as approved by the City Administrator.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Fricke
Galeski
Miciura
Sabuda
Schultz
VanBoxell


NAYS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 21, 2015

AGENDA ITEM # **9**

ITEM: 2016 City Council Meeting Cancellations

PRESENTER: Lawrence Stec, City Clerk 

INDIVIDUALS IN ATTENDANCE: Lawrence Stec, City Clerk

BACKGROUND: Currently, the Clerk's office provides Mayor, Council, and citizens with agendas and background information for the City Council meetings on the Friday preceding the Monday meeting. The following 2016 holidays and events would prohibit the Clerk's office from distributing the necessary information to the aforementioned parties on the current schedule:

January 4 – New Year's Day
January 18 – Martin Luther King Day
February 15 – President's Day
March 7 – Presidential Primary Election
(March 8)
March 28 – Easter
May 30 – Memorial Day

July 4 – Independence Day
August 1 – State Primary Election (August 2)
September 5 – Labor Day
November 7 – Presidential Election
(November 8)
November 28 – Thanksgiving
December 26 - Christmas

STRATEGIC PLAN/GOALS: To ensure a well-informed governing body by cancelling meetings that would not provide sufficient time for information to be distributed and reviewed.

ACTION REQUESTED: Approve the cancellation of the 2016 City Council meetings

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: Cancel City Council meetings mentioned above for 2016 by way of resolution at this meeting. The Clerk's office will also post public notice at City Hall of cancelled meetings no less than 1 week in advance of the meeting dates being cancelled.

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS:

2016 Holiday Schedule

MODEL RESOLUTION:

DATE: December 21, 2015

RESOLUTION by Councilperson _____

WHEREAS the following 2016 holidays and events occur on such a day and time that would not allow for distribution of information to interested parties in regards to regularly scheduled City Council meetings:

January 4 – New Year’s Day
January 18 – Martin Luther King Day
February 15 – President’s Day
March 7 – Presidential Primary Election
(March 8)
March 28 – Easter
May 30 – Memorial Day

July 4 – Independence Day
August 1 – State Primary Election (August 2)
September 5 – Labor Day
November 7 – Presidential Election
(November 8)
November 28 – Thanksgiving
December 26 - Christmas

THEREFORE BE IT RESOLVED that the above-mentioned 2016 regular meetings of the City Council are hereby cancelled due to the holidays and events associated with each date as listed above.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson _____

SUPPORTED by Councilperson _____

YEAS

COUNCIL

Fricke
Galeski
Miciura
Sabuda
Schultz
VanBoxell

NAYS

FINAL READING OF AN 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”

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 38.1-18 Entitled “Sewage Disposal Charges”
is hereby amended as follows:

- (a) *Generally.* Effective as of January 1, 2016 the department of municipal service of the city is directed to increase the billing for sewage disposal charges to Three Thousand Forty One Dollars (\$3,041.00) 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 (including debt service and replacement); 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 January 1, 2016. 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	COUNCILMEN	NAYS
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Van Boxell	_____
		Absent: _____

I hereby approve the adoption of the foregoing ordinance this _____ day of December, 2015.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and LAWRENCE STEC, 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 December, 2015.

Dated: December _____, 2015

JOSEPH R. PETERSON, Mayor

LAWRENCE STEC, City Clerk

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, December 14, 2015, and was called to order at 7:00pm, Honorable Mayor Joseph R. Peterson presiding.

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

Present: Councilpersons Fricke, Miciura, Sabuda, Schultz, and VanBoxell

Absent: Councilperson Galeski; Thomas Woodruff, City Assessor; Todd Browning, City Treasurer

Also Present: William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence Stec, City Clerk

PRESENTATIONS

Presentation by Eula Grooms and the Cultural & Historical Commission to thank Jody Egan for her years of dedication and service as the Museum Director in Wyandotte.

Communication from USPS Facilities Vice President, Tom A. Samra, regarding the relocation of the Wyandotte, Michigan Post Office currently located at 166 Oak Street to 3099 Biddle Avenue.

COMMUNICATIONS MISCELLANEOUS

PERSONS IN THE AUDIENCE

NEW BUSINESS (ELECTED OFFICIALS)

Councilperson Fricke: Question to City Administrator regarding Assessor Fuoco Services and Downriver Assessing Contract

Councilperson Fricke: Question regarding the cost of totes and why there are rental fees associated with their usage.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

AGENDA ITEM #1

Communication from Mayor, Joseph R. Peterson, regarding the re-appointment of Kurt Kobiljak as City Prosecutor.

AGENDA ITEM #2

Communication from City Administrator, Todd Drysdale, regarding the hiring of Joseph K. Gruber as the Downtown Development Authority (DDA) Director

AGENDA ITEM #3

Communication from City Administrator, Todd Drysdale, regarding the agreement between the City of Wyandotte and the IAFF Local #356.

AGENDA ITEM #4

Communication from City Administrator, Todd Drysdale, regarding the agreement between the City of Wyandotte and the COAM Wyandotte Command Officer's Bargaining Unit.

AGENDA ITEM #5

Communication from City Administrator, Todd Drysdale, regarding the agreement between the City of Wyandotte and the POAM Wyandotte Patrol Officer's Bargaining Unit.

AGENDA ITEM #6

Communication from City Administrator, Todd Drysdale, regarding wage increases for full-time, non-union employees.

AGENDA ITEM #7

Communication from Police Chief, Daniel J. Grant, regarding police department rank structure changes and promotions.

AGENDA ITEM #8

Communication from Police Chief, Daniel J. Grant, regarding the hiring of two police officers, Kyle Runyon and Nathan Hiske.

AGENDA ITEM #9

Communication from Police Chief, Daniel J. Grant, regarding the purchase of three vehicles for the WPD.

AGENDA ITEM #10

Communication from Special Events Coordinator, Heather A. Thiede, requesting approval of the Wyandotte Street Art Fair Artist and Crafter Applications.

AGENDA ITEM #11

Communication from the Planning Commission Chairperson, Elizabeth Krimmel, requesting approval of Stage I and Stage II Final Site Plan as submitted by Oak Street Condo Projects, LLC, Owner, and Runkle Architecture, for the property at the southwest corner of 2nd and Oak Streets.

- Jack Runkle, Architect, in attendance to speak to/answer questions from Mayor and Council.

AGENDA ITEM #12

Communication from City Engineer, Mark A. Kowalewski, and City Administrator, Todd Drysdale, regarding the redevelopment of McKinley School Site

- Joe DiSanto, Coachlight Properties, and Joe Voszatka in attendance to speak to/answer questions from Mayor and Council.

LATE ITEM #13

Communication from Chairperson of the Evening, Councilperson Fricke, regarding the discontinuation and dismissal of the Show Cause Hearing on the Foundation at the S.W. corner of Oak and 2nd Streets due to the progress from the owner and developer.

LATE ITEM #14

Communication from Barnhart Crane and Rigging Co. Project Manager, Forrest W. Brown, III, requesting approval to use city-owned streets to transport a transformer to the Municipal Services Yard.

REPORTS AND MINUTES

City Council

Daily Cash Receipts

Downtown Development Authority

Fire Commission

Police Commission

December 7, 2015

December 9, 2015

Sept. 2015, Oct. 2015 & Nov. 2015

October 27, 2015

October 27 & November 24, 2015

CITIZENS PARTICIPATION

Chris Calvin, 466 Sycamore, regarding parliamentary law and McKinley School value.

Mark Woodward, 301 Riverside, regarding post office relocation and council conduct.

Philip Dolan, 4093 17th Street, regarding tax breaks.

Rene Tarnowski, 2312 1st Street, regarding the definition of OPRA.

HEARING

SHOW CAUSE HEARING SCHEDULED FOR PROPERTY AT S.W.
CORNER OF OAK & 2ND STREET WAS DISMISSED.
SEE RESOLUTION BELOW

FIRST READING OF AN 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”

RECESS**RECONVENE**

Present: Councilpersons Fricke, Miciura, Sabuda, Schultz, and VanBoxell and Mayor Peterson

Absent: Councilperson Galeski; Thomas Woodruff, City Assessor; Todd Browning, City Treasurer

Also Present: William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence Stec, City Clerk

RESOLUTIONS

By Councilperson Fricke, supported by Councilperson Sabuda
RESOLVED that the minutes of the meeting held under the date of December 7, 2015, be approved as recorded, without objection.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council hereby CONCURS in the recommendation of Mayor Peterson to retain the prosecutorial services of Kurt Kobiljak of Pentiuk, Couvreur & Kobiljak, for a two year period commencing January 1, 2016 through December 31, 2017. The terms of the agreement will be an all-inclusive fixed fee of \$2,500 per month, plus incidental expenditures. Funds to come from Account Number 101 136 825 331.
AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the agreement from Kurt Kobiljak of Pentiuk, Couvreur & Kobiljak.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council acknowledges receipt of the communication from the City Administrator regarding the hiring for the Director of the Downtown Development Authority;
AND

BE IT FURTHER RESOLVED that Council approves the recommendation of the City Administrator to hire Joseph K. Gruber for this position at salary level 33D subject to the successful completion of a physical and drug screen examination.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council hereby CONCURS in the recommendation of the City Administrator and APPROVES the tentative agreements between the City of Wyandotte and IAFF Local #356; AND
BE IT FURTHER RESOLVED that Council instructs the City Administrator to prepare the collective bargaining agreement for the period of January 1, 2016 through December 31, 2020; AND
BE IT FURTHER RESOLVED that Mayor and City Clerk are authorized to execute said agreement.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council hereby CONCURS in the recommendation of the City Administrator and APPROVES the tentative agreements between the City of Wyandotte and Command Officer's Association of Michigan (COAM) Wyandotte Police Command Officer's Bargaining Unit; AND
BE IT FURTHER RESOLVED that Council instructs the City Administrator to prepare the collective bargaining agreement for the period of January 1, 2016 through December 31, 2020; AND
BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute said agreement.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council hereby CONCURS in the recommendation of the City Administrator and APPROVES the tentative agreements between the City of Wyandotte and Patrol Officer's of Michigan (POAM) Wyandotte Police Patrol Officer's Bargaining Unit; BE IT FURTHER RESOLVED that Council instructs the City Administrator to prepare the collective bargaining agreement for period of January 1, 2016 through December 31, 2020; AND
BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute said agreement.
Motion carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council hereby CONCURS in the recommendation of the City Administrator and APPROVES the general increase of 3.5% for all eligible full-time, non-union employees effective January 1, 2016.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that the Council concurs with the determination that the promotion of three Sergeants will assist with the current Command Structure on the 4 platoons of the Police Department's 12-hour shifts and in the Detective Bureau, the Council authorizes the filling of such positions: AND
BE IT FURTHER RESOLVED that the Police Department is authorized to commence with the promotional process to fill 2 vacant Lieutenant positions.

FURTHER, subsequent to a written examination, an interview panel, and calculations of seniority which were taken into consideration in accordance with the collective bargaining agreement, the next Sergeant promotions are to be awarded to Det. Rick Weise, Ofcr. Jeff Powers, and Ofcr. Jerry Conz,
THEREFORE BE IT RESOLVED that authorization is granted to make said promotions.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council concurs with the determination that vacancies exist for the position of Police Officer and the Council authorizes the filling of such vacancies, AND
FURTHER RESOLVED that subsequent to a written examination, physical agility test, interview panel, and background investigation conducted by the Police Department, candidates Kyle Runyon and Nathan Hiske are being offered employment as probationary Police Officers contingent upon their successful completion of physical, drug screen, and psychological examinations.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that the Council concurs with the Chief of Police to purchase two (2) Chevrolet Tahoe police package patrol vehicles from Shaheen Chevrolet Inc. which is the dealership awarded the contract for the Lansing Police Dept. and one (1) Ford Explorer from Gorno Ford which has been awarded the State of Michigan contract. The pricing for these purchases will be as noted on the submitted price quotes, AND
BE IT FURTHER RESOLVED that this expenditure will be paid from our Vehicle account 101-301-850-530.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
BE IT RESOLVED that Council concurs with the recommendation of the Special Events Coordinator to approve the 2016 Wyandotte Street Art Fair Artist and Crafter Applications.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda
WHEREAS on October 15, 2015 and November 19 2015, the Planning Commission held the public hearing and notice was placed in the New Herald. Comments were received including a letter from the City Engineer; AND
WHEREAS the Planning Commission approved the Stage I and Stage II Final Site Plan for the property at the southwest corner of 2nd and Oak Street, Wyandotte; AND
NOW THEREFORE BE IT RESOLVED that the City Council approves the Stage I and Stage II Final Site Plan as submitted by Oak Street Condo Projects, LLC, Owner and Runkle Architecture, for the property at the southwest corner of 2nd and Oak Streets to be used as four (4) unit attached townhouse condominium units with the requirements set forth in the Zoning Ordinance Section 1655.
Approval includes Runkle Architecture Landscape Plan LS-1.0, Site Plan AS-1.0, Lower Level Floor Plan A-1.1, Upper Level Floor Plan A-1.2, and Elevations A-2.1, A2.2 all dated December 10, 2015. Approval includes Stanley & Associates Site Development Plan/Landscape Plan labeled as 1 of 3, 2 of 3 and 3 of 3, dated October, 2005.
Acceptance of Final Site Plan is conditioned on future submittal of elevation and landscape plans for the two (2) three (3) unit buildings on the southern part of the Site Plan to the Planning Commission for review and recommendation t a public hearing with submittal to City Council for approval.
Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda

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

BE IT FURTHER RESOLVED that the Mayor and City Council acknowledge that Coachlight Properties, LLC, will request an Obsolete Property Rehabilitation Act Exemption and a Brownfield Plan to be included in any future purchase agreement between the city and the LLC.

BE IT FURTHER RESOLVED that this matter is referred back to the City Engineer and City Attorney to negotiate a purchase agreement on or before January 25, 2016, to be presented to the City Council. There will be no charge to Coachlight Properties to continue and under the letter of intent; AND

IT IS FURTHER RESOLVED that this resolution does not obligate the City of Wyandotte to enter into a purchase agreement with Coachlight Properties, LLC.

YEAS: Councilpersons Fricke, Sabuda, Schultz, VanBoxell & Mayor Peterson

NAY: Councilperson Miciura

By Councilperson Fricke, supported by Councilperson Sabuda

WHEREAS, a show cause hearing was held on June 15, 2015 where all parties were given an opportunity to appear to have their attitude expressed in support of or in opposition of the removal of foundation structures at Oak Street and 2nd Street, Wyandotte, Michigan, or why said structure should not be demolished, removed, or otherwise made safe, AND

WHEREAS, said hearing was held in abeyance for thirty (30) days; (July 20, 2015); three weeks (August 10, 2015), one week (August 17, 2015), two months (October 19, 2015), seven weeks (December 7, 2015) and one week (December 14, 2015).

THEREFORE BE IT RESOLVED that the City of Wyandotte discontinue and dismiss the Show Cause Hearing on the Foundation at Oak and 2nd Streets (S.W. Corner) due to the progress from the Owner and Developer.

Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda

BE IT RESOLVED that the City Council APPROVES Barnhart Crane and Rigging Co. to access the City-owned streets known as 13th Street from Pennsylvania to Grove to 11th Street in the City of Wyandotte for transport of overweight and oversized transformer to the Wyandotte Municipal Services yard; AND

BE IT FURTHER RESOLVED that a Hold Harmless agreement as prepared by the Engineering Department is completed and filed with the Clerk's office and a Certificate of Insurance is submitted and approved by the Department of Legal Affairs.

Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED by the City Council that the City Assessor is directed to submit a report to the City Council for the January 11th, 2016 meeting which report shall contain recommendations to the city to address the mandates raised by the State of Michigan to come into full compliance with the state requirements and to propose a plan to meet those requirements.

Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED that the total bills and accounts of \$800,541.81 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

By Councilperson Fricke, supported by Councilperson Sabuda

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 9:40 p.m.

Motion unanimously carried.

A handwritten signature in black ink, appearing to read 'Lawrence S. Stec', is written over a horizontal line.

Lawrence S. Stec, City Clerk

City of Wyandotte

Police Commission Meeting

Regular Commission Meeting
December 8, 2015

ROLL CALL

Present: Chief Daniel Grant
Commissioner John Harris
Commissioner Dr. Michael Izzo

Absent: Commissioner Doug Melzer (Excused)

Others Present: None

The meeting was called to order at the Wyandotte Police Department, 2015 Biddle Avenue, Wyandotte, Michigan by Chairperson, Commissioner Harris at 6:22 p.m.

The Minutes from the regular Police Commission meeting on November 24, 2015, were presented.

Harris moved, Izzo seconded,
CARRIED, to approve the regular minutes of November 24, 2015, as presented.

UNFINISHED BUSINESS

NONE

COMMUNICATIONS

1. **Thank You Email** – November 30, 2015 email from Greg Graff to Chief Grant commending Officer Theisen on his interaction with Mr. Graff's grandkids.

Mr. Graff could not say enough kind things about Officer Theisen and how he interacted with his family on Thanksgiving, especially the kids.

Both Commissioners wanted to commend Officer Theisen and extend their congratulations to him also on a job well done.

Izzo moved, Harris seconded,
CARRIED, to receive the correspondence and place on file.

2. **Thank You Note** – A general thank you note from the Driscoll family to all the Wyandotte police officers as an appreciation for their services to the community.

Chief Grant explained we received this note as a general thank you to everybody in the Department.

Izzo moved, Harris seconded,
CARRIED, to receive the correspondence and place on file.

DEPARTMENTAL

1. Police Statistics – November 2015, Year to Date

There's nothing out of the ordinary. Very soon we will be able to look at the year-end statistics and compare them to the State of Michigan figures. Chief Grant will supply the State of Michigan statistics when they are available.

Often times, during this time of year, things are stolen just because of the holidays.

Harris moved, Izzo seconded,
CARRIED, to receive the correspondence and place on file.

2. Update On Officer Hiring

Chief Grant shared the rankings of the potential candidates and explained the process which led up to those rankings. He stated that law enforcement agencies are getting very few applicants for open positions, and he's not quite sure why we're seeing this trend.

The Chief then gave an overview of the three highest ranking applicants regarding their education and qualifications.

Izzo moved, Harris seconded,
CARRIED, to approve the three candidates Chief Grant discussed and move forward on the hiring process, including taking this employment request to City Council.

3. Bills and Accounts – December 8, 2015 \$8,378.42

Izzo moved, Harris seconded,
A Roll Call was held and the Motion
CARRIED, to unanimously approve payment of the bills for December 8, 2015 \$8,378.42

NEW BUSINESS

1. New Vehicles for the Fleet

Chief Grant would like to purchase two new Tahoes and one Explorer to update the current fleet of patrol vehicles. The Tahoes are available through Berger Chevrolet, and the Explorer is available through Gorno Ford. Both dealers have the State contract which essentially guarantees the lowest pricing for these vehicles.

The three vehicles were allotted for in the Department's current fiscal budget.

Izzo moved, Harris seconded,
CARRIED, to approve the purchase of three new vehicles as presented.

2. Department Organization

A lengthy discussion followed regarding the current number of sergeants and lieutenants and what the Department would look like after the impending promotions are instituted.

Commissioner Harris is particularly concerned with the long range future of the Department and what candidates might be available and properly trained to move up through the ranks.

Education is an important component for career advancement, and the command union negotiations are currently defining what the educational requirements will be to advance in the ranks.

Members of the Audience

ADJOURNMENT

Since there was no further business to come before the Commission, there was a motion to adjourn the meeting at 7:07 p.m.

Izzo moved, Harris seconded,
CARRIED, to adjourn meeting at 7:07 p.m.

Laura Allen
Administrative Assistant
Wyandotte Police Department

A handwritten signature in cursive script that reads "Laura Allen".

RETIREMENT COMMISSION MEETING
THURSDAY, DECEMBER 17, 2015

Meeting called to order at 9:00 a.m. by Commissioner Browning.

ROLL CALL

PRESENT: Commissioners Brohl, Browning, LaManes, Lyon, Schultz, Yoscovits

ABSENT: None

ALSO PRESENT: Frank Deeter, Tanner Robinson—Oppenheimer & Co.
Lawrence Stec – City Clerk

MOTION by Commissioner LaManes, SUPPORTED by Commissioner Brohl
RESOLVED that the minutes held under the date of November 19, 2015 be approved as
recorded without objection.

MOTION unanimously carried

COMMUNICATIONS MISCELLANEOUS

NONE

SPECIAL ORDER

Mr. Tanner Robinson of Oppenheimer & Co. report included:

- Federal action to raise interest rate
- Not anticipating significant raises and will all be data driven
- Future action will be based on future developments
- Good economic indicators
- Pensions should benefit
- Commodities market in free fall
- China driven
- Commodities priced in U.S. dollars
- Market calm but volatility expected
- All assets now in U.S. bank

Mr. Tanner Robinson of Oppenheimer & Co. report also added:

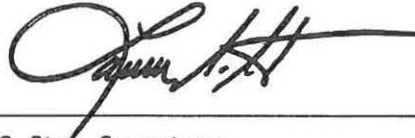
- Investment expense review
- Very low 0.57% (57 basis points)
- Training for possible new members after election

ADJOURNMENT

MOTION by Commissioner Brohl, SUPPORTED by Commissioner Lyon

RESOLVED, that the meeting be adjourned at 9:22 a.m.

MOTION unanimously carried.



Larry S. Stec, Secretary
Wyandotte Employee's Retirement Commission
December 17, 2015

DRAFT

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF December 2, 2015
ZONING BOARD OF APPEALS AND ADJUSTMENT**

A meeting of the Zoning Board of Appeals and Adjustment of the City of Wyandotte was **called to order** by Chairperson Duran **at 6:30 p.m.**, in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Duran
Flachsmann
Gillon
Olsen
Nevin
Trupiano
Szymczuk
Wienclaw

MEMBERS ABSENT: DiSanto

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Szymczuk, supported by Member Olsen to approve the minutes of the November 4, 2015, meeting as recorded.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

Abstain: none

Absent: DiSanto

Motion passed.

APPEAL #3211 - GRANTED

David Roberts, 20319 Twin Pond Dr., Brownstown (owner & appellant)

for a variance **to obtain a Certificate of Occupancy for existing nonconforming parking space in front yard at 898 – 7th Street** (Lots 116 and 117, Reaume Sub.) in a RA zoning district, where the proposed conflicts with Section 2403.C of the Wyandotte Zoning Ordinance.

SECTION: 2403.C

Off street parking maybe located within a side or rear yard. Off street parking shall not be permitted within a required front yard unless otherwise provided for in this ordinance. There is an existing nonconforming parking space in the front yard that the homeowners are requesting permission for it to remain.

Front yard parking will not hinder or discourage the appropriate development or use of adjacent land and buildings, or impair the intent of the ordinance.

A motion was made by Member Gillon supported by Member Wienclaw to grant this appeal.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

Abstain: none

Absent: DiSanto

Motion passed.

APPEAL #3212 - GRANTED

Michigan Legacy Credit Union, 269 Oak, Wyandotte (owner & appellant)

for a variance to obtain a sign permit for a changeable message sign at 269 Oak (Lots 1 to 3 incl., also the W 21' of Lot 4, Block 85) in an OS zoning district, where the proposed conflicts with Section 2408.F.2.k.1 of the Wyandotte Zoning Ordinance.

SECTION: 2408.F.2.k.1

Changeable message signs are permitted only in B-1 and B-2 Zoning Districts

The proposed wall sign would be located above the drive through area. The property is zoned O-S which doesn't allow L.E.D. signs.

Changeable message sign will not be objectionable to nearby residential neighborhood to any greater degree than what is normal with respect to the proximity of commercial to residential uses.

A motion was made by Member Szymczuk supported by Member Olsen to grant this appeal.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

Abstain: none

Absent: DiSanto

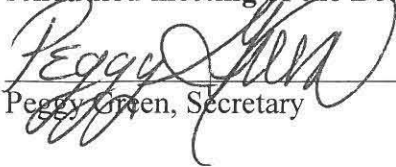
Motion passed.

COMMUNICATIONS:

Motion was made by Member Gillon, supported by Member Trupiano to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 7:00 p.m. **The next scheduled meeting of the Board will be held on January 6, 2016.**


Peggy Green, Secretary

Appeal #3211

Chairperson Duran read the appeal and asked that it be explained

David Roberts/Tera Johnson, owners, present.

Chairperson Duran asked if this was a rental property. Ms. Johnson replied yes. Chairperson Duran asked if they wanted to keep the existing space. Ms. Johnson replied yes and discussed previous inspections that had passed, and permits issued with the ordinance specified. Ms. Johnson continued that there was an addition on top of the original driveway, and there was another driveway built around the addition. Ms. Johnson continued that in 2012 there was a C of C issued, and this matter was not on the original inspection, and questioned why it was an issue now, after multiple inspections have been done on the property. Ms. Johnson added that they do take good care of their properties.

Chairperson Duran confirmed that the matter was not called out on the previous inspection. Ms. Johnson stated that was correct, it was not mentioned during the last 5 or 6 inspections, and not on original inspection.

Member Szymczuk asked if they were the owners in 2012. Ms. Johnson replied that they just purchased the property this year.

The Board asked if the previous owner had an inspection. Ms. Johnson replied that this is the third inspection since the addition, and it looks like it would be hazardous issue if they have to fix it the way that the City wants it done and expensive.

Member Trupiano asked about the cost. Ms. Johnson stated that they would have to remove and replace landscaping, and it looks like it would be a tripping hazard the way the city wants it done. Their tenant has grandchildren, and is concerned about it becoming a tripping hazard.

Member Gillon stated that it appears the space has been there for several years, and does not see a problem and added that the Engineering Department knew it was there when the addition was done.

One communication from DTE was received.

Appeal #3212

Chairperson Duran read the appeal and asked that it be explained

Gary Leach, Michigan Legacy Credit Union, present.

Mr. Leach handed out a sketch to the Board and stated that they are in the process of fixing up the building and would like to have a scrolling LED on the back of the canopy of the drive thru, it will not be facing Oak or 3rd Streets. The message will be about loan, CD's and other promotions, it will only be lit from opening to closing, it will be 1 foot high and 10 feet long. Mr. Leach added that a few of the neighbors that had received the notice for this meeting have already come over and asked him questions about the sign. Mr. Leach added that they work well with the neighbors.

Member Flachsmann stated that the residence most close would be the townhouse next door, and there is a residence connected to the antique store. Member Flachsmann asked if it would be low lit with dark background. Mr. Leach replied yes, and it will only be lit during hours of operation.

Member Olsen suggested a timer for the sign.

Member Gillon and Mr. Leach discussed the type of messages that would be displayed.

One communication from DTE was received.



DTE Energy - MichCon Gas Company
Data Integrity Gas and SEMI Mapping Team
One Energy Plaza, GO 838 Bldg., 8th. Floor
City of Detroit, MI 48226

5 OF 6

November 19, 2015

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3211: For a variance to obtain a Certificate of Occupancy for existing nonconforming parking space in front yard at 898-7th. Street, in a RA Zoning District.

- ☒ Not involved. See Remarks!
- ☐ Involved: but asking you to hold action on this petition until further notice.
- ☐ Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- ☐ Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

DTE Energy-MichCon Gas Company has no involvement, nor objection to the Appeal No. 3211 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 53, three (3) working days before you dig, dial toll free MISS DIG at: 1 - 800 - 482 - 7171.

Michcon Gas Leak Emergency Phone Number: 1- 800 - 947 - 5000.

Sincerely,

/s/ Eddie A. Reyes
Senior Drafter - GO 838
Data Integrity - Mapping Team
DTE Energy - MichCon Gas Co.
One Energy Plaza, Detroit MI 48226

EAR/
Enclosure



DTE Energy - MichCon Gas Company
Data Integrity Gas and SEMI Mapping Team
One Energy Plaza, GO 838 Bldg., 8th Floor
City of Detroit, MI 48226

6 of 6

November 19, 2015

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3212: For a variance to obtain a sign permit for a changeable message sign at 269 Oak Street, in an OS Zoning District.

- ☒ Not involved. See Remarks!
- ☐ Involved: but asking you to hold action on this petition until further notice.
- ☐ Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- ☐ Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

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EAR/
Enclosure