

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, January 9, 2017, and was called to order at 7:00pm with Honorable Mayor Joseph R. Peterson presiding.

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

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

Absent: Thomas Woodruff, City Assessor

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

PRESENTATIONS

- Presentation of Outdoor Holiday Lighting & Decorating Awards by the Wyandotte Beautification Commission
- Presentation by Mary Fisher-Bohling and Anita Twardesky of the Downriver Linked Greenways Initiative (DLGI) and Tyler Klifman from the Southeast Michigan Council of Governments (SEMCOG).

UNFINISHED BUSINESS

None

COMMUNICATIONS MISCELLANEOUS

None

PERSONS IN THE AUDIENCE

None

NEW BUSINESS (ELECTED OFFICIALS)

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

Discussion regarding Resolution #2017-2 thru 2017-14

PRESENTATION OF PETITIONS

None

REPORTS & MINUTES

City Council	December 19, 2016
Beautification Commission – Special Meeting	December 14, 2016
Daily Cash Receipt	December 20, 2016 & Jan. 5, 2017
Design Review Committee	December 20, 2016
Recreation Commission	December 13, 2016
Zoning Board of Appeals & Adjustment	December 7, 2016

CITIZENS PARTICIPATION

None

RECESS

RECONVENE

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

Absent: Thomas Woodruff, City Assessor

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

HEARINGS

None

FIRST & FINAL READING OF AN ORDINANCE

None

RESOLUTIONS**2017-1 MINUTES**

By Councilperson VanBoxell, supported by Councilperson Schultz

RESOLVED that the minutes of the meeting held under the date of December 19, 2016, be approved as recorded.

Motion unanimously carried.

2017-2 YEARLY TRAINING BUDGET – BOARDS & COMMISSIONS

By Councilperson VanBoxell, supported by Councilperson Schultz

WHEREAS, the MEDC has developed a program for certifying Redevelopment Ready Communities, and the City of Wyandotte desires to achieve that certification by implementing best practices and recommended strategies for redevelopment; and

WHEREAS, the City of Wyandotte has engaged in the MEDC Redevelopment Ready Communities Program, in order receive Redevelopment Ready Communities Certification from the MEDC.

NOW, THEREFORE, BE IT HERBY RESOLVED, that the City of Wyandotte, Michigan through its City Council, accepts the Wyandotte's Yearly Training Budget for Boards & Commissions as written. Motion unanimously carried.

2017-3 ANNUAL PROCUREMENT RULES & POLICIES

By Councilperson VanBoxell, supported by Councilperson Schultz

Whereas the amended City Charter requires the City Council to annually adopt the procurement rules and policies to be used by City departments, the City Council officials adopts the procurement procedure as written below:

SUMMARY**FORMAL BID PROCESS****Approval/Authorization Process - \$10,000 and over**

1. Use Competitive Sealed Bidding Procedure
2. User department prepares specifications (including drawings, profiles, plans, estimates, etc.)
3. User submits specifications, vendor list, account number, budgeted amount, and proof of solicitation to City Clerk.
4. City Clerk submits specifications, vendor list, account number, budgeted amount, proof of advertisement for sealed bid, and bid opening date to the City Administrator for an authorization to proceed to the City Council.
5. City Council approves the purchase and the awarding of the bid.

WRITTEN QUOTE PROCESS**Approval/Authorization Process - \$5,000 - \$9,999**

1. User department secures a minimum of three (3) written quotes. The written quotes will be valid ninety (90) days from the date of receipt
2. Quotes are submitted to the City Clerk with recommendation.
3. City Clerk submits recommendation and written quotes to the City Administrator for an authorization to proceed.
4. City Council approves the purchase (by approving the submitted "bills and accounts")

VERBAL QUOTE PROCESS**Approval/Authorization Process - \$0 - \$4,999**

1. User department secures a minimum of three (3) verbal quotes. Verbal quotes will be valid ninety (90) days from the date of receipt.
2. Quotes are submitted to the City Clerk with recommendation.
3. City Clerk submits recommendation and written quotes to the City Administrator for an authorization to proceed.
4. City Council approves the purchase (by approving the submitted "bills and accounts")

Competitive Sealed Bidding Procedures

All contracts of the City for the purchase of goods, materials, supplies, equipment, and contractual services in excess of \$10,000 shall be awarded by competitive sealed bidding except as otherwise provided below (Sole Source Procurement, Emergency Procurement, Professional Services, Cooperative Purchasing).

- A. **Invitation to Bid** – An invitation for bids shall be issued to prospective bidders and shall include specifications, and all contractual terms and conditions applicable to the procurement
- B. **Bid Solicitation** – Public notice of the invitation for bids shall not be less than fourteen (14) calendar days prior to the date set forth for the opening of the bids. Such notice shall be publicized on the Michigan Inter-Governmental Trade Network (MITN) and the City's website. Additional publications in trade specific journals or newspapers of general circulation could also be used when deemed advantageous (as determined by the user department) to attracting additional bidders. The public notice shall state the place, date, and time of the bid opening.

- C. Bid Opening and Tabulation – Bids shall be opened publicly by the City Clerk or City Clerk’s designee. A bid tabulation will be prepared by the user department. After review by the user department, the user department will provide a recommendation as to the lowest responsible bidder. The user department shall submit a recommendation to the City Administrator within thirty (30) days for consideration by the City Council. All bid recommendations shall be forwarded to the City Council within forty-five (45) days following bid opening.
- D. Bid Bonds – When deemed necessary by the user department and the Department of Legal Affairs, bid bonds may be required in the solicitation of a bid. Unsuccessful bidders shall be entitled to the return of their bid bond following contract agreement by the successful bidder. Bid bonds will be returned by the City Clerk’s Office after the bid is awarded by the City Council. Successful bidders failing to enter into a contract within twenty (20) days after award will forfeit their deposits.
- E. Bid Acceptance and Bid Evaluation – Bids shall be unconditionally accepted without alteration or correction except as outlined below. Bids shall be evaluated based on the requirements set forth in the specifications, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered for evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The specifications shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation that are not set forth in the specifications.
- F. Bid Rejection – The City Council may reject any or all bids or parts of bids when the public interest would be best served by rebidding.
- G. Bid Award – Only the City Council has the power to award a bid over \$10,000 as stated in the competitive sealed bid procedures. Bids will be awarded to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the specifications. Factors to be used in bid award include, but are not limited to:
- a. Previous work performance;
 - b. Reliability, skill, qualifications and integrity of bidder;
 - c. Bid price;
 - d. Cleanliness;
 - e. Sufficiency of equipment, fitness and responsibility or capacity to perform the work or furnish the supplies at the bid price;
 - f. Insurance and licenses when required by law in a form and amount satisfactory to the City;
 - g. References and experience of the bidder;
 - h. Good communication and compliance with the bid requirements set forth in the specifications;
 - i. Wyandotte-based business and consideration of the Wyandotte-based business preference (2%) as enumerated in the attached City Council Resolution dated July 24, 2006.
 - j. Any other criteria that the City, in its sole discretion, feels are necessary for the bid.
- H. Correction or Withdrawal of Bids - Correction or withdrawal of inadvertently erroneous bids may be permitted before the bid opening. Mistakes discovered before bid opening may be modified or withdrawn by written notice received by the Clerk’s Office prior to the time set for bid opening. After the bid opening, no changes or corrections are permitted to the bid prices or other provisions of bids prejudicial to the interest of the City or fair competition.
- I. Cancellation of Award – Cancellation of awards or contracts may be permitted where appropriate. Such cancellations must be submitted to the City Council with full explanation for consideration.
- J. Award to Other Than Low Bidder – When the bid award is not given to the lowest bidder meeting specifications, a full and complete statement of the reasons for placing the order elsewhere will be prepared by the department head and submitted to the City Administrator for submission to the City Council. A formal resolution stating reasons for award to other than the lowest bidder meeting specifications shall be prepared and submitted for consideration to the City Council.
- K. Wyandotte-based Vendors –consideration should be given to the Wyandotte-based business preference (2%) as enumerated in the attached City Council Resolution dated July 24, 2006.

- L. Tie Bids - Vendors – If two (2) or more bids received are for the same unit price, quality and service being equal, the contract will be awarded to the vendor whose bid is deemed most advantageous by the City Council.
- M. Prohibition against Subdivision – No contract or purchase shall be subdivided to avoid the provision of the procurement procedures adopted by the City Council.
- N. No Timely Bid Received – If no timely bid is received after bid notices have been published on any supplies, materials, equipment, or contractual services, the City Council may direct the City Administrator and department user to negotiate a contract with a prospective vendor or secure the item by solicitation of bids.
- O. Contract Coordination – Upon bid award, the department user will coordinate contract execution between the successful bidder and the City. The City Clerk will insure that all contract documents are completed with one complete set of original documents filed in the City Clerk's Office.
- P. Payment – Following the receipt of the goods or services and invoice, the Finance Department will make payment. Notice to the Finance Department will consist of the invoice approved by the proper department head. Any discrepancy between the invoice and the approved contract amount shall be reported to the City Administrator for review and discussion before payment.

Waiver of Competitive Bidding

The City Council may waive the requirement for competitive bidding, only when authorized by law, for the purchase of supplies, materials, equipment or contractual services when some material feature or characteristic of the item or service is unique in nature. The user department shall submit a full and complete statement of the reasons for waiving competitive bidding to the City Administrator for consideration by the City Council.

Sole Source Procurement

A bid may be awarded without competition when the City Administrator determines in writing, after conducting a good faith review of available sources, that there is only one source for the required supply, service, or construction. The City Administrator shall conduct negotiations, as appropriate, as to price, delivery, and terms. A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification number of each bid file. Sole source purchases shall be submitted to the City Council for authorization and approval.

Emergency Procurements

Notwithstanding any other provisions of this Manual, the City Administrator may make an emergency procurement not to exceed \$20,000 for materials, equipment, supplies, services, contractual services or construction items when there exists a threat to public health, welfare, and safety, or significant disruption of operations of the department and delivery of services provided that such emergency procurements shall be made with such competition as practical under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be submitted to the City Administrator for approval with a copy to be included in the bid file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the item(s) procured under the contract, and the identification number of the contract file. Emergency procurements shall be submitted to the City Council for approval.

Intergovernmental (Cooperative) Purchases

The purpose of cooperative purchasing is to obtain lower prices from volume buying and to create a demand large enough to encourage suppliers to offer commodities and equipment at the lowest available price. The City may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any equipment, supplies, services, or construction with one or more governmental agencies. Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between local governments and open-ended State or Federal governmental contracts which may be available to local governments. Only if authorized by law, the use of cooperative purchasing programs will not require a competitive bid process be conducted as long as a similar competitive bid process was conducted by the sponsoring governmental or trade agency.

Professional Services

For the purpose of procuring professional services, the low bidder requirement will not be paramount in the procurement decision. All professional services where the estimated cost will exceed \$10,000 shall be purchased by formal written contract approved by the City Council. Due notice inviting proposals for professional services will be required only if a specific request for solicitation of bids is made by the City Council by resolution.

Professional services include, but are not limited to, the following disciplines:

- A. Appraisal services;
- B. Architectural services;

- C. Consulting services;
 - D. Data processing consulting and programming services;
 - E. Engineering services;
 - F. Financial, accounting, and auditing services;
 - G. Legal services;
 - H. Insurance services;
 - I. Personnel services;
 - J. Photographic, art or marketing services;
 - K. Testing and inspection services;
 - L. Physician services;
 - M. Items as determined by the City Council
- Motion unanimously carried.

2017-4 WFD PURCHASE TIRES

By Councilperson VanBoxell, supported by Councilperson Schultz

WHEREAS the Fire Commission and Fire Chief are recommending the purchase and installation of ten (10) tires for the Wyandotte Fire Department's 2003 Peirce ladder truck from Shrader Tire and Oil.

BE IT RESOLVED that Council approves the purchase and installation of tires for the ladder truck in the amount of \$7,161.65, with funds to be supplied from the FY2017 Vehicle Maintenance Account (#101-336-825-430).

Motion unanimously carried.

2017-5 SLIP LINING SEWERS

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding approving LiquiForce to slip line seven (7) sewer lines for \$ 151,973.80 from account no. 590-200-926-310; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the necessary Contract as presented to City Council.

Motion unanimously carried.

2017-6 APPROVE REZONING APPLICATION – 1128 EUREKA

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that the communication from the Planning Commission regarding the rezoning of the property known as part of 1128 Eureka, Wyandotte, is hereby received and placed on file; AND

THEREFORE, BE IT RESOLVED that Council concurs with the recommendation of the Planning Commission and approves the requested rezoning application for the property known as part of 1128 Eureka, Wyandotte, Michigan to General Business District (B-2); AND

BE IT FURTHER RESOLVED that said rezoning be referred to Department of Legal Affairs to prepare the proper ordinance change.

Motion unanimously carried.

2017-7 DUMPSTER FEES

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs in the recommendation of the City Engineer regarding dumpster pick-up charges in accordance with Chapter 14, Garbage, Trash and Weeds, Section 14-5 Commercial Rubbish; AND

BE IT FURTHER RESOLVED that Council approves the Proposed 2017 Monthly Dumpster Fees for non-portable receptacles (dumpster) effective February 1, 2017, as outlined below:

PROPOSED 2017 MONTHLY DUMPSTER FEES

	<u>Pick-up Once a Week</u>	<u>Pick-up Twice a Week</u>	<u>Pick-up Three Times a Week</u>
2 c.y.	\$ 42.50	\$ 65.50	\$ 94.00
3 c.y.	\$ 49.00	\$ 83.00	\$ 120.50
4 c.y.	\$ 55.50	\$101.00	\$ 148.50
Special: 3 c.y. Pick-up 4 Times a Week	\$167.00		
4 c.y. Pick-up 5 Times a Week	\$297.00		

Corrugated Cardboard

6 c.y.	\$ 39.50	\$ 61.00	\$93.00
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- Extra Fee of \$16.00 per month if a dumpster does not have a secure lid. Any unscheduled extra pick-ups will be charged \$49.00.
- If purchasing a dumpster from the City, the minimum monthly payment will be \$25.00 per month until the dumpster is paid off.

Motion unanimously carried.

2017-8 LIQUOR LICENSE TRANSFER -1519 OAK

By Councilperson VanBoxell, supported by Councilperson Schultz

WHEREAS Metro Enterprises, Inc. at 1519 Oak has applied for a Transfer of Ownership of a Class C License with the Michigan Liquor Control Commission.

BE IT RESOLVED that Council has taken into consideration the opinions of local residents and appropriate department heads and supports the issuance of the requested license to the applicant.

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

Motion unanimously carried.

2017-9 MUSEUM MOM-TO-MOM PARKING LOT USE

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the Museum Director and authorizes Wyandotte Museums to reserve and use the Yack Arena and City Hall parking lots on Saturday, June 24, 2017, to provide ample parking for the Munchkin Market Mom 2 Mom Sale.

Motion unanimously carried.

2017-10 WBA THIRD FRIDAY IN JANUARY

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED by the City Council that Council concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets and property for the events held in conjunction with the WBA Third Friday on January 20th, 2017.

BE IT FURTHER RESOLVED that Council approves the request of the WBA to:

- Utilize city sidewalks (ice sculptures and metal stands to remain a few days on site) on Friday, January 20th, 2017.
- Hold live ice carving/dueling saw competitions
- Close the following roads on January 20th, 2017 from 12noon until 11:00PM:
 - Maple Street from Biddle to Second Street
 - First Street from Elm to Maple Street
 - Sycamore from Biddle Avenue to Coastal Thai

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

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

Motion unanimously carried.

2017-11 WALK MS WYANDOTTE

By Councilperson VanBoxell, supported by Councilperson Schultz

WHEREAS the Michigan Chapter of the National Multiple Sclerosis Society has submitted an event application to the Special Events office requesting permission to hold the 2017 Walk MS: Wyandotte on Saturday, May 6, 2017, with set-up starting at 6:00AM, registration starting at 9:00AM, walk start time at 10:00AM, and completion by approximately 2:00PM.

WHEREAS the proposed walk route will start and finish at the Yack Arena and utilize various city sidewalks between Eureka and Ford Avenue, and Third St. and the boardwalk of Bishop Park.

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator, Fire Chief, Police Chief, and Recreation Superintendent to approve the use of city sidewalks, the use of the Yack Arena, and parking lots for the Walk MS event on May 6th, 2017; AND

BE IT FURTHER RESOLVED that the organization is required to sign a hold harmless agreement as prepared by the Department of Legal Affairs, as well as add the City of Wyandotte as an additional insured.

Motion unanimously carried.

2017-12 WSAF MEDIA GRUMP CONTRACT

By Councilperson VanBoxell, supported by Councilperson Schultz

WHEREAS the Special Events Coordinator has requested to contract the services of Media Grump, in conjunction with the Wyandotte Street Art Fair 2017.

WHEREAS said services will consist of the following at various stages of the contract:

- November 2016/December 2016 /January 2017: Start Payment \$700. Website is live and fully functional.
- April 2017: Update Payment \$700 Website is live and fully functional. Graphics, images and content are in place.
- May/June 2017: Finalization Payment \$575. Adjustments and tweaks have been made. Graphics, images and content are in place.

RESOLVED that Council concurs with the Special Events Coordinator to APPROVE the contract for Media Grump for the 2017 WSAF Website with total funds of \$1,975.00 to be paid from the WSAF Expense Account 285-225-925-730-860, AND

FURTHER BE IT RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte.

Motion unanimously carried.

2017-13 WSAF CHILDREN'S ENTERTAINMENT CONTRACT

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that the request from the Special Event Coordinator to enter into a contract with Airborne Bouncers to provide amusement rides and/or concessions and/or inflatables for the 2017 Wyandotte Street Art Fair in the Theater Lot, with set up on July 11th at 1:00PM and tear down on July 16th at 1:00am is hereby approved; AND

BE IT FURTHER RESOLVED that a Hold Harmless Agreement shall be executed as prepared by the Department of Legal Affairs.

BE IT FURTHER RESOLVED that Mayor and City Clerk are authorized to execute said contract.

Motion unanimously carried.

2017-14 WSAF SOUND CONTRACT – BASS NOTE PRODUCTIONS

By Councilperson VanBoxell, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the Special Event Coordinator and approves the contract between Bass Note Productions and the City of Wyandotte to provide sound for various 2017 special events, including:

4 th of July Parade	285-225-925-826	\$350
Christmas Parade and Tree Lighting	285-225-925-825	\$525
Vintage Base Ball Game	285-225-925-880	\$175

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte.

Motion unanimously carried.

2017-15 BILLS & ACCOUNTS

By Councilperson VanBoxell, supported by Councilperson Schultz

RESOLVED that the total bills and accounts of \$3,227,252.70 as presented by the Mayor and City Clerk are hereby APPROVED for payment.


Motion unanimously carried.

2017-16 ADJOURNMENT

By Councilperson VanBoxell, supported by Councilperson Schultz

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:44 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk