

**CITY OF WYANDOTTE**  
**REGULAR CITY COUNCIL MEETING**

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, April 10, 2017, and was called to order at 7:00pm with Honorable Mayor Joseph R. Peterson presiding.

The meeting began with the Pledge of Allegiance, led by Daisy Miciura, 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**

None

**UNFINISHED BUSINESS**

None

**COMMUNICATIONS MISCELLANEOUS**

None

**PERSONS IN THE AUDIENCE**

Jim Candela, 1245 Poplar St., regarding Senior Softball League with tryouts at Pulaski Park on May 3 and 10, 2017 at 10AM.

**NEW BUSINESS (ELECTED OFFICIALS)**

None

**COMMUNICATIONS FROM CITY AND OTHER OFFICIALS**

Discussion regarding Resolution #2017-141 through #2017-152

**PRESENTATION OF PETITIONS**

None

**REPORTS & MINUTES**

City Council	April 3, 2017
Build Code Board of Appeals	April 3, 2017
Daily Cash Receipts	March 17, 2017

**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; Jesus Plascencia, Asst. City Engineer; and Lawrence Stec, City Clerk

**HEARINGS**

None

**FIRST READING OF AN ORDINANCE**

- #1448: Ch. 4, Art. 1, §4-2 – Definitions & Ch. 4, Art. 2, §4-15 – General Prohibition against Keeping
  - Emily Newton, 2427 23<sup>rd</sup>, advocating for allowing chickens as pets.

**FIRST & FINAL READING OF AN ORDINANCE**

- #1447: Ch. 11, Art. 2 – Fire Code

**2017-139 ORD. AMENDMENT #1447 – 2015 FIRE CODE ADOPTION**

By Councilperson Miciura, supported by Councilperson Fricke

## AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND ARTICLE II “FIRE CODE” OF CHAPTER 11  
OF THE CODE OF ORDINANCES OF THE CITY OF WYANDOTTE

THE CITY OF WYANDOTTE ORDAINS:

## ARTICLE II. – FIRE CODE

Section 1 Amendment of Sec. 11-26 “Adoption of 2015 International Fire Code”

A certain document, one (1) copy of which is on file in the office of the city clerk of the City of Wyandotte, Michigan, being marked and designated as the 2015 International Fire Code, including Appendix B (Fire-Flow Requirements for Buildings), C (Fire Hydrant Locations and Distribution), D (Fire Apparatus Access Roads), E (Hazard Categories), F (Hazard Ranking), I (Fire Protection System Non-Compliant Conditions), as published by the International Code Council, be and is hereby adopted as the fire code of the City of Wyandotte for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of such International Fire Code on file in the office of the city clerk of the City of Wyandotte, Michigan, are hereby referred to, adopted and made a part hereof as if fully set out in this article with the additions, insertions, deletions, and changes, if any, prescribed in section 11-27 of this article.

Section 2. Amendment of Sec. 11-27 “Amendments”

The following sections of the 2015 International Fire Code are amended to read as follows:

*Section 101.1.* These regulations shall be known as the Fire Code of the City of Wyandotte, Michigan, hereinafter referred to as “this code”.

*Section 109.2. Owner/occupant responsibility.* Correction and abatement of violations of this code shall be the responsibility of the owner, or the owner’s authorized agent, where an occupant creates or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions and in the event of an emergency situation arising from the failure to abate will be liable for all reasonable costs incurred by the city in dealing with said emergency.

*109.4. Violation penalties.* Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction whether by admission or by court determination and is subject to all of the following fines and costs:

- A. A civil fines of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00); and
- B. The Judge or Magistrate shall summarily tax and determine the costs of the action (which are not limited to the costs taxable in ordinary civil actions) and may include all expenses direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of judgment, expenses include but are not limited to: time of authorized city official, time of city attorney, witness and mileage fees and postage. Costs may not be less than nine dollars (\$9.00) or more than five hundred dollars (\$500.00). Costs shall be payable to the city general fund except as otherwise provided by law.
- C. Each day that a violation of this code continues after due notice has been served shall be deemed a separate offense.

*Section 111.4. Failure to Comply.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00).

Section 3. Purpose.

The purpose of this code is to prescribe minimum requirements and controls to safeguard life, property, or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property, or public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises and all other purposes as set forth in said code.

Section 4. Severability.

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

Section 5. Effective Date.

This ordinance shall take April 20, 2017. 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 Fire Department. This Ordinance or its summary shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A copy of this Ordinance may be inspected or obtained at the City of Wyandotte Clerk’s Office, 3200 Biddle, Wyandotte, Michigan.

Section 6. Notice of Availability.

A complete copy of the code and appendixes are available to the public at the office of the City Clerk at 3200 Biddle, Wyandotte, MI 48192 in compliance with state law requiring that records of public bodies be made available to the general public.

Motion unanimously carried.

**CERTIFICATION**

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 10<sup>th</sup> day of April, 2017.

JOSEPH R. PETERSON, Mayor

LAWRENCE STEC, City Clerk

**RESOLUTIONS**

**2017-140 MINUTES**

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED that the minutes of the meeting held under the date of April 3, 2017, be approved as recorded.

Motion unanimously carried.

**2017-141 ADOPTION OF 2015 INTERNATIONAL FIRE CODE**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that the communication from the Fire Chief and City Attorney is received and placed on file and the submitted ordinance adopting the 2015 International Fire Code is set for a first and final reading for the meeting held on April 10, 2017 .

Motion unanimously carried.

**2017-142 MEDC TECHNICAL ASSISTANCE AND GRANT – MASTER PLAN (RRC)**

By Councilperson Miciura, supported by Councilperson Fricke

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 HEREBY RESOLVED, by City Council that the Council concurs in the recommendation of the City Administrator to contract with LSL Planning for the purposes of updating the City's Master Plan and FURTHER, authorizes the City Administrator to sign the agreement on behalf of Mayor and City Clerk for a not-to-exceed amount of \$13,200.00 to be paid from account number 101-200-825-390.

Motion unanimously carried.

**2017-143 2017 FISCAL YEAR BUDGET AMENDMENTS**

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED BY CITY COUNCIL that Council hereby concurs in the recommendations of the Deputy Treasurer/Assistant Finance Director and approves the necessary 2017 Fiscal Year Budget amendments.. BE IT FURTHER RESOLVED that a copy of the 2017 Fiscal Year Budget amendments shall be placed on file and available for public inspection in the office of the City Clerk.

Motion unanimously carried.

**2017-144 HIRING OF CODE COMPLIANCE OFFICIAL – T. KERR**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council approves the hiring of Thomas Kerr as a Contract Employee to perform Electrical Inspections with the Department of Engineering and Building for the Upon Sale/Rental Inspection Program and Permit Inspections; AND

BE IT FURTHER RESOLVED that Council authorizes the Mayor and City Clerk to execute the Memorandum of Agreement between the City of Wyandotte and Thomas Kerr to perform said services.

Motion unanimously carried.

**2017-145 SALE OF VACANT PROPERTY TO MJC TEMPLIN (FORD & 2<sup>ND</sup>)**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding the sale property known as former 163 Ford Avenue, 155 Ford Avenue, 2035 2<sup>nd</sup> Street and the Vacant 146 Spruce with MJC Templin, LLC; AND

BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the Second Amendment to the Purchase and Sale Agreement between MJC Templin, LLC and the City of Wyandotte for the former 163 Ford Avenue, 155 Ford Avenue, Former 2035 2<sup>nd</sup> Street and the Vacant 146 Spruce provided the Agreement is executed by the required officer or official of MJC Templin LLC within fifteen (15) days of the date of this Resolution.

Motion unanimously carried.

**2017-146 PLANNED DEVELOPMENT APPLICATION REFERRAL – MJC TEMPLIN**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that the PD Planned Development District Application submitted by Anthony LoDuca of MJC Companies is hereby held in abeyance until May 22, 2017.

Motion unanimously carried.

**2017-147 PURCHASE OF DPS EQUIPMENT**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council approves the purchase of one (1) Hot Patch Air Jacket Hopper through State of Michigan Enterprise Procurement from Bell Equipment, Lake Orion, Michigan, in the amount of \$16,287.00 from account no. 101-448-850-540.

BE IT RESOLVED that Council approves a budget amendment from account #101-448-725-110 (DPS Salaries) in the amount of \$16,287.00 be transferred to account #101-448-850-540, to purchase said equipment.

Motion unanimously carried.

**2017-148 WAYNE COUNTY TAX FORECLOSURE PURCHASE – 1213 GROVE**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at Tax ID 57-022-11-0237-002 – 1213 Grove in a total amount of \$0.00 offered to the City of Wyandotte from Wayne County Tax Foreclosure from account #492-200-850-519; AND

BE IT RESOLVED that Council directs the Department of Legal Affairs to clear title on said property; AND

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign said documents, subject to the approval of the Department of Legal Affairs.

Motion unanimously carried.

**2017-149 CITY PURCHASE OF 2415 8<sup>TH</sup> STREET**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at known as 2415 8<sup>th</sup> Street in the amount of \$27,000 to be appropriated from TIFA Area Funds; AND

BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement; AND

BE IT FURTHER RESOLVED that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte; AND

BE IT RESOLVED that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk.

Motion unanimously carried.

**2017-150 SALE OF VARIOUS CITY PROPERTIES TO EPIC HOMES**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that the communication from the City Engineer and City Assessor regarding the City owned properties located at Former 115 Walnut, Former 833 7<sup>th</sup> Street, Former 901-911 5<sup>th</sup> Street, Former 635 Lincoln and Former 1078 Cora is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell said properties to Epic Homes LLC for the amount of \$10,000.00 each property; AND

BE IT FURTHER RESOLVED that if the Purchaser, Epic Homes LLC, Joshua K. Sterling, Member, does not undertake development within six (6) months from time of closing and complete construction as indicated in Paragraph 12 of the Purchase Agreement within one (1) year from the time of closing will result in Seller's right to repurchase property including any improvements for One (\$1.00) Dollar. A condition will be placed on the Deed that will include this contingency; NOW THEREFORE,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as Former 115 Walnut, Former 833 7<sup>th</sup> Street, Former 901-911 5<sup>th</sup> Street, Former 635 Lincoln and Former 1078 Cora, between Epic Homes, LLC and the City of Wyandotte for \$10,000 each property as presented to Council on April 10, 2017.

Motion unanimously carried.

**2017-151 TREE PLANTING PROPOSAL**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED by the City Council that Council concurs with the recommendation of the City Engineer in accepting the bid of Franks Landscaping, Livonia, Michigan in the amount of \$5,265.00 for the planting of trees at various locations from account #101-000-257-098.

Motion unanimously carried.

**2017-152 WMS – TIVO SERVICES AND WHOLE HOME DVR**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED by the Wyandotte City Council, a majority of its members thereto concurring with the Wyandotte Municipal Services Commission, authorizing the WMS General Manager to execute the NCTC TiVo Services and Participation Agreement, Marketing and Distribution Agreement with the NCTC, Inc. & TiVo, Inc., GLDS Sales Order and purchase all associated hardware and software as presented and as recommended by WMS Management.

Motion unanimously carried.

**2017-153 BILLS & ACCOUNTS**

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED that the total bills and accounts of \$2,093,491.21 as presented by the Mayor and City Clerk are hereby APPROVED for payment.


Motion unanimously carried.

**2017-154 ADJOURNMENT**

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:20 p.m.

Motion unanimously carried.



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Lawrence S. Stec, City Clerk