

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, June 5, 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 Robert Alderman, Chris Calvin, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz

Absent: NONE

Also Present: Theodore Galeski, City Assessor; 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

- Corki Benson, 404 Vinewood, regarding vacant churches, Wyandotte Community Alliance update, and neglected property on Vinewood.

NEW BUSINESS (ELECTED OFFICIALS)

- Councilman Calvin spoke regarding the “Chairperson of the Evening” role and potential changes.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

Discussion regarding Resolution #2017-236 through #2017-246

PRESENTATION OF PETITIONS

None

REPORTS & MINUTES

City Council	May 22, 2017
Beautification Commission	May 10, 2017
Daily Cash Receipts	May 24, 2017
Municipal Services Commission	May 17 & May 31, 2017
Planning Commission	April 20, 2017
Recreation Commission	May 10, 2017

CITIZENS PARTICIPATION

None

RECESS

RECONVENE

Present: Councilpersons Robert Alderman, Chris Calvin, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz & Mayor Peterson

Absent: NONE

Also Present: Theodore Galeski, City Assessor; 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

2017-235 MINUTES

By Councilperson DeSana, supported by Councilperson Maiani

RESOLVED that the minutes of the meeting held under the date of May 22, 2017, be approved as recorded.

Motion unanimously carried.

2017-236 DOWNRIVER UTILITY WASTE AUTHORITY STIPULATED AMENDMENT
 By Councilperson DeSana, supported by Councilperson Maiani
**RESOLUTION TO APPROVE THE "STIPULATED AMENDMENT TO FINANCING PLAN
 AND FINAL JUDGMENT" IN *US, et al. v WAYNE COUNTY, et al.*, CASE NO. 87-70992,
 EASTERN DISTRICT COURT OF MICHIGAN**
RESOLUTION NO. 2017-236
City of Wyandotte

WHEREAS, Wayne County presently operates the Downriver Sewage Disposal System ("DSDS") which provides sewage treatment and conveyance facilities for wastewater generated by thirteen downriver communities; and

WHEREAS, in 1987, the United States and the State of Michigan sued Wayne County and the downriver communities, alleging that Wayne County had violated the Clean Water Act and the Michigan Water Resources Commission Act (*US, et al. v Wayne County, et al.*, Case number 87-70992, Eastern District Court of Michigan); and

WHEREAS, in 1994, the Court entered a stipulated order which included a DSDS 1994 Financing Plan and Final Judgment; and

WHEREAS, the 1994 Financing Plan authorized Wayne County to finance sewer and pollution control improvements by selling bonds and collecting Judgment Payments from the downriver communities to repay the County's obligations; and

WHEREAS, in 2005, the Court entered a stipulated order which terminated the Consent Decree, which stated that the 1994 Financing Plan "will remain in full force and effect and within the Court's oversight"; and

WHEREAS, in 2016, Downriver Utility Wastewater Authority ("DUWA") provided Wayne County with a Letter of Intent which proposed a transfer of the facilities, operation, and management of the DSDS to DUWA, contingent upon the occurrence of events and approvals which are under negotiation; and

WHEREAS, upon the transfer of DSDS to DUWA, Wayne County and the downriver communities intend that DUWA will thereafter be responsible for the financing and operation of the DSDS, and that Wayne County will have no continuing obligations concerning DSDS, except as required by the final agreement between the parties, and the requirements of the Financing Plan; and

WHEREAS, in order to continue the operation of the DSDS, DUWA and Wayne County desire to provide for the continuing payment of the outstanding Judgment Levy Debt, without any increase of the outstanding Judgment Levy Debt itself, including through tax levy supported Judgment Payments from the downriver communities as mandated by Section 8 of the Financing Plan; and

WHEREAS, in order to ensure these continued payments, it is necessary for the attached "Stipulated Amendment to Financing Plan and Final Judgment" ("Stipulation") to be approved and executed by: United States District Court Judge Sean F. Cox; Wayne County; and each of DUWA's thirteen member Cities and Charter Townships.

WHEREAS, the DUWA board, by motion on April 13, 2017, recommends the execution of the Stipulation by each of its thirteen members.

NOW THEREFORE BE IT RESOLVED by the Wyandotte City Council, that:

1. The attached "Stipulated Amendment to Financing Plan and Final Judgment in *US, et al. v Wayne County, et al.*, Case number 87-70992, Eastern District Court of Michigan, is hereby approved.

2. The Mayor/Supervisor and the City Clerk are hereby authorized to execute the "Stipulated Amendment to Financing Plan and Final Judgment".

Motion unanimously carried.

2017-237 RELIABILITY UPGRADE WORK AT SUBSTATIONS 8 & 10

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED by the Wyandotte City Council, a majority of its members thereto concurring with the Wyandotte Municipal Services Commission, authorizing the General Manager to accept the lowest qualified bid from Newkirk Electric for reliability upgrade work at Substation 8 in the amount of \$99,521 and Substation 10 in the amount of \$126,106, as recommended by WMS Management.

Motion unanimously carried.

2017-238 ORDINANCE AMENDMENT SCHEDULING: TAXICABS

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that the Council concurs in the recommendation of the City Attorney to rescind and repeal Chapter 34 "Taxicabs" of the Code of Ordinances of the City of Wyandotte due to the enactment of PA 345 of 2016.

BE IT FURTHER RESOLVED that a first and final reading is scheduled to be presented on the agenda for the June 12, 2017 City Council meeting.

Motion unanimously carried.

2017-239 2017 WSAF CHILDREN’S ENTERTAINMENT AREA - DAG

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that Council Concurs with the recommendation of the Special Events Coordinator to approve the “WSAF Agreement: Downriver Actors Guild Children’s Area Entertainment Stage” between the City of Wyandotte and The Downriver Actors Guild for the 2017 Wyandotte Street Art Fair in the amount of \$1,000 paid from the WSAF Expense account #285-225-925-860; AND

BE IT FURTHER RESOLVED that the Downriver Actors Guild shall provide a Certificate of Liability Insurance in the amount of not less than \$1,000,000 and shall name the City of Wyandotte and Wyandotte Street Art Fair as additional insured and sign a hold harmless agreement; AND
BE IT FURTHER RESOLVED that Mayor and City Clerk are authorized to execute the aforementioned agreement.

Motion unanimously carried.

2017-240 2017 WSAF STAGE, LIGHT, AND SOUND CONTRACT – GCS AUDIO

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the Special Event Coordinator to approve the contract for services with GCS Audio LLC of Warren, Michigan, to provide sound, lights, and stage for concerts at the Wyandotte Street Art Fair from set up on July 11th until July 15th, 2017 with funds in the amount of \$12,000 to be paid to GCS Audio LLC from account #285.225.925.730.860; AND

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.

2017-241 2017 WSAF ENTERTAINMENT CONTRACT - RUMMLER

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the Special Event Coordinator to approve the entertainment agreement for Rummler (band) in the amount of \$500 with funds to be paid from account #285.225.925.730.860 for the following date/time:

Wednesday, July 12th, 2017 6:00PM – 7:30PM

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.

2017-242 WSAF BEVERAGE TICKET CONTRACT

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the agreement between the City of Wyandotte and St. Pius Catholic School and The Wyandotte Music Boosters to operate as beer ticket sellers in the Biddle Avenue area during the Wyandotte Street Art Fair, July 12th – 15th, 201; AND

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.

2017-243 2017 MICHIGAN BLIGHT ELIMINATION PROGRAM – 3131 BIDDLE

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED by the Mayor and City Council that Council concurs with the City Engineer in applying to Michigan Blight Elimination Program for funds to demolish the building at 3131 Biddle Avenue; AND

BE IT FURTHER RESOLVED that Council hereby supports the application to Michigan Blight Elimination Program for the demolition of the property at 3131 Biddle Avenue including the matching funds up to \$275,000.

Motion unanimously carried.

2017-244 CBD SNOW REMOVAL ASSESSMENT

By Councilperson DeSana, supported by Councilperson Maiani

BE IT RESOLVED that the Council concurs in the recommendation of the City Engineer in his communication regarding the Snow Removal for the Central Business District, performed by the Department of Public Service; AND

BE IT FURTHER RESOLVED that Council directs the City Assessor to spread said charges on the 2017 Summer Tax Roll against said properties.

Motion unanimously carried.

2017-245 FILE #4695: PARK SHELTER BID DENIAL

By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED that Council concurs with the recommendation of the City Engineer and Recreation Director in denying the bids of Schena Roofing, Chesterfield, Michigan, in the amount of \$47,225.00, and William M. Molnar Roofing, Riverview, Michigan, in the amount of \$56,425.00; AND
BE IT FURTHER RESOLVED that the return of the bid bonds is approved.
Motion unanimously carried.

2017-246 DATA COLLECTION ACTIVITIES – CH2M


By Councilperson DeSana, supported by Councilperson Maiani
BE IT RESOLVED that the Council hereby grants permission to CH2M to utilize an area of the Department of Public Service from June 19 through June 23, 2017, for storage of sampling supplies, containers, and storage of no more than four (4) 55 gallon drums of investigative-derived sediment, as outlined in the City Engineer's communication dated June 5, 2017; provided a Hold Harmless Agreement is executed by CH2M.
Motion unanimously carried.

2017-247 BILLS & ACCOUNTS

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED that the total bills and accounts of \$693,957.53 as presented by the Mayor and City Clerk are hereby APPROVED for payment.
Motion unanimously carried.

2017-248 ADJOURNMENT

By Councilperson DeSana, supported by Councilperson Maiani
RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:03 p.m.
Motion unanimously carried.



Lawrence S. Stec, City Clerk