

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, November 20, 2017, and was called to order at 7:00pm with Honorable Mayor Pro Tempore Robert DeSana presiding.

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

Present: Councilpersons Robert Alderman, Christopher Calvin, Megan Maiani, Leonard Sabuda, and Donald Schultz; Mayor Pro Tempore Robert DeSana

Absent: Mayor Joseph R. Peterson

Also Present: Todd Browning, City Treasurer; Theodore Galeski, City Assessor; William Look, City Attorney; Jesus Plascencia, Assistant City Engineer; and Lawrence Stec, City Clerk

PRESENTATIONS

None

PRESENTATION OF PETITIONS

None

APPROVAL OF AGENDA

PUBLIC HEARINGS

None

OLD BUSINESS

None

CALL TO THE PUBLIC

None

CONSENT AGENDA

2017-517 CONSENT AGENDA APPROVALS

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that the following items on the consent agenda be approved:

1. Approval of Council Meeting Minutes – November 6, 2017
2. Rezoning Application Referral – 3704 -3708 3rd St.
3. REMOVED FROM CONSENT AGENDA (#2017-522)
4. 2018 Event Property Use Requests
5. 2018 Third Friday Street Closures & Property Use Requests

Motion unanimously carried.

2017-518 MINUTES

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED that the minutes of the meeting held under the date of November 6, 2017, be approved as recorded, without objection.

Motion unanimously carried.

2017-519 REZONING APPLICATION REFERRAL – 3704-3708 3RD ST.

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that the Rezoning Applications received by the Engineering Department regarding 3704-3708 3rd St. are hereby referred to the Planning Commission for the required public hearing.

Motion unanimously carried.

2017-520 2018 EVENT PROPERTY USE REQUESTS

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED 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 by WOW 360 on:

80's Festival with Pub Crawl – June 9th, 2018 5 pm – 12 am

- Parking Lot #1 – starting June 8th – No parking signs to be posted on June 7th
- See attached application and information sheets

Rock for Tots & Dave and Chuck the Freak .5k Event – November 2nd and 3rd, 2018 5- 11pm and 10 am – 8 pm

- Wednesday, October 31st: Display no parking Thursday – Saturday signs in lot where tent will be placed. (see map)

- Parking Lot #1 – Thursday, November 1st through Sunday or Monday – November 4th or 5th 2018.
- No parking signs to be placed on Elm Street between Biddle and Waterfront
- Requesting Biddle Avenue be temporarily closed at Biddle, Maple, 1st and Elm Street for .5k between 2:30 pm and 3:15 pm on Saturday, November 3rd 2018. Streets are to immediately open after run is complete.

Merchants who want to utilize the space in front or behind any of their businesses in the downtown area during any of the above dates, must send an application to the Special Events Office. Further, this permission should extend only to those merchants who have been issued a permit/granted permission by the City of Wyandotte/ Special Events Office. They are not authorized to sub-contract their space. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 32-1.

BE IT FURTHER RESOLVED that WOW 360 will comply with the following:

- If there are any costs for any city staff/material/property for said event, WOW 360 will be responsible for those fees no later than 14 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.
- Clean up before/during and after the event (glass, spills; broken items, etc.) must be done by WOW 360 for the duration of the event.

BE IT FURTHER RESOLVED that WOW 360 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.

2017-521 2018 THIRD FRIDAY STREET CLOSURES & PROPERTY USE REQUESTS

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED 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 by WOW 360 on:

BBQ Event - May 18th and 19th - 5-11 pm and 3 pm to 11 pm

- Street Closures/Property Use:
 - Parking Lot #1
 - Bishop Park - for kids activities - see map

Bark on Biddle - June 15th and 16th - 3 pm - 10 pm and 12 pm to 8 pm

- Street Closures/Property Use:
 - Parking Lot #1 on Thursday to set up activities, tents, etc.
 - Bishop Park - see map

Beer Festival - September 21st - 5 pm to 12 am

- Street Closures/Property Use:
 - Parking Lot #1

Merchants who want to utilize the space in front or behind any of their businesses in the downtown area during any of the above dates, must send an application to the Special Events Office. Further, this permission should extend only to those merchants who have been issued a permit/granted permission by the City of Wyandotte/ Special Events Office. They are not authorized to sub-contract their space. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 32-1.

BE IT FURTHER RESOLVED that WOW 360 will comply with the following:

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- Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- Clean up before/during and after the event (glass, spills; broken items, etc.) must be done by WOW 360 for the duration of the event.

BE IT FURTHER RESOLVED that WOW 360 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.

NEW BUSINESS**2017-522 WSAF ARTIST & CRAFTER APP – BOOTH RENTAL RATE INCREASE**

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council Concurs with the recommendation of the Special Events Coordinator to approve the booth rental increase as part of the 2018 Wyandotte Street Art Fair Artist and Crafter Application ; AND

BE IT FURTHER RESOLVED that a financial report from the 2017 WSAF is requested from the Special Event Coordinator.

Motion unanimously carried.

2017-523 2018 WSAF/CITY OF WYANDOTTE OFFICIAL ARTWORK AGREEMENT

By Councilperson Schultz, supported by Councilperson Maiani

WHEREAS the Special Events Coordinator has requested to contract the services of Connie Lustig for the Wyandotte Street Art Fair 2018 as well as many other posters, logos, marketing material and artwork for the city of Wyandotte and special events.

WHEREAS said services will be paid for from the following accounts:

Wyandotte Street Art Fair: \$1,000 – 285-225-925-860

Various special event expense accounts – including Third Friday Promotions

BE IT RESOLVED that Council concurs with the Special Events Coordinator to approve the contract with Connie Lustig for the above-mentioned services with funds to be paid from the WSAF Expense Account 285-225-925-860 and various event expense accounts for additional artwork/logos/etc.; 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.

2017-524 HIRING OF PLUMBING AND MECHANICAL INSPECTOR – THOMPSON

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Plumbing and Mechanical Inspector for the City of Wyandotte; AND

FURTHER, RESOLVED BY THE CITY COUNCIL that the Council approves the hiring of Tim Thompson as the Plumbing and Mechanical Inspector; AND

BE IT RESOLVED that the Mayor and Clerk are authorized to execute the Memorandum of Agreement between the City of Wyandotte and Mr. Tim Thompson.

Motion unanimously carried.

2017-525 SALE OF FORMER 2450 9TH ST.

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the communication from the City Engineer regarding the sale of Former 2450 9th Street, Wyandotte; AND

BE IT FURTHER RESOLVED that Council accepts the offer from Thomas DeVoy, II to acquire 20 feet of the Former 2450 9th Street in the amount of \$1,000.00; AND

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

Motion unanimously carried.

2017-526 CITY PURCHASE OF 608 5TH STREET

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at 608 5th Street in the amount of \$31,000.00 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.

Motion unanimously carried.

2017-527 CITY PURCHASE OF 307 FORD AVENUE

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at 307 Ford Avenue in the amount of \$18,000.00 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 Council concurs with selling the property at 307 Ford Avenue to the Wyandotte Community Alliance (WCA) for \$1.00 provided the WCA rehabilitates the home; AND BE IT RESOLVED that Council authorizes the City Engineer to repair the sewer; AND BE IT RESOLVED that Council authorizes the Mayor and City Clerk to execute the required sales documents to the WCA.

Motion unanimously carried.

2017-528 DPS PURCHASE OF FORD F-250

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to purchase a 2017 Ford F-250 Pickup Truck through Gorno Ford in the amount of \$21,690.00 from account no. 101-448-850-530.

Motion carried.

YEAS: Councilpersons Calvin, Maiani, Sabuda, Schultz, and Mayor Pro Tempore DeSana

NAYS: None

ABSTAIN: Councilperson Alderman

2017-529 CDBG FUNDS RECAPTURE APPLICATION

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council concurs with the City Engineer in applying to Wayne County for Recaptured Community Development Block Grant (CDBG) Funds to demolish the building at 3131 Biddle Avenue and rehabilitate four (4) homes from the CDBG City waiting list.

Motion unanimously carried.

2017-530 #1455: ORDINANCE FOR UNMANNED AIRCRAFT (DRONES)

By Councilperson Schultz, supported by Councilperson Maiani

AN ORDINANCE ENTITLED

AN ORDINANCE TO CREATE CHAPTER 36.1 "UNMANNED AIRCRAFT" TO REGULATE USE AND OPERATION OF UNMANNED AIRCRAFT

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption of Chapter 36.1 "Unmanned Aircraft"

Chapter 36.1

Unmanned Aircraft

Article I In General

Sec. 36.1-1 Definitions.

Commercial unmanned aircraft-An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (including but not limited to drones) that is used for business purposes and has gained Federal Aviation Administration approval for flying civil unmanned aircraft. Noncommercial unmanned aircraft- An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (including but not limited to drones) that is not used for business purposes and includes, but not limited to, all hobby and recreational uses of unmanned aircraft and any business use of unmanned aircraft that has not gained Federal Aviation Administration approval for flying civil unmanned aircraft systems.

Unmanned aircraft system (UAS)- is an unmanned aircraft (commercial and noncommercial) and the equipment necessary for the safe and efficient operations of that aircraft that is operated remotely without any means of physical attachment to the aircraft such as string or wire or operated autonomously through the use of an onboard computer and either weighs over 55 pounds or weighs less than 55 pounds but has a camera, viewing distance, or listening device attached thereto.

Person-Any individual, firm, corporation, Limited Liability Company, partnership, association, or business entity of any sort, whether or not operated for profit.

Sec. 36.1-2 Operation, Prohibited Acts, Violation.

(A) Required-all unmanned aircraft systems (UAS), commercial and noncommercial, operating within the City of Wyandotte must be registered with the FAA. Registration numbers must be clearly displayed on the UAS. The operator of the UAS must have in their possession their certificate of registration from the FAA. Registration of UAS can be done online at *RegisterMyUAS.faa.gov*.

(B) Prohibited Acts-No Person Shall:

1. Operate any unmanned aircraft in any manner to endanger the safety of any persons or property.
2. Operate any unmanned aircraft in such a manner so as to observe or record the activities of anyone who, by their location, has reasonable expectation of privacy or expectation of being safe from surveillance or observation. For purposes of this provision, persons have a reasonable expectation of being safe from surveillance or observation if they are within a building, within an enclosed privacy fence or in an area not otherwise visible from ground level on neighboring public or private property.
3. Operate any unmanned aircraft with the purpose of harassing any person or animal.
4. Operate any unmanned aircraft so as to interfere with any police or fire investigation.
5. Operate any unmanned aircraft within 500 feet of a police investigation, traffic collision, medical emergency, fire or fire investigation.

6. Operate any unmanned aircraft within two (2) miles of a heliport, (Henry Ford Hospital Wyandotte).
7. Operate any unmanned aircraft within five (5) miles of any airport.
8. Operate any unmanned aircraft over or within 500 feet of any City of Wyandotte Special Event.
9. Operate any unmanned aircraft in or over any city park or city owned land or city owned building unless authorized to by the City Administrator or designee.
10. Operate any unmanned aircraft within one (1) mile of city water treatment facility, water tower, electric generating facility, sub-station or control center.
11. Operate any unmanned aircraft over any open-air assembly or crowd, school, school yard, hospital, or place of worship.
12. Operate any unmanned aircraft at an altitude higher than 400 feet above ground level.
13. Operate any unmanned aircraft in any manner that interferes with, or fails to give way to, any manned aircraft.
14. Operate any unmanned aircraft between dusk and dawn.
15. Operate any unmanned aircraft outside the visual line of sight of the operator.
16. Operate any unmanned aircraft in violation of any federal, state or county regulation.

Exception: The prohibitions in this section of the ordinance do not apply to:

1. The operations of unmanned aircraft by the police department, fire department or other law enforcement agency in the performance of their official duties.
2. The operation of unmanned aircraft by a city department in the performance of their duties or function.

(C) Violation-Penalty:

Any person found in violation of this ordinance shall be responsible for a municipal civil infraction and subject to fines and costs as permitted by law and/or as set forth in Section 23.5-7 "Fines and Costs" of the city code of ordinances.

If any person commits a second offense, or subsequent violation of this ordinance, such a violation constitutes a misdemeanor punishable by a fine not exceeding five hundred (\$500.00) dollars and/or imprisonment not exceeding ninety (90) days provided the authorized city official issues an appearance ticket and marks it as a misdemeanor. Nothing herein requires the authorized city official to charge a repeat offense of this ordinance by the same person as a misdemeanor.

Seizure: The police department having reasonable basis to believe that an unmanned aircraft has been operated in violation of this ordinance may seize said unmanned aircraft for the purpose of any criminal proceedings.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance takes effect fifteen (15) days from the date of its passage and a summary or a copy of the Ordinance shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

Motion unanimously carried.

2017-531 #1456: ORDINANCE TO RESCIND 25-98(B) "SWITCHBLADES"

By Councilperson Schultz, supported by Councilperson Maiani

AN ORDINANCE ENTITLED
AN ORDINANCE TO RESCIND AND REPEAL SEC. 25-98 (b)
CHAPTER 25 CONCERNING SWITCHBLADES OF THE
CODE OF ORDINANCES OF THE CITY OF WYANDOTTE

The City of Wyandotte ordains:

Section 1. Rescind and repeal Sec. 25-98(b)

Pursuant to public act 96 of 2017 of the Michigan compiled laws, the City of Wyandotte hereby rescinds and repeals Sec. 25-98(b).

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 takes effect fifteen (15) days from the date of its passage and a summary or a copy of the Ordinance shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

Motion unanimously carried.

2017-532 #1457: REZONE 130 SPRUCE, RM-1 TO PD

By Councilperson Schultz, supported by Councilperson Maiani

AN ORDINANCE ENTITLED**AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING ORDINANCE TO
REZONE THE PROPERTY KNOWN AS****130 SPRUCE STREET FROM MULTIPLE FAMILY RESIDENTIAL
DISTRICT (RM-1) TO PLANNED DEVELOPMENT DISTRICT (PD)**

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Rezoning of Property:

The following described property located in the City of Wyandotte, County of Wayne, State of Michigan, and described as follows:

Lots 10 and 11, City of Wyandotte, Block 61 as recorded in Liber 2, Page 36 of Plat, WCR

Known as: 130 Spruce Street, Wyandotte, Michigan

be and is hereby rezoned from Multiple Family Residential District (RM-1) to Planned Development District (PD)

Section 2. Amendment of Zoning Map.

The zoning Map of the City of Wyandotte be and is hereby amended in accordance with the provisions of this Ordinance as set forth in Zoning Map No.293

Section 3. Severability.

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

Section 4. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

Motion unanimously carried.

BILLS & ACCOUNTS**2017-533 BILLS & ACCOUNTS**

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED that the total bills and accounts of \$1,908,130.40 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

Beautification Commission	October 11 & November 8, 2017
Daily Cash Receipts	November 9 & 15, 2017
Municipal Services Commission	November 1 & 15, 2017
Retirement Commission	October 19, 2017
Zoning Board of Appeals & Adjustment	November 1, 2017

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS


None

ADJOURNMENT**2017-534 ADJOURNMENT**

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:38 p.m.

Motion unanimously carried.



Lawrence S. Stec, City Clerk