



Minutes - October 17th. 2005

Wyandotte, Michigan October 17, 2005

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor James R. DeSana presiding.

ROLL CALL

Present: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

Absent: None

UNFINISHED BUSINESS

RESOLVED by the City Council that the communication from Councilman Browning relative to the direction to the Police and Fire Commission to make recommendations to the City Council to achieve the following: 1. The implementation of Public safety Department within the City; and 2. The creation of a regionalized, consolidated dispatch center with neighboring communities. NOW THEREFORE BE IT RESOLVED that the Police and Fire Commission request an additional four (4) weeks extension on the above issues at which time all strategic planning sessions will have been completed. (Resolution dated September 19, 2005)

RESOLVED by the City Council that the communication from the Director of Financial and Administrative Services is hereby received and placed on file. AND FURTHER that the request for an additional four (4) weeks to respond to the possible utilization of Martin's Sales and towing for the disposal of City vehicles via auction is hereby granted. (Resolution dated September 19, 2005)

COMMUNICATIONS - MISCELLANEOUS

October 9, 2005

Honorable Mayor and City Council

I have been a Wyandotte police officer for 15 years. Recently, several issues have been publicly discussed regarding the department that may be confusing to the citizens or may have been perceived in a negative light.

I would like to take a moment to mention something that I think is a very positive trend within the Wyandotte police department. Due to the recent budget crisis and retirements, Det. Lt. Bobie Heck was named interim police chief.

What I would like citizens to be made aware of is that he assumed these responsibilities along with those of the Deputy Chief without hesitation but most importantly without any increase in pay. Please remember also that he is still responsible for his daily duties as a Detective Lt. The Det. Sergeant is assisting in the duties and he also did not ask for any compensation.

Several years ago, the citizen's were told that the police department required three administrators to fulfill its mission, a Chief, a Deputy Chief and a Commander. Today, two of those positions have been eliminated and the detective Lt. is performing the duties of all of them without an increase in pay, quite a budget savings for the city!!

Recently a letter was published where a citizen was concerned about the direction that the police department may be headed. Well if Lt Heck's performance along with the motivated, professional manner in which every employee I work with performs his or her duties is an indication of the direction that the police department is heading, I am very proud to be a part of it and am very excited and optimistic about where it will lead.

I just want the citizens to know that we are here to serve and protect them and that their police department is comprised of individuals who willingly make personal sacrifices to ensure that the city maintains a level of police service that everyone can be proud of.

Sincerely,

James H. Kresin, 1000 Sycamore

PERSONS IN THE AUDIENCE

Karen Douglas, 1282 Poplar, regarding item #4, objects to method of soliciting record's department supervisor replacement on the part of the Police & Fire Commission and Mayor & Council.

Vernon Elmore, 2356 – 17th, what is he to do with leftover tags in the amount of \$250?

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

October 10, 2005

The Honorable City Council, City of Wyandotte
3131 Biddle Avenue, Wyandotte, MI 48192

Gentlemen and Madam:

I am writing to request your concurrence in the following appointments:

ECONOMIC DEVELOPMENT CORPORATION (EDC)/TAX INCREMENT
FINANCE AUTHORITY (TIFA)/BROWNFIELD REDEVELOPMENT
AUTHORITY

Larry Garmo, 750 Biddle Avenue, Wyandotte, MI 48192. Mr. Garmo will fill the vacancy created by the resignation of Sheri Sutherby-Fricke, who resigned. His term will expire April 2006.

BUILDING CODE BOARD OF APPEALS

Greg Meyring, 3131 Biddle Avenue, Wyandotte, MI 48192. Mr. Meyring will fill the vacancy created by the resignation of Michael J. Flachsmann, who resigned. His term will expire April 2007.

Thanking you in advance for your support of these appointments, I remain

Sincerely,

James R. DeSana, Mayor

October 13, 2005

Honorable Mayor DeSana and City Council, City of Wyandotte
3131 Biddle Ave., Wyandotte, MI 48192

Mayor DeSana,

The following employees were approved for promotion in the Fire Department by the Police and Fire Commission at their October 12th meeting. The Commission requests that the promotions be made retroactive as of October 13, 2005.

Fire Sergeant William Niemi promoted to Fire Lieutenant
Fire Sergeant Gregory Garrison promoted to Fire Lieutenant
Fire Fighter David Bartnicki promoted to Fire Sergeant

Sincerely,

Michael MacDonald, Fire Chief

October 13, 2005

Honorable Mayor and City Council, City Hall
Wyandotte, MI 48192

Dear Mayor and City Council Members,

As part of our realignment of responsibilities within the Wyandotte Police Department, and improving service to the residents, The Police and Fire Commission is requesting approval for the promotion of two Sgts. And one Lt., a promotion to Record Department Supervisor, and backfilling Karen Douglas's position with Lisa Davidson, who has been a part time clerk in the record department.

As a result of the recent retirements at the Wyandotte Police Department, we are currently one Sgt. short on one shift and one Lt. short on another shift. Until the commission has investigated all of the technology options and evaluated potential savings, we feel it is necessary to utilize pre 2006 budget manning plan for the next 14-16 months. We have investigated the options:

Option one would result in filling the vacancies with overtime and paying step-up pay for a Sgt. To fill a Lt's position, estimated total manpower cost

\$2,067,034.41.

Option two would require moving one Sgt from the Detective Bureau, and one Sgt from the Traffic Bureau, and assigning them to the two vacancies on the patrol shift. Estimated cost would be \$2,042,049.17.

Option three would provide for the highest productivity, it would require the promotion of two Sgt's and one Lt., while also providing a savings of \$11,088.77 over option one, without having a negative impact on the Traffic Bureau and Detective Bureau.

The Police and Fire Commission recommends option 3, which provides \$11,088 savings, reduces the potential for uncontrollable costs, and provides the greatest efficiency for the Wyandotte Police Department, while providing the maximum service to the residents.

Attached is supporting documentation and justification for promotions of 2 Sgt's, one Lt., the promotion of Alice Baker to Record Department Supervisor, and the promotion of Lisa Davidson from part time employee to full time employee, and replacement of a part time employee to replace Lisa Davidson.

Randy Hicks, President, Police and Fire Commission

October 13, 2005

The Honorable James R. DeSana, Mayor
And City Council Members
3131 Biddle Avenue, Wyandotte, Michigan 48192

Dear Mayor DeSana and City Council Members,

Attached you will find a resolution adopted by the Downtown Development Authority (DDA) which recommends the hiring of Lisa Hooper as the Executive Director of the DDA. Also attached you will find the draft Employment Agreement and resume for Ms. Hooper.

Per PA 197 of 1975, the DDA may employ and fix the compensation of a director subject to the approval of the governing body of the municipality. The undersigned recommends approval of this hiring with the terms outlined in the aforementioned Employment Agreement.

Sincerely,
Todd A. Drysdale, Director of Financial and Administrative Services

October 13, 2005

Mayor DeSana and Council Members
City of Wyandotte, 3131 Biddle Avenue
Wyandotte, MI 48192

Dear Mayor DeSana and Honorable Council Members:

At the October 10, 2005 regular session of the Downtown Development Authority the following motion was made:

RESOLVED by Bob Groat, seconded by Gib Rose, that the communication

from the City Engineer regarding the concrete repair of the alley between Elm Street and Oak Street east of Biddle Avenue is hereby received and placed on file; AND

BE IT RESOLVED that DDA recommends City Council award the contract to G.V. Cement Contracting Company from Brownstown Township, Michigan, for the amount of \$13,030.00 from the DDA's budget account number 499-200-926-790; AND

BE IT FURTHER RESOLVED that all bid bonds be returned to the unsuccessful bidders by the City Clerk and all bid checks to be returned to unsuccessful bidders by the City Treasurer, AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the necessary documents to perform said work.

Please take the necessary actions to complete the above project. Thank you for your help in this matter.

Best Regards,
Robert Groat, DDA Co-Chair

October 12, 2005

To: Honorable Mayor and City Council
From: Department of Legal Affairs
Re: Amendment of Retirement Ordinance

Dear Mayor and City Council:

Enclosed for your review please find an amendment to Section 2-214 as a result of the recent arbitration hearing for firemen.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK
Professional Corporation
William R. Look
October 12, 2005

To: Honorable Mayor and City Council

From: Department of Legal Affairs

Re: Amendment of Section 14-17 and Section 14-37 Concerning Penalties for Solid Waste and Tall Grass

Dear Mayor and City Council:

I was directed by the mayor to strengthen the penalties for those individuals who fail to maintain their lawns or who accumulate trash on their property repeatedly. Attached to this communication is an ordinance which would increase the fines for a first offense and would require a mandatory fine of \$500 for repeated offenses of this ordinance. If this meets your approval, this ordinance is submitted for a first reading.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK
Professional Corporation
William R. Look

TO: Honorable Mayor and City Council

FROM: Department of Legal Affairs

DATE: October 13, 2005

RE: Update City Ordinance for Traffic Offenses

Dear Mayor and City Council:

I have prepared and submit for your consideration an update to the City Ordinance by adopting the 2005 Edition of the Michigan Motor Vehicle Code by reference.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK
Professional Corporation
William R. Look

October 12, 2005

The Honorable Mayor James R. DeSana and City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and Council Members:

During recent meetings with the Ordinance Officers and the Mayor it was brought up that gravel parking pads are not being properly maintained. The current Ordinance Section 35-46 Parking on city streets and parking in residential areas states in part the following:

35-46(c): Such parking and storage of said vehicles (other than as permitted in the driveway area of the premises) may not be between the front lot line and nearest line of any residential building on said lot. Any vehicles under this section may only be parked or stored on a hard surface (such as concrete, blacktop, or other comparable surfaces, but not gravel). When the only entrance to the parking or storage area is from a gravel alley, then said parking or storage area may consist of gravel or stone provided it is maintained dust free and weed free. This exception shall not include garage floors. Any other vehicle not described above must be housed in a garage when not in use.

If the Council so desires, this Section could be amended that all off street parking surface consist of concrete, blacktop or other comparable surface (not gravel). This change would be imposed when a property is sold or transferred.

If you concur with this revised Ordinance, the First Reading could be held on October 17, 2005.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 12, 2005

The Honorable Mayor James R. DeSana and City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and Council Members:

The Engineering and Building Department has received several complaints from the Police and Fire Department that street numbers are not visible on homes/buildings at night. The current Ordinance Section PM-304.3 Street numbers of the Property Maintenance Code states the following:

PM-304.3 Street numbers: Each structure to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in Arabic numerals at least 3 inches (76mm) high and ½-inch (13mm) stroke.

The undersigned recommends that this Section be amended to add “to be of a reflective type material or be illuminated at night”. This should assist emergency personnel in identifying the property when there is an emergency.

If you concur with this recommendation, I recommend the First Reading for said changes be held on October 17, 2005.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 13, 2005

The Honorable Mayor DeSana and Council Members
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and Council Members:

Merlino’s Florist, Nursery & Landscaping, Dearborn, Michigan, has agreed to hold their prices from their current Tree Planting contract. The conditions of the contract extension would be as set forth in the original Contract and would apply to the additional work.

The work is estimated to be \$10,360.00 and a contract extension is enclosed.

The undersigned recommends that this contract extension be approved.

Sincerely,

Mark A. Kowalewski, City Engineer

October 13, 2005

The Honorable Mayor James R. DeSana and City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

Wyandotte Construction Co., LLC has requested to close the alley adjacent to the office medical project being constructed at 1848 Biddle Avenue for six (6) months. I recommend this request be granted provided a Hold Harmless Agreement as approved by the City Attorney is entered into.

Very truly yours,
Mark A. Kowalewski, City Engineer

REPORTS AND MINUTES FROM CITY AND OTHER GOVERNMENTAL UNITS

The following report was made from monies received from the Recreation Department:

September 12 – October 9, 2005 \$46,968.90

The following reports and minutes were received and placed on file:

Downriver Joint Management Committee September 08, 2005
Fire Commission Meeting September 27, 2005
Fire Fighter's Civil Service Commission September 14, 2005
Fire Fighter's Civil Service Commission September 21, 2005
Municipal Service Commission September 27, 2005
Police & Fire Commission Special Meeting September 22, 2005
Police Commission Meeting September 27, 2005
Zoning Board of Appeals & Adjustment October 5, 2005
CITIZEN PARTICIPATION

Jim Candela, 1245 Poplar, requests item #4 be set aside with no action to be taken tonight. Citizens need to know is going on.

Jeannie Lilienthal, 1287 Poplar, asked numerous questions regarding the posting for filling positions; why was it not posted? Requests no action on item #4.

Richard Patrick, 523 Cherry, regarding item #4, why are we filling positions due to budgetary constraints? Where is the savings?

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

Absent: None

HEARINGS
ISSUANCE/TRANSFER AND REVOCATION OF AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
UNDER ACT 198 OF THE PUBLIC ACTS OF MICHIGAN, 1974 AS
AMENDED

October 13, 2005

Honorable Mayor James R. DeSana and Members of the City Council
3131 Biddle Avenue, Wyandotte, MI 48192

Re: Michigan Metal Walls, Inc., 1410 McKinley

Dear Honorable Mayor and City Council:

As the City Assessor for the City of Wyandotte it is my professional opinion that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of previously granted exemptions and those currently in force, shall not have the effect of substantially impeding the operation of the local government unit or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Wyandotte.

Should you have any questions, please feel free to contact the undersigned.

Sincerely,
Colleen A. Keehn, City Assessor

October 13, 2005

The Honorable Mayor James R. DeSana and City Council, City Hall

Re: Transfer and Revocation of portions of an Industrial Facilities Exemption Certificate – IFEC No. 2002-042: from DownRiver Stairs to Michigan Metal Walls, Inc., 1410 McKinley

Dear Mayor and Council,

The enclosed resolution approves the application filed by Michigan Metal Walls, Inc., 1410 McKinley, to transfer the Real Property portion of Industrial Facilities Exemption Certificate No. 2002-042, previously issued to DownRiver Stairs in 2002 for 12 years. The Real Property Value to be transferred is \$263,352. Additionally, the resolution revokes the exemption previously granted to DownRiver Stairs for Personal Property, totaling \$170,044. Final approval is still required by the State Tax Commission.

Also included as part of the application and resolution is a proposed Letter of Agreement and Affidavit of Fees between the applicant and the City. It provides for the remaining balance of the original 12-year term, stipulates that the company will create 15 new jobs at the site, and that the company shall remain in the City during the duration of the Certificate. If the company relocates during that time, the company shall, subject to the approval of the City Council, pay to the City and all affected taxing units, an amount equal to those taxes the company would have paid had the exemption not been in effect.

The undersigned recommends that the Council adopt the following resolution.

Very truly yours,
Joseph M. Voszatka, Community Development Director
No objections.

SHOW CAUSE HEARING
1170 – 22ND STREET
WYANDOTTE, MICHIGAN

Kenneth Duquette, 1170 – 22nd, will place with real estate Friday. Hold in abeyance for November 14, 2005 meeting.

FIRST READING OF ORDINANCES

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND SECTION 14-17 (SOLID WASTE
PENALTIES) AND
SECTION 14-37 (TALL GRASS PENALTIES) OF CHAPTER 14 OF THE
CODE OF ORDINANCES OF THE CITY OF WYANDOTTE

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
RETIREMENT ORDINANCE
BY AMENDING SECTION 2-214 ENTITLED “POLICEMAN AND
FIREMAN
MEMBER RETIREMENT ALLOWANCE”

AN ORDINANCE ENTITLED
“AN ORDINANCE TO ADOPT BY REFERENCE THE MICHIGAN
VEHICLE CODE”

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND CHAPTER 35
TRAFFIC OF THE CITY CODE OF ORDINANCES

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND “CITY OF WYANDOTTE PROPERTY
MAINTENANCE CODE” CHAPTER 3, SECTION 304.0 EXTERIOR
STRUCTURE

FINAL READING OF AN ORDINANCE

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND SECTION 19-147
ENTITLED, "WATER SUPPLY" BY ADDING
PROVISIONS CONCERNING CROSS CONNECTION

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment of Section 19-147. Water Supply; Cross Connection.

Section 1. Water Supply

Potable water from an approved source shall be available at all times in residential buildings. The domestic water supply system of the building shall be connected to such approved source, and shall not be subject to contamination. When supplied from a public source, the potable water supply system shall not be connected to private or unsafe water supplies.

Water supply systems shall be installed and maintained so as to provide at all times a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable them to function satisfactorily and without undue noise under all normal conditions of use.

Water supply systems shall be installed and maintained so that water used for purposes of cooling or heating shall not be reintroduced into the domestic water supply system nor be distributed through such equipment to plumbing fixtures.

Hot water supply systems shall be provided with safety devices arranged to relieve hazardous pressures and excessive temperatures.

Section 2. Cross Connection

The City of Wyandotte adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Environmental Quality being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

It shall be the duty of the Wyandotte Water Department to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Wyandotte Water Department and as approved by the Michigan Department of Environmental Quality.

The representative of the Wyandotte Water Department shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of Wyandotte for the purpose of inspecting the piping system or systems thereof for cross connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connection.

The Wyandotte Water Department is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this ordinance exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

All testable backflow prevention devices shall be tested initially upon installation to be sure that the device is working properly. Subsequent testing of devices shall be conducted at a time interval specified by The Wyandotte Water Department and in accordance with Michigan Department of Environmental Quality requirements. Only individuals approved by the Wyandotte Water Department shall be qualified to perform such testing. That individual(s) shall

certify the results of his/her testing.

The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this ordinance and by the State and the City of Wyandotte's plumbing code. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

This ordinance does not supersede the State Plumbing Code and City of Wyandotte Plumbing Ordinance, but is supplementary to them.

Any persons or customer found guilty of violating any of the provisions of this ordinance or any written order of the Wyandotte Water Department or inspection agency, in pursuance thereof, shall be deemed responsible for a municipal civil infraction punishable by a fine not exceeding Five Hundred (\$500.00) Dollars, plus costs as allowed by law. Each day upon which a violation of the provision of this ordinance shall occur shall be deemed a separate offense and violation.

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 effect fifteen (15) days from the date of its passage by the Wyandotte City Council and shall be published in accordance with the provisions of the City Charter by the City Clerk.

On the question, "SHALL THIS ORDINANCE NOW PASS?", the following vote was recorded:

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None
ABSENT: None

I hereby approve the adoption of the foregoing ordinance this 17th day of October, 2005.

CERTIFICATE

We, the undersigned, JAMES R. DESANA and WILLIAM R. GRIGGS, 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 17th day of October, 2005.

Dated: October 17, 2005

JAMES R. DESANA, Mayor WILLIAM R. GRIGGS, City Clerk

RESOLUTIONS

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communication from Councilman Browning relative to the direction to the Police and fire Commission to make recommendations to the City Council to achieve the following: 1. The implementation of Public Safety Department within the City; and 2. The creation of a regionalized, consolidated dispatch center with neighboring communities. NOW THEREFORE BE IT RESOLVED that the Police and Fire Commission request an additional four (4) weeks extension on the above issues at which time all strategic planning sessions will have been completed.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communication from the Director of Financial and Administrative Services is hereby received and placed on file. AND FURTHER that the request for an additional four (4) weeks to respond to the possible utilization of Martin's Sales and towing for the disposal of City vehicles via auction is hereby granted.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communication from James H. Kresin, 1000 Sycamore relative to personnel in the Wyandotte Police Department is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of Mayor James R. DeSana as set forth in his communication dated October 10, 2005 to appoint the following:

Larry Garmo, 750 Biddle Wyandotte, MI. 48192 to the ECONOMIC DEVELOPMENT CORPORATION (EDC)/TAX INCREMENT FINANCE AUTHORITY (TIFA)/BROWNFIELD REDEVELOPMENT AUTHORITY term to expire April 2006.

Greg Meyring, 3131 Biddle Avenue, Wyandotte, MI. 48192 to the BUILDING BOARD OF APPEALS term to expire April 2007.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communication from the Police and Fire Commission relative to promotions in the Fire Department of William Niemi to Lieutenant, Gregory Garrison to Lieutenant and David Bartnicki to Sergeant are hereby APPROVED retroactive to October 13, 2005 for the Health, Safety and Welfare of the Fire Department.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of Randy Hicks, President, Police and Fire Commission, as set forth in his communication of October 13, 2005 to promote two sergeants and one lieutenant along with Alice Baker to Records Supervisor, Lisa Davidson from part time to a full time employee and replacement of a part time employee.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of the Director of Financial and Administrative Services to hire Lisa Hooper as the Executive Director of the Downtown Development Authority with compensation at the rate of \$51,000 effective Monday, October 31, 2005; in addition to the terms and conditions outlined in the attached Employment Agreement.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Engineer and DDA to award the contract to G.V. Cement Contracting Company in the amount of \$13,030.00 from DDA budget account #499-200-926-790 for the concrete repair of the alley between Elm Street and Oak Street east of Biddle Avenue. AND BE IT FURTHER RESOLVED that the City Engineer be directed to coordinate the project and the Mayor and City Clerk are hereby authorized to execute said contract on behalf of the City.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communications from the City Attorney and City Engineer relative to the First Readings of various Ordinances are hereby received and placed on file with the First Readings at tonight's meeting.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the First Reading of the Property Maintenance Code Chapter 3, Section 204.0 Exterior Structure to modify Section PM-304.3 street numbers to require that said section be implemented when the property is sold or changes ownership is hereby received and placed on file.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer to amend the contract for the Tree Planting 2003 Project-File # 4277, with Merlino's Florist, Nursery & Landscaping in the amount of \$10,360 to include planting of additional trees as set forth in the Amendment To Contract for this project, and further, authorizes the Mayor and City Clerk to sign said amendment. AND BE IT FURTHER RESOLVED that said work shall be paid for from the Budget Account # 101-448-750-244.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to allow Wyandotte Construction Company LLC to close the alley adjacent to the proposed office medical project at 1848 Biddle Avenue provided a Hold Harmless Agreement as prepared by the Department of Legal Affairs is executed by Wyandotte Construction Company, LLC.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION APPROVING THE ISSUANCE/TRANSFER AND
REVOCATION OF
AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A
FACILITY WITHIN WYANDOTTE INDUSTRIAL DEVELOPMENT
DISTRICT NO. 16

RESOLUTION by Councilman Jason Ptak

RESOLVED BY CITY COUNCIL that:

WHEREAS, pursuant to Michigan Public Act 198 of 1974, as amended, and after a duly noticed public hearing held on the 12th day of January 1998, this Council by Resolution established Wyandotte Industrial Development District No. 16 covering the property commonly known as 1410 McKinley; and

WHEREAS, on September 20, 2005, the City Clerk received an application to transfer the Real Property portion of Industrial Facilities Exemption Certificate No. 2002-042 from DownRiver Stairs to Michigan Metal Walls, Inc., 1410 McKinley, for Real Property with a transfer value of \$263,352, within Wyandotte Industrial Development District No. 16 covering the property commonly known as 1410 McKinley; and

WHEREAS, The Industrial Development District for this property was created by the City of Wyandotte to encourage manufacturing uses in the newly created Clark Street Industrial Park. The City of Wyandotte sold the property to DownRiver Stairs and DownRiver Stairs completed building construction, but it was never fully equipped for manufacturing as anticipated. Consequently, in addition to transferring the Certificate for Real Property, the exemption granted to DownRiver Stairs for Personal Property, totaling \$170,044, shall be revoked.

WHEREAS, by Resolution adopted September 26, 2005, the City Council directed the City Clerk to notify the Assessor, applicant, and the legislative body of each taxing unit which levies ad valorem taxes on the property located within Wyandotte Industrial Development District No. 16 and to publish notice in the Wyandotte News Herald that the application to transfer a portion of an Industrial Facilities Exemption Certificate would be considered at a meeting of the City Council on October 17, 2005 at 7:00 P.M. local time in the Council Chambers at Wyandotte City Hall, and that an opportunity to be heard would be provided to the Assessor, the applicant and to the representative of each of the bodies so notified along with any other taxpayer or resident of the City of Wyandotte; and

WHEREAS, during a regular meeting of the City Council held on October 17, 2005, the applicant, the Assessor, a representative of the affected taxing units and any taxpayer or resident of the City of Wyandotte were afforded an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That this City Council finds:

- a. That commencement of the restoration, replacement, or construction of the facility occurred not earlier than six months before the filing of the original application for the IFEC.
- b. That the application relates to the transfer of an existing IFEC, which when originally completed constituted a new facility within the meaning of Michigan Public Act 198 of 1974, as amended, and will be situated in Wyandotte Industrial Development District No. 16.
- c. That the completion of the facility is calculated to and will at the time of

issuance of the IFEC have the reasonable likelihood of creating employment within the City of Wyandotte.

d. That the application dated September 20, 2005, applies to building and land improvements, with a transfer value of \$263,352.

e. In addition to transferring the Certificate for Real Property, the exemption granted to DownRiver Stairs for Personal Property, totaling \$170,044, shall be revoked.

f. That the aggregate State Equalized Valuation of real and personal property exempt from ad valorem taxes within the City of Wyandotte, after granting of this Certificate, will exceed five (5) percent of an amount equal to the sum of the State Equalized Valuation of the City plus the State Equalized Valuation of the personal and real property thus exempted. The City Council specifically finds that the granting of the transfer of the exemption applied for will not substantially impede the operation of the City of Wyandotte, or impair the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Wyandotte.

2. That the Mayor and City Clerk are hereby authorized to execute a new IFEC Letter of Agreement between Michigan Metal Walls and the City of Wyandotte which was signed by Michigan Metal Walls on October 13, 2005, a copy of which is attached.

3. If the owner or lessee of a facility for which an IFEC is in effect relocates that facility outside of the industrial development district or plant rehabilitation district during the period in which the IFEC is in effect, the owner or lessee is liable to the local governmental unit from which it is leaving, upon relocating, for an amount equal to the difference between the industrial facilities tax to be paid by the owner or lessee of that facility for that facility for the tax years remaining under the IFEC that is in effect and the general ad valorem property tax that the owner or lessee would have paid if the owner or lessee of that facility did not have an IFEC in effect for those years. If the local governmental unit determines that it is in its best interest, the local governmental unit may forgive the liability of the owner or lessee under this subsection. The payment provided in this subsection shall be distributed in the same manner as the industrial facilities tax is distributed.

4. The application of Michigan Metal Walls to transfer only the Real Property portion of an IFEC with respect to a certificate previously issued to DownRiver Stairs for a new facility consisting of new machinery, equipment, furniture, fixtures, and building and land improvements situated within Wyandotte Industrial Development District No. 16, City of Wyandotte, County of Wayne, and State of Michigan, be and the same is hereby approved subject to the condition set forth in item number 3 above.

5. The revocation of the Personal Property portion of the IFEC previously granted to DownRiver Stairs with respect to a new facility consisting of new machinery, equipment, furniture and fixtures, situated within Wyandotte Industrial Development District No. 16, City of Wyandotte, County of Wayne, and State of Michigan, be and the same is hereby approved.

6. The IFEC when issued shall be and remain in force and effect for a period of twelve (12) years. The length of time for which the abatement is approved is for

the remaining balance of the original twelve (12) year exemption granted to DownRiver Stairs on December 30, 2002. The exemption is scheduled to expire on December 30, 2014.

I move the adoption of the foregoing preamble and resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the Show Hearing scheduled for October 17, 2005 relative to 1170-22nd Street, Wyandotte, is hereby held in abeyance until November 14, 2005.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the Director of Financial and Administrative Services has expressed a desire to meet in closed session for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement. NOW THEREFORE be it resolved that the Mayor and Council will meet in closed session immediately following the regular Council meeting for the above stated purpose.

I move the adoption of the foregoing preamble and resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the Council Meeting of October 31, 2005 is hereby cancelled due to lack of a quorum.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan October 17, 2005

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the total bills and accounts in the amount

of \$3,529,811.71 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing preamble and resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

YEAS: Councilmen Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka

NAYS: None

ADJOURNMENT

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

That we adjourn – carried unanimously

Adjourned at 9:15 p.m.

October 17, 2005

William R. Griggs, City Clerk