



## Minutes - October 24<sup>th</sup>. 2005

Wyandotte, Michigan October 24, 2005

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

### ROLL CALL

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

Absent: Councilperson Kolakowski

### UNFINISHED BUSINESS

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RESOLVED by the City Council that the communication from Timothy Adkins, Rapp & sons, 3767-11th Street relative to permission to encroach on the City's right-of-way for parking in front of their business is hereby referred to the City Engineer and Police and Fire Commission for a review and report back to Council in two weeks. (Dated October 10, 2005) due back October 24, 2005.

October 24, 2005

Mayor and City Council, City of Wyandotte

3131 Biddle Avenue, Wyandotte, MI 48192

Dear Honorable Mayor and City Council:

This communication is in response to Council Resolution dated October 11, 2005, from Timothy Adkins, from Rapp and Sons, 3767 11<sup>th</sup> Street, Wyandotte. Mr. Adkins letter requested permission to encroach on the City's right of way for parking in front of said business.

Sergeant Pouliot, Traffic Division, in concurrence with the Department of Administration, investigated the request and recommends that a curb side cut be placed on 11<sup>th</sup> Street in front of 3767 11<sup>th</sup> Street to allow for off street angle parking.

Sincerely,  
Bobie Heck  
Chief of Police

October 24, 2005

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

Dear Mayor and Council Members:

In regards to the communication from Timothy Adkins, Rapp & Sons, 3767 – 11<sup>th</sup> Street for permission to encroach on the City's 11<sup>th</sup> Street right-of-way for parking, the following applies. The undersigned has no objection to this request provided a Hold Harmless Agreement is executed during construction.

Approval of the Police & Fire Commission is required in accordance with Section 35-48 of the Code of Ordinances.

Very truly yours,

Mark A. Kowalewski, City Engineer

RESOLVED by the City Council that the communication from Sandy Darnell, Radiator Works, Inc., 18562 W. Jefferson Avenue, Riverview, Michigan 48192, relative to permission to encroach on the City's right-of-way for parking on the east side of their building adjacent to 13th, located at 1336 Pennsylvania Road is hereby referred to the City Engineer and Police and Fire Commission for a review and report back to Council in two weeks. (Dated October 10, 2005) due back October 24, 2005.

October 21, 2005

City of Wyandotte, Mayor and Council

3131 Biddle Avenue, Wyandotte, MI 48192

Dear Honorable Mayor and Council:

This communication responds to Council Resolution, dated October 11, 2005, relative to the request by Radiator Works Inc. of 1336 Pennsylvania to reconstruct the parking lot east of the building.

The Traffic Bureau investigated the proposed parking area and concurs with the request.

Sincerely,

Bobie E. Heck, Chief of Police

October 21, 2005

The Honorable Mayor James R. DeSana and City Council

City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

At the October 10, 2005, City Council meeting you referred a communication from Sandy Darnell, 1336 Pennsylvania Road for permission to encroach on the City's 13<sup>th</sup> Street right-of-way for parking, the following applies. On October 20, 2005, the Planning and Rehabilitation Commission reviewed and approved the plan as submitted by Sandy Darnell. The undersigned has no object to this request provided a Hold Harmless Agreement is executed during construction.

Approval by the Police and Fire Commission is required in accordance with Section 35-48 of the Code of Ordinance.

Very truly yours,

Mark A. Kowalewski, City Engineer

RESOLVED by the City Council that the communication from Dr. Patricia A. Cole, Ph.D. Superintendent of Wyandotte Public Schools, requesting additional staff parking at Garfield Elementary School is hereby referred to the City Engineer and Traffic Bureau for a traffic study on Third Street with a review and report back to Council in two weeks. (Dated October 10, 2005) due back October 24, 2005.

Date: October 18<sup>th</sup>, 2005

From Sgt J. Pouliot

To: Chief Heck

Subject: Garfield Parking

Dear Mayor & Council

After reviewing the Resolution to increase staff parking at Garfield School, I make the following recommendation. Currently there is parking located on the north side of the school building. Adjacent to the parking lot is a 74 x 147 ft. greenbelt space. I recommend that the fence be removed and moved inward 26 ft to increase the existing lot. This should create approximately 10 to 12 additional parking spaces. In addition, I would recommend that the lot be signed to Oneway entrance off Vinewood and Oneway exit onto 3<sup>rd</sup> Street. This will reduce the congestion of ingress/egress of vehicles in the lot. I would also recommend that the parking along the fence line between the building and the basketball court be signed no parking. This will provide width for emergency personnel vehicles should there be a structure fire. By increasing the existing lot, it will also open up space for emergency vehicles. There would still be 48 x 147 ft. of greenbelt adjacent to the basketball court.

I have met with Ed Campbell and Greg Mayhew and discussed the issue at hand. I believe Mr. Mayhew along with myself concur that extending the current lot would be a better choice than creating angle parking on 3<sup>rd</sup>.

My reasons for not recommending angle parking on 3<sup>rd</sup> Street is from a traffic safety standpoint. Angle parking reduces sight visibility. A large majority of vehicles today are SUV's Angle parking reduces the sightline of drivers and increases the probability of accidents. The area in question has a high traffic volume during school hours. Drivers will be forced into backing up onto a congested roadway with limited visibility. In addition there is increased pedestrian movement (children) who may exit passenger doors in the roadway in areas of the angle parking. I use Jerry's Meat Market as an example why angle parking has increased potential for accidents. I have taken several accidents there and have had vehicles encroach into the roadway before the driver is able to see traffic movement.

Attached is a diagram created by Mr. Mayhew which shows the proposed parking lot at Garfield School. I think the most logical recommendation is to extend the lot north of the building and to sign it as recommended above.

Respectfully,

Sgt Pouliot, Traffic

Division

October 21, 2005

The Honorable Mayor DeSana and Council Members

City Hall, Wyandotte, Michigan

Dear Mayor and Council Members:

On October 11, 2005, Council referred to the undersigned, and the Wyandotte Police Traffic Bureau, a communication from Dr. Patricia A. Cole, Ph.D., Superintendent of Wyandotte Public Schools, requesting additional staff parking at Garfield Elementary School along 3<sup>rd</sup> Street, south of Vinewood Ave. The undersigned has reviewed the request and responds as follows.

Attached is a plan for additional staff parking as prepared by the Engineering Department. This plan would enlarge the existing parking lot on the north side of the school by approximately 26 feet to the east. This would provide for 22 parking spaces, an increase of 10 spaces, at an estimated cost of \$16,000.00.

The plan proposed by the School Board, angle parking off of 3<sup>rd</sup> Street, does not meet the requirements of Section 1805 of the City of Wyandotte Zoning

Ordinance. For parking at a 45 degree angle, the ordinance requires a parking space depth parallel to the street of 22 feet. Only 16'-10' is provided. To construct the parking in accordance with the Zoning requirements, the sidewalk and fence would need to be moved approximately five feet to the west. The estimated cost to construct this parking plan is \$15,000.00. This plan provides for seven spaces but eliminates approximately four curb side parking spots for a net increase of three parking spaces.

The Police Department has submitted a letter with the recommendation that the angle parking on 3<sup>rd</sup> Street not be allowed. The undersigned concurs with this and recommends that the expansion of the existing parking lot be implemented.

Very truly yours,

Mark A. Kowalewski, City Engineer

COMMUNICATIONS - MISCELLANEOUS

City of Wyandotte, Mayor and Council, 3131 Biddle Avenue

Wyandotte, Michigan 48192

October 13, 2005

Dear Mayor and Council:

The Wyandotte Boat Club is requesting that the City of Wyandotte prepare and pave the seventeen (17) parking spaces bordering the east side of James DeSana Drive adjacent to the Property of the Boat Club. The Boat Club is requesting this project in a further attempt to alleviate the parking problems associated with our property and requests that these spaces be added to the total of parking spaces required to service our property.

In discussions with the City Engineer, the Boat Club understands that it will be responsible for the cost of this project and that this cost would be billed to us as a special assessment and would be paid incrementally. The Boat Club has

discussed this project with our tenant, Gemini Holdings Inc., and since the Boat Club is unable to absorb this cost, the tenant has agreed to reimburse the Boat Club for this expense under its lease agreement. The Boat Club also requests that upon the completion of this project signage be posted by the City stating "Private Parking South Shore".

The Boat Club would like the Mayor and Council to know that this request is not being made on behalf of this specific tenant, but to enhance the present and future value of the property and to help alleviate any future parking conflicts in the neighborhood. The Boat Club would like to express its sincere appreciation to the Mayor and Council, City Engineer and other involved departments for all of their past efforts in solving some of the problems that have been associated with this property.

Sincerely,

David Mizzi, Corresponding Secretary

Wyandotte Boat Club, P.O. Box 341, Wyandotte, Michigan 48192

October 17, 2005

Honorable Mayor DeSana & City Council, Wyandotte City Hall

3131 Biddle Ave., City of Wyandotte

To Whom It May Concern:

The St. Patrick's Youth group would like permission to use the city parking lot located at the corner of First Street and Chestnut for a fundraising event. This event would consist of parking cars for spectators of the Christmas Parade, November 19, 2005. St. Patrick's Catholic Church lots will be utilized, but the group feels the additional lot would provide more income. All proceeds benefit the teens directly.

Thank you for considering this matter. Please feel free to call Andrew Kilburn at (734) 282-5882 or Fr. Raymond Lewandowski at (734) 285-9470 for any additional information.

Sincerely,

Lauren Renkiewicz

Elise Blicharski

Craig Smith

St. Patrick's Youth Group, St. Patrick's Catholic Church

135 Superior Boulevard, Wyandotte, MI 48192

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PERSONS IN THE AUDIENCE

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Richard Miller, 1202 – 2<sup>nd</sup>, regarding item #8, Planning & Rehabilitation Commission reserve spots on Agenda, don't take. Make them late items. The property is in disarray, must be cleaned up. Outstanding bill for Art Fair must be paid.

Andrea Vos, 312 North Drive, Lilienthals have been wronged. They weren't treated fairly. Read the following into the record:

October 24, 2005

To the Mayor and City Council,

Employees and Citizens of Wyandotte:

I come here as a citizen of Wyandotte who has no political connections or aspirations, and very, very few personal relationships within the city. I am basically a loner, and one who generally avoids political involvement, unless something affects me deeply for some reason, be that personal, financial, emotional, whatever. I am only one voice with very little or no influence on anyone here or who may be watching. Nonetheless, I feel it is my duty to publicly state my opinions and intentions with regard to the present Mayor and Council.

I do not personally know Ms. Douglas or have a friendship with any member of the Lilienthal family, but what I have witnessed over the past few weeks literally makes me sick. I feel partially responsible for the unethical manner in which she and others in her family have been trampled upon by this Mayor and Council, and, as a consequence, by all of the citizens of Wyandotte. I feel responsible because, I am ashamed to say, I voted for everyone up here. Not only did I vote for them, but also I voiced my support of them loudly and publicly, most especially to my own family and children. For that I am truly ashamed, and I offer my apologies.

For all I know, the Lilienthal family may have had a dynasty that needed to be toppled. It matters not. There is a right way and a wrong way to do things. I do not abide the trampling of human rights, nor do I abide unlawful and unethical behavior in the people I choose to represent me. It is an honor to be elected to public service, and it is assumed that those elected will be honorable people who behave in honorable ways. Instead, the public trust has been violated and the intent of our laws has been bastardized in order that someone's personal agenda may be satisfied.

You offend all of us when you offend any one of us, but in this particular scenario, there are many who have been offended. You have taken it upon yourselves to re-write the laws – not only in terms of our city charter, but federally mandated civil liberties as well. Your behavior with regard to the Police Department and Commission has been reprehensible and no amount of reinterpreting the charter as you choose can change that. I hope your Mr. Look is capable of defending your actions in a real court of law.

I've never been one to favor recall elections, but I wish to publicly state here and now that I will assist and support in any recall effort of the present administration that may be launched. It is the least I can do to try to undo the damages already done and to prevent similar travesties in the future. I can only hope there are others who are willing to stand up and say "NO!" to any further abuses of power.

Thank you,

Andrea Vos, 312 North Drive, Wyandotte, MI 48192

Charles Gillenwater, October 29<sup>th</sup> Reserve Dinner, wishes all to come.

Jim Candela, 1245 Poplar, new DDA meeting violation of the City Charter and Open Meetings Act June 7<sup>th</sup>, 2005. Should not have offered or voted upon. Bill Look should not have been present. 23-26 Police & Fire Commission disregarded.

#### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

October 18, 2005

The Honorable City Council, City of Wyandotte

Gentlemen and Madam:

I am writing to seek your concurrence in the extension of the contract we have with Leslie Lupo, Director of Community Relations.

As you know, Lisa Hooper has been hired as DDA Executive Director and will be starting her employment with the City mid-November. I am recommending that Mrs. Lupo's contract be extended for a period of 60 days, November 1, 2005 to January 1, 2006. Mrs. Lupo would assist Ms. Hooper during this period as needed, not to exceed 40 hours for the 60-day period.

I feel that having Mrs. Lupo available to assist Ms. Hooper will help to ensure a smooth transition.

Sincerely,

James R. DeSana, Mayor

Date: Wednesday, October 19, 2005

To: City of Wyandotte Mayor and Council

Re: Updated Rental Contracts and Related Fees

Honorable Mayor DeSana and Council:

Attached please find the revised rental contracts and associated fees involving the Wyandotte Museum – Ford MacNichol Home, 2610 Biddle Ave., the Marx Home, 2630 Biddle Ave., and the Log Cabin of Bishop Park. These contracts concern general event, log cabin, and wedding related rentals. All documents were reviewed by the City Attorney, Mr. Look, and his corrections/suggestions were incorporated accordingly.

Should you have any questions regarding the content of these contracts or the updated fees, please feel free to contact either me at your earliest convenience via the information below.

Thank you very much,

Jody Chansuolme, Director of Museums

October 19, 2005

The Honorable Mayor James R. DeSana & City Council

City of Wyandotte

Gentlemen:

At the October 19, 2005 Wyandotte Employees' Retirement Commission Meeting the Commission set forth an in depth discussion on the recommendation of Mr. Drysdale to issue the 13<sup>th</sup> Check based on a newly revised formula. In view of the fact that said Commission has been previously criticized for failure to adopt a resolution on or before September 30<sup>th</sup>, to allocate monies to the Special Reserve Fund as required by Section 2-245(a), and in view of the fact that said revisions set forth by Mr. Drysdale have not been adopted by the Mayor and Council and set forth in the Retirement System Ordinance, this Commission is bound by their fiduciary responsibilities to adopt the following motion:

MOTION by Commissioner Harkleroad, supported by Commissioner Hill, that the Retirement Commission concurs with the recommendation of Todd Drysdale, Director of Financial Services, dated October 6, 2005, and approves the rate of \$54.96 per year of credited service for the Special Supplemental Benefit Payment (13<sup>th</sup> Check) in accordance with Sections 2-238 & 2-245 of the Wyandotte Retirement System Ordinance and be it further resolved that those retirees who have received a retirement allowance for one full calendar year as of September 30, 2005 are eligible to receive the 13<sup>th</sup> check in accordance with Section 245 (b) of the Wyandotte Retirement Ordinance and we further recommend to the Mayor and Council that they concur in said recommendation and declare the above provisions in effect for the fiscal year.

YEAS: Commissioners Brendle, Harkleroad, Hill, Lyon

NAYS: None

MOTION CARRIED

Should you require additional information, please advise.

Sincerely,

William R. Griggs,

Secretary

Retirement Commission

October 20, 2005

Dear Mayor and City Council:

It has come to our attention that the City Council wants to change the supplemental retirement benefit allowance we feel this is in conflict with our retirement system Article 2-245 b, which entitles employees to a 13<sup>th</sup> check after one year, and Article 2-245 h, because there is sufficient funds in the reserve fund. Our employees are receiving some of the lowest pensions throughout the City and this benefit means a lot to past and present and future employees. We approve the Retirement Commission's recommendation to keep the existing formula they have already passed. Several portions of our contract protect our rights also. The following are examples that should not be overlooked from the bargaining unit agreement with AFSCME Local 894 Contract.

Article IV-B: All established fringe benefits not changed in this agreement that are now being received by all employees in the bargaining unit covered by this agreement shall remain in full force and effect.. The employers shall not establish any benefit for the employees covered in this agreement without first negotiating such benefit with the union.

Article XIV 10: Pension ordinances, chapter 2, article IX, retirement system of the code of ordinances in here by adapted by reference and made part of this contract..

Article XIV 10 G: In no event shall benefits set forth in the pension ordinance be lessened or reduced as a result of waiving, maintaining or altering and provisions, thereof. We will support the wishes of any other unions or general employees wishing to make the suggested change independently, but A.F.S.C.M. E. Local 894 will keep the existing formula for our retirees supplemental retirement benefit allowance or "13<sup>th</sup> check".

Thank you for your support and cooperation in this subject.

Executive Board Wyandotte Department of Public Service.

Phil Verduce President

Jeff Polczynski, Vice President

Shawn Meade Chief Steward

Jeff LeFever Secretary Treasurer

10-20-05

October 20, 2005

The Honorable James R. DeSana, Mayor

and City Council Members

3131 Biddle Avenue

Wyandotte, Michigan 48192

Dear Mayor DeSana and City Council Members,

During the budget discussions for the 2006 Fiscal Year, the City Council resolved to amend the eligibility for the Special Supplemental Retirement Benefit Allowance (13<sup>th</sup> Check). The amendment to the ordinance was placed on the October 10, 2005, City Council agenda where, per the attached resolution, the City Council referred this amendment to the undersigned and Labor Attorney for a review and report back in three weeks.

The undersigned has been in discussion with the negotiating teams for the collective bargaining units in the City who indicated that they are not in favor of this change to the ordinance and will file a grievance and pursue arbitration to ensure that the proposed change be negotiated and not implemented by the City Council.

Further, the Retirement Commission met on October 19, 2005, and did not follow the recommendation of the undersigned to implement the 13<sup>th</sup> check to retirees and beneficiaries in accordance with the new criteria established by the City Council. Instead, the Retirement Commission recommended that the 13<sup>th</sup> check be implemented in accordance with the eligibility criterion that was previously used. As the Commission did not reduce the amount of benefit per

year of credited service that was recommended by the undersigned, their recommendation will cost the Retirement System \$187,000 more than the amount budgeted.

Considering the certain legal action faced by the City if the ordinance is amended without concurrence by the City's collective bargaining units and the fact that the recommendation from the Retirement Commission exceeds the amount budgeted by the City Council by a significant amount, the undersigned recommends that the City Council take no action on the recommendation from the Retirement Commission or the amendment to Section 2-245 of the Retirement Ordinance which was previously on the agenda for adoption.

Sincerely,

Todd A. Drysdale

Director of Financial and Administrative Services

October 20, 2005

The Honorable Mayor James R. DeSana and City Council

City Hall, Wyandotte, Michigan

Re: Former 1475 Eureka/3339 15<sup>th</sup> Street

Lot Size: 67' x 100' Frontage on Eureka and 90' x 104' on 15<sup>th</sup>

Former 1525-1535 Eureka

Lot Size: 122' x 100'

Dear Mayor DeSana and Council Members:

Attached please find an Offer to Purchase Real Estate between the City of Wyandotte and Dr. Steven K. Grekin in the amount of \$141,480.00. Dr. Grekin has acquired the property known as 1503 Eureka (Royal Meats). Dr. Grekin will demolish the building at 1503 Eureka, then combine that property with the property he is acquiring from the City to construct a 2 story, 15,000 square foot professional building on Lots 162 through 172. The remaining property (Lots 3 through 8) will be used for additional parking.

Further, Dr. Grekin has requested that the east/west alley between 15<sup>th</sup> and 16<sup>th</sup> Streets south of Lots 162-172 Taylor Park Subdivision be vacated by the City. This request should be forwarded to the Department of Municipal Service for review with a response to the City Engineer for recommendation to City Council.

If Council concurs with the proposed sale, then the attached resolution will authorize Mayor and Clerk to execute the necessary documents.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 20, 2005

The Honorable Mayor James R. DeSana and City Council

City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

Attached please find Specifications for the Sale of 109 Vinewood as a

Preservation Project. The minimum price is \$131,905.00. Proposals will be accepted through November 16, 2005. There will be two (2) open houses; Saturday, October 29, 2005, from 11:00 a.m. to 2:00 p.m. and Sunday, November 6, 2005, from 1:00 p.m. to 3:00 p.m.

If you concur with these specifications, the attached Resolution will authorize the City Engineer to advertise for same.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 21, 2005

The Honorable Mayor James R. DeSana and City Council

City Hall, Wyandotte, Michigan

RE: "The Oaks" Residential Development at Southwest Corner of Oak and 2<sup>nd</sup> Street

Dear Mayor DeSana and Council Members:

Attached is the Resolution duly adopted by the City of Wyandotte Planning and Rehabilitation Commission at a regular meeting held on October 21, 2005 with regards to the approval of the Stage I Preliminary Site Plan for the "The Oaks" Residential Condominium Project at the southwest corner of Oak and 2<sup>nd</sup> Street.

Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

Elizabeth A. Krimmel, Chairperson

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REPORTS AND MINUTES FROM CITY AND OTHER GOVERNMENTAL UNITS

The following report was submitted from the Finance Department

October 10, 2005	October 13, 2005	\$299,794.93
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The following reports were submitted:

Wyandotte Recreation Commission	October 4, 2005
Retirement Commission Meeting 2005	October 19,
Wyandotte Cultural & Historical Commission	September 8, 2005

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CITIZEN PARTICIPATION

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Phil Verduce and Shawn Meade, DPS employees, regarding 13<sup>th</sup> check, do not want older retirees to lose money, thirty-five years, less than \$24,000 a year. DPS doesn't make any money, has 1.4 factor.

Richard Miller, 1202 – 22<sup>nd</sup>, regarding late items.

Gerald Linenfelser, 912 River Ct., regarding 13<sup>th</sup> check, not a dead issue? No decision yet?

Carolyn Harris, 314 Riverside Dr., 13<sup>th</sup> check is a non-negotiable item.

Robert Sieloff, 244 Oak, Municipal Service Retiree (32 years).

RECESS

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RECONVENING

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ROLL CALL

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

Absent: Councilperson Kolakowski

FINAL 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**

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment to section 14-17. PENALTIES

Sec. 14-17. Penalties

Any person, firm or corporation or any other legal entity who violates or neglects to comply with any provisions of this article, or any regulation promulgated pursuant thereto, is responsible for a municipal civil infraction and subject to the following fines:

1. For the first violation a fine not exceeding \$500 plus court costs;
2. For a second or subsequent violation(s) a mandatory fine of \$500 plus court costs.

Each day that a violation(s) is permitted to exist shall constitute a separate offense. The imposition of any infraction shall not exempt the offender from compliance with the other requirements contained in Chapter 14 including but not limited to the abatement of violations and the payment of the costs for removal of any yard waste, solid waste, or refuse incurred by the City of Wyandotte.

Section 2. Amendment of Section 14-37.

Any person, firm or corporation or any other legal entity who violates or neglects to comply with any provisions of this article, or any regulation promulgated pursuant thereto, is responsible for a municipal civil infraction and subject to the following fines:

1. For the first violation a fine not exceeding \$500 plus court costs;
2. For a second or subsequent violation(s) a mandatory fine of \$500 plus court costs.

Each day that a violation(s) is permitted to exist shall constitute a separate offense. The imposition of any infraction shall not exempt the offender from compliance with the other requirements contained in Chapter 14 including but not limited to the abatement of violations and the payment of the costs for removal of any yard waste, tall grass or noxious weeds incurred by the City of Wyandotte.

Section 3. Severability.

If any provision of this Ordinance is found to be invalid, then the remaining portions of this Ordinance shall remain enforceable and the prior existing Ordinance being amended by this Ordinance shall be reinstated.

Section 4. Effective Date.

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

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

YEAS: Councilpersons Browning, Peterson, Ptak, Sutka

NAYS: Councilperson Fricke

ABSENT: Councilperson Kolakowski

I hereby approve the adoption of the foregoing ordinance this 24<sup>th</sup> 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 24th day of October, 2005.

Dated October 24th, 2005

**JAMES R. DESANA**, Mayor

**WILLIAM R. GRIGGS**, City Clerk

**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"**

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment of Section 2-214

**Sec. 2-214. Policeman and fireman member retirement allowance.**

Effective February 1, 1999 for patrol police members and February 1, 2000 for command police members, hired after October 1, 1982, retroactive to date of hire, shall receive a straight life retirement allowance and shall have the right to elect a retirement allowance under an option provided in section 2-221 in lieu of a straight life retirement allowance. The straight life retirement allowance shall equal the sum of:

(1) An annuity which shall be the actuarial equivalent of his accumulated

contributions standing to his credit in the annuity savings fund at the

time of

his retirement; and

(2) A pension which when added to his annuity will provide a retirement

allowance equal to the number of years and months of credited service, not to

exceed twenty-five (25) years, multiplied by two and one-half (2.5) percent, times

the final average compensation plus the number of years and months of credited

service in excess of twenty-five (25) years, if any, multiplied by one (1) percent

times the final average compensation.

Maximum benefit is seventy-five (75) percent of final average compensation. Members will make pretax contributions of five (5) percent from all income included in the final average compensation.

Effective February 1, 2000, a fireman member, retroactive to date of hire, shall be guaranteed a minimum straight life pension equal to:

(1) An amount equal to the sum of (i) the number of years, and fraction of a year,

of his credited service not to exceed twenty-five (25) years, multiplied by and two

and one-half (2 1/2) percent of his final average compensation, plus (ii) the number

of years, and fraction of a year, of his credited service in excess of twenty-five (25)

years, if any, multiplied by one (1) percent of his final average compensation, but not

to exceed seventy-five (75) percent of final average compensation; less

(2) An amount equal to the actuarial equivalent of his hypothetical accumulated contributions standing to his credit at the time of his retirement, such actuarial equivalent amount to be computed on the basis of the 1971 group annuity mortality table, with a five-year setback for females, and interest at the rate of six (6) percent per year, compounded annually. Effective February 1, 2000, interest will be applied at five (5) percent per year, compounded annually.

Effective September 16, 2005, a fireman member who is an active member on October 1, 1982 who retires within sixty (60) days after the attainment of twenty-five (25) years of credited service as a fire member, or by November 16, 2005, shall be eligible for a minimum straight life pension equal to:

(1) An amount equal to the sum of (i) the number of years, and fraction of a year, of his credited service not to exceed twenty-five (25) years, multiplied by two and four-fifths (2.80) percent of his final average compensation, plus (ii) the number of years, and fraction of a year, of his credited service in excess of twenty-five (25) years, if any, multiplied by one (1) percent of his final average compensation, but not to exceed seventy-five (75) percent of his final average compensation; less

(2) An amount equal to the actuarial equivalent of his hypothetical accumulated

contributions standing to his credit at the time of his retirement, such actuarial equivalent amount to be computed on the basis of the 1971 group annuity mortality table, with a five-year setback for females, and interest at the rate of six (6) percent per year, compounded annually.

A command police member who is an active member on October 1982 shall be guaranteed a minimum straight life pension equal to:

(1) An amount equal to the sum of (i) the number of years, and fraction of a year, of his credited service not to exceed twenty-five (25) years, multiplied by two and one-half (2 1/2) percent of his final average compensation, plus (ii) the number of years, and fraction of a year, of his credited service in excess of twenty-five (25) years, if any, multiplied by one (1) percent of his final average compensation, but not to exceed seventy-five (75) percent of final average compensation; less

(2) An amount equal to the actuarial equivalent of his hypothetical accumulated contributions standing to his credit at the time of retirement, such actuarial equivalent amount to be computed on the basis of the 1971 group

annuity

mortality table, with a five-year setback for females, and interest at the rate of

six (6) percent per year, compounded annually.

Effective October 16, 2001, a command police member who is an active member on October 1, 1982 who retires within thirty (30) days after the attainment of twenty-five (25) years of credited service as a police member (but in no case have cumulative credited service in excess of thirty (30) years) will be eligible for a minimum straight life pension equal to:

(1) An amount equal to the sum of (i) the number of years, and fraction of a year, of his

credited service not to exceed twenty-five (25) years, multiplied by two and

four-fifths (2.80) percent of his final average compensation, plus (ii) the number of years,

and fraction of a year, of his credited service in excess of twenty-five

(25) years, if any, multiplied by one (1) percent of his final average compensation,

but not to exceed seventy-five (75) percent of final average compensation; less

(2) An amount equal to the actuarial equivalent of his hypothetical accumulated

contributions standing to his credit at the time of his retirement, such actuarial

equivalent amount to be computed on the basis of the 1971 group annuity

mortality table, with a five-year setback for females, and interest at the rate of

six (6) percent per year, compounded annually.

Notwithstanding anything elsewhere in this section to the contrary, effective February 1, 1990, as it relates to police or fire members and police

department command officers, the city expressly reserves the right to waive, maintain or alter the provisions of this section, provided however, in no event shall any pension benefits set forth in this article be lessened or reduced as a result of waiving, maintaining, or altering any provisions thereof.

Section 2. Severability.

If any provision of this Ordinance is found to be invalid, then the remaining portions of this Ordinance shall remain enforceable and the prior existing Ordinance being amended by this Ordinance shall be reinstated.

Section 3. Effective Date.

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

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

YEAS: Councilpersons Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

ABSENT: Councilperson Kolakowski

I hereby approve the adoption of the foregoing ordinance this 24<sup>th</sup> 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 24th day of

October, 2005.

Dated October 24, 2005

**JAMES R. DESANA**, Mayor

**WILLIAM R. GRIGGS**, City Clerk

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

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption of Michigan Vehicle Code.

The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 through MCL 257.923, as amended, is adopted by reference (2005 Edition).

Section 2. Definition of Local Authority.

All references in the Michigan Vehicle Code to local authorities shall mean the City of Wyandotte.

Section 3 Penalties.

The penalties provided by the Michigan Vehicle Code are adopted by reference, provided however, that the City may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

Section 4. Repeal.

All ordinances or parts of ordinances in conflict herewith and with the provisions of the Michigan Vehicle Code are hereby repealed only to the extent necessary to give this ordinance full force and effect. Those sections of the Uniform Traffic Code which are not inconsistent with or which cover subject matters not included in the Michigan Vehicle Code shall remain in full force and effect.

Section 5. Purpose.

The purpose of this ordinance and the Michigan Vehicle Code is to regulate the operation of vehicles, to provide for the regulation and use of streets, highways and alleys and other public and semi-public places within the City of Wyandotte and to provide penalties for the violation of said code and ordinances.

Section 6. Inspection of Michigan Vehicle Code.

A person may inspect or obtain a copy of the Michigan Vehicle Code at the City of Wyandotte's Clerk's office located at 3131 Biddle Avenue, Wyandotte, Michigan during regular business hours.

Section 7. Issuance of Citation.

The officer who issues a citation under this ordinance shall mark the local ordinance box on the citation and may make reference to the offense being charged by writing the description of the offense and/or by citing the last three numbers from the Michigan Vehicle Code or by any other manner which would reasonably inform the defendant of the charge.

Section 8. Effective Date.

This Ordinance shall take effect fifteen (15) days from the date of its passage by Wyandotte City Council, and a copy of the Ordinance or a summary of said Ordinance shall be published in a newspaper generally circulated in the

City of Wyandotte within ten (10) days after adoption. In a summary of the Ordinance, it shall designate the location in the City where a true copy of the Ordinance can be inspected or obtained.

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

YEAS: Councilpersons Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

ABSENT: Councilperson Kolakowski

I hereby approve the adoption of the foregoing ordinance this 24th 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 24th day of October, 2005.

Dated October 24, 2005

**JAMES R. DESANA**, Mayor

**WILLIAM R. GRIGGS**, City Clerk

#### NOTICE

The purpose of the Michigan Vehicle Code is to regulate the operations of vehicles, to provide for the regulation and use of streets, highways, and alleys and all other public and semi-public places within the City of Wyandotte and to provide penalties for the violation of said code. A complete copy of the code is

available to the public at the office of the City Clerk at 3131 Biddle Avenue, Wyandotte, Michigan, for inspection.

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

CITY OF WYANDOTTE ORDAINS:

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Section 1.

Section 35-46(c) of the Code of Ordinances is hereby deleted and amended to read as follows:

Section 35-46(c): No more than one (1) of the following type vehicles may be parked on residential lots, exclusive of the driveway area of the premises, if properly licensed and registered and owned by the property occupant:

Automobile;

Motorcycle;

Pickup truck;

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 vehicle under this section may only be parked or stored on a hard surface (such as concrete, blacktop, or other comparable surfaces, but not gravel).

Section 2.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.