



Minutes - August 21, 2006

Wyandotte, Michigan August 21, 2006

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

ROLL CALL

Present: Browning, Fricke, Peterson, Ptak, Sutka

Absent: Kolakowski

RECESS

RECONVENING

ROLL CALL

Present: Browning, Fricke, Peterson, Ptak, Sutka

Absent: Kolakowski

RESOLUTIONS

RESOLUTION by Sutka

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.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from Alex T. Alexander, 2303 Third Street dated July 17, 2006 requesting a special assessment district to be designated for the public improvement of a public sewer in his neighborhood is hereby referred to the City Engineer for a review and report back in four weeks. (due August 21, 2006). AND BE IT FURTHER RESOLVED that an additional extension of four (4) weeks be granted to the City Engineer.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from Douglas A. Treadwell, Treadreka, LLC dated August 15, 2006 relative to available parking for the property located at 417 Eureka Road is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council CONCURS with the recommendation of the Zoning Board of Appeals and Adjustments on this issue. AND BE IT FURTHER RESOLVED that the Council refer this communication to the City Engineer with a report back in three weeks.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the Zoning Board of Appeals and Adjustments to grant Mr. Keith Moore, 4313-16th Street a variance to obtain a Certificate of Occupancy for a front yard fence at said location. AND BE IT FURTHER RESOLVED that the City Engineer is to determine if any portion of the fence is on City property and if the fence is on City Property then the Department of Legal Affairs be directed to prepare a Hold Harmless and Grant of License to achieve same.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION by Sutka

RESOLVED by the City Council that Council hereby receives with regrets the communication from Stanley Blackson, 368 Kings Highway, Wyandotte, Michigan 48192 dated August 17, 2006 regarding his resignation from the Zoning Board of Appeals and Adjustments. AND BE IT FURTHER RESOLVED that Council thanks Mr. Stanley Blackson for the many years of dedicated service to the City.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that Council CONCURS in the recommendation of Mayor DeSana set forth in his communication dated August 16, 2006 to direct the City Clerk to furnish to Mayor and Councilmembers copies of all proposed resolutions as prepared by the Chairperson of the Evening before the roll call of the Council Meeting.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from the Department of Legal Affairs dated August 14, 2006 responding to Council resolution dated July 31, 2006 relative to the issue of legality of the secret recording of conversation by one (1) participant is hereby received and placed on file with a copy forwarded to Michael Sexton, Police and Fire Commissioner and William Lilienthal.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the General Manager of Municipal Service and Municipal Service Commission as set forth in their communication dated August 17, 2006 to adopt the following resolution: WHEREAS, Wyandotte Municipal Services' rates are designed to cover the cost of providing service to local consumers; and WHEREAS, Wyandotte Municipal Services has completed a water utility financial and rate review; and WHEREAS, based on the results of this review certain modifications to the water rates are recommended as adopted and set forth at the August 15, 2006 Municipal Service Commission Meeting to keep the municipal water utility in sound financial condition; now therefore BE IT RESOLVED, by the Wyandotte Municipal Service Commission, a majority of its members thereto concurring that the proposed water rates be and hereby are adopted, being effective with bills rendered on or after October 1, 2006.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from the City Engineer dated August 16, 2006 responding to the verbal complaints of Julianna Przedworski, 1237 Oak Street regarding the conditions of the construction site located at 1223 Oak Street, Wyandotte is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer report back to Mayor and Council in two (2) months as to the progress of said project. AND BE IT FURTHER RESOLVED that this issue be referred to the Code Enforcement Officer for investigation into possible violations.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Assessor dated August 16, 2006, regarding the sale of Former 2340-48 Eighth Street; AND BE IT RESOLVED that Council accepts the offer from Sam Cottone, dated August 14, 2006, for Parcel # 4-2346 Eighth (Former 2340-48 Eighth Street) in the amount of \$22,000.00 to construct a single family two story home, consisting of approximately 1,660 square feet, 3-4 bedrooms, brick exterior on the 1st floor, attached garage with two (2) windows in front facing Eighth Street with a side entrance of Walnut Street, and

basement with back water flow valve, sump pump, emergency escape and rescue opening per the 2003 Michigan Residential Code; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the necessary documents subject to the approval of the Department of Legal Affairs. AND FURTHER that all bid bonds or bid checks be returned.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION by Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the following properties: 2408-8th Street in the amount of \$64,600.00 to be appropriated from TIFA Area Funds; 67 Emmons in the amount of \$99,000.00 to be appropriated from TIFA Area Funds; 2322-1st Street in the amount of \$57,500.00 to be appropriated from TIFA Area Funds. BE IT RESOLVED that the Department of Legal Affairs is hereby authorized to sign said documents; and that the City Engineer is directed to DEMOLISH same; and that the City Engineer is authorized to negotiate purchase agreements for properties less than twice the State Equalized Value which are also less than \$100,000 which will be presented to City Council for approval.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION by Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and the City Assessor dated August 15, 2006 to sell ten (10) feet of the former 2220-8th Street, Wyandotte. AND BE IT FURTHER RESOLVED that the Council accepts the offer of Denise and Michael Knapp dated August 15, 2006, in the amount of \$1,000.00; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the necessary documents subject to the approval of the Department of Legal Affairs.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from the City Engineer dated August 16, 2006, regarding the green strip bounded by 13th to 15th, Pennsylvania to Grove is hereby received and placed on file; AND BE IT FURTHER RESOLVED that the Department of Public Service is hereby directed to maintain this area as a green strip on a regular basis. AND FURTHER that said resolution be forwarded to the Kanas' 4685-15th and Kuzias' 4675-15th.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from the City Engineer dated August 17, 2006 relative to the request of Tabitha Turbow, 2632-9th Street and others to vacate this alley behind their homes is hereby received and placed on file. AND BE IT FURTHER that Council CONCURS in the recommendation of the City Engineer to DENY said request.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

1. The City Council pursuant to the authority granted by Act Number 279 of the Public Acts of 1909, as amended, and after the City Clerk has ascertained that the petitions proposing the Charter Amendment contains the requisite number of signatures of registered electors, proposes that Chapter VII, Paragraph Number 86, Section 11 of the Charter of the City of Wyandotte, be placed upon the November 7, 2006 election as requested by the petitioner, to read as follows:

(a) Provisions of existing Chapter VII, Paragraph Number 86, Section 11 of the Wyandotte City Charter, if approved by the electors, will be amended to read as follows:

Municipal Service Commission.

86. Section 11. The Department of Municipal Service is charged and entrusted with the construction, management, supervision and control of the water works which are or shall be owned by the city, and the construction, management, supervision and control of the electric or other lighting plants which are or shall

be owned by the city, and the construction, management, supervision and control of the cable television, and internet operations and other telecommunication systems, which are or shall be owned by the City. The Department of Municipal Service shall be in charge of a board of five (5) commissioners to be known as the Municipal Service Commission. The members of the Commission shall be residents and electors of the city and shall serve without compensation. The members of the first commission shall be appointed on the third Monday of April, 1926, and shall be appointed for the term of one year, two (2) years, three (3) years, four (4) years and five (5) years, respectively. On the third Monday of May, 2007, and on the third Monday of May thereafter, one member of the Commission shall be appointed for the term of five (5) years. The requirements contained in Sections 16, 17, and 18 (paragraphs 91, 92 and 93) of Chapter VII of this Charter shall also apply to cable television, internet operations and other telecommunications facilities that are owned by the City.

Provisions of existing Chapter VII, Paragraph Number 86, Section 11 of the Wyandotte City Charter, to be amended by such proposal, if adopted, now reads as follows:

Municipal Service Commission

86. Section 11. The Department of Municipal Service is charged and entrusted with the construction, management, supervision and control of the water works which are or shall be owned by the city, and the construction, management, supervision and control of the electric or other lighting plants which are or shall be owned by the City. The Department of Municipal Service shall be in charge of a board of five (5) commissioners to be known as the Municipal Service Commission. The members of the commission shall be freeholders and electors of the city and shall serve without compensation. The members of the first commission existing hereunder shall be appointed on the third Monday of April, 1926, and shall be appointed for the term of one year, two (2) years, three (3) years, four (4) years and five (5) years, respectively. On the third Monday of April, 1927, and on the third Monday of April in each year thereafter, one member of the Commission shall be appointed for the term of five (5) years.

2. The purpose of the Proposal 1 is to (1) entrust the construction, management, supervision and control of the cable television, internet operations and other telecommunication systems which are or shall be owned by the City to the Department of Municipal Service and if adopted would have the requirements contained in Sections 16, 17 and 18 (Paragraphs 91, 92 and 93) of Chapter VII of the Charter apply to those operations and systems, (2) would change the date of appointment of members of the commission from April to May and (3) would require the Commissioners to be residents and delete the requirement that they must be freeholders.

3. The proposed amendments shall be submitted to the electors in the following form, to-wit:

Proposed Amendment to the Wyandotte City Charter by Initiative Petition

Shall Chapter VII, Paragraph Number 86, Section 11 be amended to provide that cable television, internet operations and other telecommunication systems owned by the City are subject to the control of the Department of Municipal Service with these activities being subject to charter sections regarding rates, the handling of funds, and the furnishing of reports; substituting the term "resident" for "freeholder" in describing the members of the Municipal Service Commission; and changing from "April" to "May" the starting date for the 5-year term of a member of the Municipal Service Commission?

YES 0 NO 0

4. The City Clerk shall forthwith transmit a copy of the proposed Amendment to the Governor of the State of Michigan for her approval, and transmit a copy of the foregoing statement of purpose of such proposed Amendment to the Attorney General of the State of Michigan for his approval, as required by law.

5. The proposed Charter Amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of this City at the General City Election to be held in the City on Tuesday, the 7th day of November, 2006, and the City Clerk is hereby directed to give notice of the election in the manner prescribed by law and to do all things necessary to submit such Charter Amendment to the vote of the electors as required by law.

6. The City Clerk shall have the proposed Charter Amendment, in full, posted in a conspicuous place in each polling place at the General City election.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

RESOLUTION by Sutka

RESOLVED by the City Council that the communication from Clifford J. Bailey II, Fields Auto Parts, 3832-11th Street, Wyandotte dated August 21, 2006 regarding the water main on Forest between 11th and 13th Street that was shut off in 2000 is hereby referred to the Municipal Service Water Department for a review and report to Council in three weeks.

MOTION by Sutka

Supported by Fricke

ROLL ATTACHED

RESOLUTION by Sutka

RESOLVED by the City Council that the total bills and accounts in the amount of \$749,420.62 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

MOTION by Sutka

Supported by Fricke

YEAS: Browning, Fricke, Peterson, Ptak, Sutka

NAYS: None

ADJOURNMENT

MOTION by Sutka

Supported by Fricke

That we adjourn.

Carried unanimously.

Adjourned at 9:00 P.M.

August 21, 2006

Maria Johnson, Deputy City Clerk

#114047

8/30/06