



## Minutes - September 18, 2006

Wyandotte, Michigan September 18, 2006

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

ROLL CALL

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

Absent: None

PRESENTATION

September 7, 2006

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

RE: Northline Road – Biddle to Fort

Dear Mayor DeSana and Council Members:

Wayne County has requested the City concur in their plan to convert Northline Road in Wyandotte from a 4-lane road to a 3-lane road. Kenneth Kucel, P.E., Deputy Director from Wayne County will be at the September 18, 2006 Council meeting to discuss his communication which is enclosed.

Also enclosed is a proposed resolution for your consideration.

Very truly yours,

Mark A. Kowalewski, City Engineer  
Bobbie Heck, Acting Police Chief

The following communications were read into the record:

August 23, 2006

Mr. Mark A. Kowalewski, P.E., City Engineer, City of Wyandotte  
3131 Biddle Avenue, Wyandotte, MI 48192

RE: Northline Road (Fort Street (M-85 to Jefferson Avenue, W.) Proposed restriping from 4- lane to 3-lane operation

Dear Mr. Kowalewski:

The Engineering Division of the County of Wayne recognizes the need for a road improvement project for Northline Road from Fort Street to Jefferson, W. Plans show the current pavement width is 40 feet curb-to-curb. Resurfacing the existing pavement and restriping it for 4 lanes will not be funded by the Michigan Department of Transportation (MDOT). Wayne County is required by MDOT, to follow the American Association of State Highway and Transportation Officials (AASHTO) design policy for lane widths. Their policy requires 50 foot curb-to-curb for a 4-lane road. After reviewing the Right-of-Way plans and field checking the existing conditions, it has been determined that it will be difficult to widen the road to make the required 50 foot width for a 4-lane road. To widen the road would mean the loss of trees, utility poles and sidewalks, having the roadway close to building entrances, increased safety issues to pedestrians and bicyclists, grade problems for driveways, sidewalks and storm drainage, etc.,

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Engineering studies (1,2,3) have been made in the United States where the same situation exists for other communities. These studies show that converting the pavement to a 3-lane cross section has a positive impact on the safety and operation of the road. The 3-lane section would have one lane operating in each direction, and a center left-turn-lane for turning movements. The quantity of intersecting streets,

commercial and residential driveways reinforces the need for a center left-turn-lane. Some left-turn movements may produce an "adverse offset" condition where left turns may have to be prohibited at some locations for driver safety. Additionally, the resulting wider lane width will provide better operation and safety for drivers and pedestrians and cyclists. While an increase in perceived delay can be expected, the lower travel speeds should not result in an unacceptable Level of Service (LOS).

Roadway geometrics will have to be studied at the Fort Street intersection to create a smooth transition from the existing 59 foot pavement width at the end-of-radius, to the proposed 3-lane section. This transition will allow the parking bays between the curb and walk to remain functional.

Wayne County concludes that the only solution to have a federally funded road improvement project for Northline Road is to convert the pavement to a 3-lane roadway. We are requesting the City of Wyandotte prepare a Certified Resolution supporting this plan since the city will be participating in the construction costs for the project.

Should you have any questions, please contact me at 313-224-8142 or email kkuce1@co.wayne.mi.us, or Ronald Agacinski at 313-224-7775 or email ragacin1@co.wayne.mi.us.

Very truly yours,  
WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES  
Kenneth M. Kucel, P.E., Deputy Director, Engineering Division

Dear Mayor,

Thank you, Thank you, Thank you....Thank you for the GREAT Kayak Launch that has been installed on Pine Street in your lovely city!!!!

I live northwest of you.....about an hour and a half away in Commerce Township. I have "discovered" your city and now list it as one of my favorite paddling destinations. You are a lot closer than up north, and you have great restaurants to visit after we paddle!!!! With the price of gas still pretty steep, it is nice to know I can drive a short way and still experience some big water and beautiful sights....I LOVE SEEING THE FREIGHTERS!!!!

I am looking forward to this weekend...I will visit Wyandotte on Saturday night to meet up with old friends and visit Riverside Kayak.....the BEST kayak shop in the Midwest!!!! On Sunday we will participate in the "Paddle By Your Refuge" event where I hope to learn more about the Detroit River Water Trail....that will bring more paddlers down your way!!!!

Thanks again for the launch site that allows us to access the river in a safe spot!!!!

Patty Pape, Commerce Township, Michigan

COMMUNICATIONS – MISCELLANEOUS

Mayor James DeSana, City of Wyandotte, City Hall, Wyandotte, MI 48192

Dear Mayor and City Council:

Saturday, September 9th was a very sad for our city. The Event "Metro Detroit Pagan Pride Day; witches of the world networking the Pagan Community since 1997" was allowed to take place at Bishop Park.

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Pagans believe anything that is far removed from our Judeo Christian beliefs from the Bible from God our heavenly Father from Jesus Christ our Redeemer – from that which promotes a city where the citizens can walk, talk and live in safety.

I was in a store in Wyandotte and the clerk mentioned this event to a young lady in the store and she stated I had to go to school with witches. I asked here if this was worrisome and she stated very strongly that it was FRIGHTENING!

Surely this Council knows "witches, warlocks and pagans" are meant to be scary – always have been and always will be; especially to children.

Why would the city council allow that which is contrary to the benefit of the citizens to take place? Is this what we want in our community, that which causes fear? The City Council approved Pagan Day and I need to know what purpose does the Council serve if they do not, can not or will not protect the citizens from that which is frightening to the majority? It's frightening to children, to the Middle School children, to our High School young people.

I expect the Council to protect its citizens from this just like they would from poison water. That's what you are there for and if you have to stand up to the ACLU, then so be it. Maybe you will give courage to other cities to take a stand and start something new.

Kindest regards,

Pam Montelauro  
2458 – 21st Street, Wyandotte, MI 48192

September 11, 2006

The Honorable Mayor and Council, 3131 Biddle, Wyandotte, MI 48192

To Whom It May Concern:

On Sept. 9th, 2006 we witnessed a Pagan gathering and ceremony in Bishop Park. This organization occupied large areas of the park with their tents and various members wandering around the park, the shelter area and they had full occupancy of the cabin. Their dress code was outlandish, perhaps enticing some of our young people, who regular come to the park on Saturday afternoon to think this was "cool". Our country was founded on Christianity, and NOT on paganism. I think this visitation from such a group was unnecessary, and certainly an abomination to our city.

With many of their group wandering around the park, talking to whomever would listen, this seemed out of order. I had a conversation with "Alex" who seemed to be a spokesman for the group. Some of the things he said were shocking! Alex said when I asked him if he believed in God, or who they worshipped he said – quote – "No, I don't believe there is a God as many people worship. We worship many Gods". He said "the Bible is not true it is just another book. I don't believe anything in it".

They had many signs around the park promoting paganism. I think this was a show of false religion, false Gods, who are trying to influence our young people or anyone else who is vulnerable. They have these gatherings in many cities throughout Michigan, and possibly throughout the USA. If something like this is sweeping our country, God help us. I am very much against such shenanigans this roaming around our City Parks promoting such religions. Some of our young people and others who are not grounded in their faith may be easily persuaded to this group that is very well organized but worship false Gods. In the 10 commandments the third reads, "Thou shalt have no other gods before me." We don't need these false witnesses around our City Parks where families spend leisure time.

I'm not talking republican or democrat or any politics in the above situation. I'm talking about on which our Country was founded, and it certainly was not paganism.

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If Bin Laden's terrorist group would ask permission for a meeting in Bishop Park, would the Mayor and City Council give him a permit? Please give some thought as to where you need to draw a line on who can acquire a permit, and come into our City parks and hold such a disgraceful show. Would you expose the citizens of this City to such evil? Please give some serious thought as to this direction in which these various groups could lead to.

Thank you very much for your future consideration.

We have been a resident of Wyandotte for 53 years and have never seen such as was in Bishop Park September 9, 2006.

Sincerely,

Kenneth and Hazel Woodruff  
4117 – 18th Street, Wyandotte, MI 48192

P.S. We are enclosing some information from the internet its description of paganism. After reading this from the internet, would you agree we do not need such witchcraft as this in Wyandotte?  
September 12, 2006

To: Mayor James DeSana & City Council, Wyandotte City Hall  
From: Bob and Lenette Ruzzin, 2122 Biddle Ave  
RE: Republic Yard Waste Program

Thank you! Thank you! Thank you!

We are writing to thank everyone regarding our problems with Republic yard waste pickup. Thank you for listening and taking the appropriate action to resolve the issue.

We appreciate the correspondence that kept us informed and the good work by Mark Kowalewski, our City Engineer.

We are happy to report that we have now received our refund from Republic and that pickup has been timely.

You "all" have given us another reason to be proud of our city.

Sincerely,

Bob and Lenette Ruzzin

#### PERSONS IN THE AUDIENCE

Tiffany LeHay, 4016 Biddle, talked about their kayak business and special events.

Corki Benson, 404 Vinewood, talked on the large increase of electric bills. General City has made concessions in salary, loss of jobs, participation in health care and higher prescription drug contributions.

John Romanian, 3348 – 12th, regarding curb, sharp edge – damages tires.

Pam Montelauro, 2458 – 21st, regarding the Municipal Service Commission Meeting being shut down.

Hazel Woodruff, 4117 – 18th, please educate yourself on issues. Concerned about various groups that are meeting.

Nick Bader, 687 St. Johns, RHS Alumni Car Show, 6-7, Council to select a vehicle.

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#### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

September 13, 2006

To: Honorable Mayor and City Council

From: Department of Legal Affairs

Re: Letter from Richard Miller dated September 11, 2006

Dear Mayor and City Council:

This is in response to the letter submitted to the City Council on September 11, 2006. The action taken at the Council Meeting on August 28, 2006 concerning Cedar Street did not involve vacation of a street. The City Council previously had directed that Cedar Street should be one way and a temporary barricade was directed to be installed until further construction on Fort Street by MDOT.

The resolution voted upon at the August 28th meeting was to authorize the Transportation Work Authorization up to \$25,000.00 to complete construction of Cedar Street as a one way street (attached). Therefore Section 70 of the City Charter does not apply to this resolution which was adopted. Street vacation results in title reverting to abutting landowners and such is not the case regarding Cedar Street.

With regards to the second issue raised in the letter to the Council, the City council appropriately took no action when this matter was first presented at the August 21st meeting and the Council allowed the ZBA decision to stand. However, when the matter was appealed to the Circuit Court, the City of Wyandotte is involved in the appeal. As noted by the Michigan Courts, the formation of any department, board or commission is to promote the efficient operation of a city. The Zoning Board of Appeals has no budget making authority and has no funds to defend a lawsuit or to pay court costs or damages. This responsibility lies with the City. The Michigan Courts have also held that zoning is enacted in the exercise of a legislative and not a judicial power and therefore decisions made by a ZBA are reviewable. When an appeal is filed concerning a ZBA decision, the Circuit Court looks to the record made at the ZBA and does not accept further public input. It may demand the matter back to the ZBA if it determines the record is not adequate.

The city upon receipt of an appeal of a ZBA decision must determine the following:

1. Legal merits of the appeal.
2. Legal costs in defending the appeal.
3. Possible exposure to civil claims for damages and assessment of court costs.

Michigan courts recognize a "temporary" takings claim when application of the zoning ordinance to a particular property is not reasonable. This even applies to a voter initiated referendum to amend a zoning ordinance which results in an unreasonable zoning of a property. Poirer vs. Grand Blanc Twp., 167 Mich App 770.

In the appeal involving 417 Eureka, the property owner had a proposed five year lease with an approximate value of \$300,000.00. The tenant notified the property owner that due to the denial at the ZBA, it was going to rescind the lease. If the action taken by the ZBA was not sustained by the Circuit court, the City of Wyandotte could be exposed to an inverse condemnation claim and loss of rentals. This could be especially true since the City Engineers' Office recommended granting the requested variance. From my personal experience in representing another community, it is extremely difficult to convince a court to sustain a ZBA

decision which limits a property owner's use of his property when city officials who administer the ordinance have recommended to the ZBA that the use be allowed.

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Many times these decisions are difficult to decide and the City Council when faced with a legal challenge must assess all potential legal consequences. This in no way represents a repudiation of the ZBA decision because the City Council must look at the appeal in a much broader legal context. An appeal can take several months before conclusion and therefore the City must decide early in the process whether it believes it can prevail. Otherwise, the potential exists for a temporary takings claim.

Respectfully submitted  
Department of Legal Affairs  
LOOK, MAKOWSKI and LOOK, P.C.  
William R. Look

September 18, 2006

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

Dear Honorable Mayor and City Council –

As requested attached is our final budget for the Merge – Sports and Music Festival. We have included all expenses and incomes, and also the donations we received.

The weather was an issue for the beginning of the event but attendance and activity improved as the day went on. We would like to thank the Mayor and City Council, along with the Police Department, Fire Department, Department of Public Service and Department of Municipal Service for all your support and assistance with this event. We look forward to continuing this event in the future.

Thank you very much.

Sincerely,  
Lisa Hooper, Executive Director  
Heather Thiede, Administrative Assistant

September 14, 2006

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

Dear Mayor DeSana and Council Members:

On July 24, 2006, you referred to the undersigned a communication from Alex T. Alexander, 2303 – 3rd Street, requesting the installation of a public sewer.

No petition was submitted with this request. Mr. Alexander represents 25% of the properties to benefit from this project. The estimated cost of this project is \$21,177.20, all of which would be assessable.

Chapter XIV, Subdivision 2, Section 8, of the City Charter indicates that when the owners of sixty (60) per centum of the frontage of lands, liable to be assessed in any special assessment district, shall petition the Council for any public improvement, the Council shall order such improvement to be made. In other cases public improvements shall be made at the discretion of the Council.

The Department of Legal Affairs has prepared the necessary resolution setting a hearing of necessity if Council desires to proceed with the public improvements.

Very truly yours,  
Mark A. Kowalewski, City Engineer

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September 14, 2006

The Honorable Mayor and City Council, City of Wyandotte

Dear Mayor and Councilmembers:

The Michigan Liquor Control Commission has received a request from Lions, Tigers, and Beers, 2929 Van Alstyne for a new outdoor service area one (1) area; in conjunction with the 2006 Class C SDM licensed business with Dance-Entertainment permit. Said request was referred to the City Engineer, City Treasurer,

Chief of Police, Fire Chief, Municipal Service and the Department of Legal Affairs copies of which are attached.

In view of the above, said application is being forwarded to you for your consideration.

Sincerely,

William R. Griggs, City Clerk

September 13, 2006

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

RE: Former 3336 – 12th Street Lot Size: 30 'x 100'

Dear Mayor DeSana and City Council Members:

At the May 8, 2006 City Council Meeting you referred a petition from James and Debra Whetstone, 3342 12th Street and others relative to the City owned property at 3336 12th Street to the undersigned for review. Mr. and Mrs. Whetstone would like to purchase the entire lot at 3336 12th Street.

A review of the properties indicate that the home at 3342 12th Street and the adjacent property at 3332 12th Street lot sizes are 30' x 100'. The petitioner indicated that the property at 3332 12th Street is a rental. Our records indicate that the property is owner occupied and a Certificate of Approval was issued on March 3, 2004.

It has been the recommendation of the Land Sale Committee to recommend lot splits to make the adjoining properties equal. Therefore, the Committee's recommendation is to sell 15' to 3342 12th for the amount of \$1,500 and sell 15' to 3332 12th Street for the amount of \$1,500. This will make each lot 45' x 100'.

If you concur with this recommendation the attached resolution will authorize the Department of Legal Affairs to prepare the necessary sale documents and Mayor and Clerk to execute same.

Very truly yours,

Mark A. Kowalewski, City Engineer

Colleen A. Keehn, City Assessor

September 14, 2006

The Honorable Mayor and City Council, City Hall, Wyandotte, Michigan 48192

Dear Mayor and Council Members:

Please find attached list of services performed by the City of Wyandotte that have not yet been paid. The services were adjusted to include a minimum charge of thirty dollars (\$30.00). In accordance with Section 222 of the City Charter, said charges should be placed as a special assessment against property.

Very truly yours,

Mark A. Kowalewski, City Engineer

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September 13, 2006

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

Dear Mayor and Council Members:

Attached please find the following purchase agreement for the City to acquire: 899 Vinewood - \$70,000.00 TIFA Area Funds.

If this meets with your approval, I recommend that the Department of Legal Affairs be directed to prepare the necessary sale documents and the Mayor and Clerk be authorized to execute same. I further recommend that the undersigned be authorized to demolish same.

Very truly yours,

Mark A. Kowalewski, City Engineer

September 13, 2006

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

Dear Mayor DeSana and Council Members:

Attached is the 2006 Leaf Collection Schedule for the City. All leaves should be at the curb the Monday of each week indicated. We are requesting residents avoid parking on the street during their weeks of leaf

collection.

Further leaves can be dropped off at the Recycling Center. The Recycling Drop-off Center hours are on Monday thru Friday 8:00 a.m. to 7:30 p.m., Saturday 8:00 a.m. to 5:30 p.m., and Sunday 10:00 a.m. to 2:00 p.m. Closed Holidays. Winter Hours will start on October 31, 2006 and they will be Monday thru Friday 8:00 a.m. to 5:30 p.m. and Saturday 8:00 a.m. to 4:00 p.m., Sunday 10:00 a.m. to 2:00 p.m. There will be extended hours on Saturday and Sunday during the month of November. The Recycling Center will remain open until 6:00 p.m. on Saturday and 4:00 p.m. on Sunday.

Very truly yours,  
Mark A. Kowalewski, City Engineer

September 14, 2006  
The Honorable Mayor James R. DeSana  
And City Council, City Hall

Dear Mayor and Council,

The enclosed resolution sets October 9, 2006, as the public hearing date to consider approval of the enclosed Brownfield Plan proposed for Site No. 9, BASF Corporation, consisting of 26.8-acre part of the larger property at 1609 Biddle.

The Plan is only for the purpose of making improvements to the property eligible for a Single Business Tax (SBT) Credit, and will allow BASF to apply for a SBT Credit for 10% of the eligible \$150 million investment, or approximately \$15 million. There is no tax increment financing involved and no financial impact to the City or any local taxing jurisdiction. Approval of the Brownfield Plan is the first of several steps necessary to implement the incentive package proposed by the Mayor and Council and the State of Michigan.

The undersigned recommends that the Mayor and Council adopt the following resolution authorizing the undersigned and the City Clerk to complete the procedural items necessary to consider adopting said Plan.

Very truly yours,  
Joseph M. Voszatka, Community Development Director  
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September 14, 2006

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

Enclosed is the proposed budget ordinance for the City of Wyandotte's 2007 Fiscal Year. This ordinance is being presented to Council in accordance with Public Act 2 of 1968.

Tonight's agenda will have the first reading of the proposed ordinance. A notice of public hearing to be held on September 25, 2006 will be published in the Wyandotte News Herald on September 20, 2006. Council will vote on the proposed ordinance after the Public Hearing on September 25, 2006.

Note that the Tax Increment Finance Authority (TIFA) and Brownfield Redevelopment Authority (BRA) will meet on September 18, 2006 to finalize the recommendation of their budgets. Thus, the final reading of the ordinance will include this information whereas the proposed ordinance presented at the first reading does not.

If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Todd A. Drysdale, Director of Financial and Administrative Services

#### REPORTS AND MINUTES

Financial Services Daily Cash Receipts September 5 - September 7, 2006 \$829,175.12  
Police Commission Meeting August 1, 2006  
Police Commission Meeting August 29, 2006  
Fire Commission Meeting August 1, 2006  
Downriver Joint Management Committee May 11, 2006

#### AUTOMATIC REFERRALS:

1. WYANDOTTE LIONS CLUB-The Lion's Club of Wyandotte would like to invite you to participate in the fund raising "13TH " Annual Evening "Funtime" Cruise aboard the Diamond Belle on SATURDAY, SEPTEMBER 23, 2006, 7:00 p.m.-10:00 p.m. departing from BISHOP PARK. All proceeds will benefit Penrickton School for Blind Children, Donation of \$40 includes Deli, Music & Dancing. Cash Bar Available and a 50/50 Raffle. For information and or tickets please call Janet Simms (313) 292-8513-Dawn Gerring (734) 285-0957- Chris Poirier or Janet Smith (734) 285-9000.

2. THE WYANDOTTE MUSIC BOOSTERS, President Chris Calvin requests the use of the City-owned parking lots at 3rd and Eureka and Yack Arena parking lot for parking and band set up during the Wyandotte Band Fanfair scheduled for October 3, 2006. They invite the Mayor and Council and Wyandotte Residents to attend this event on Tuesday, October 3, 2006 for a very nice show. PERMISSION GRANTED provided a Hold Harmless is executed by the Wyandotte Music Boosters. Referred to Police, Fire, DPS, Engineering, Legal Department.

#### CITIZEN PARTICIPATION

Brian Murphy, 156 Cedar, congratulations on new BASF Faculty. Two acres of land NE part of their property, south of Perry Place, riverside. What do the rate raises mean in dollars and cents?

Pam Montelauro, 2458 – 21st, thanked Councilwoman Fricke for looking into lower rates for seniors and low income residents.

Larry Tavernier, 125 Vinewood, fifteen years records the Municipal Meeting. Recorded in its entirety. The Council Meeting is recorded in its entirety. It's with the replay.

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RECESS

RECONVENING

ROLL CALL

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

Absent: None

FIRST READING OF AN ORDINANCE:

CITY OF WYANDOTTE  
2007 FISCAL YEAR BUDGET ORDINANCE  
"AN ORDINANCE TO PROVIDE AND APPROPRIATE THE SEVERAL AMOUNTS  
REQUIRED TO DEFRAY THE EXPENDITURES AND LIABILITIES OF THE CITY OF  
WYANDOTTE FOR THE FISCAL YEAR BEGINNING THE FIRST MONDAY  
OF OCTOBER, 2006. THE SAME TO BE TERMED THE ANNUAL  
APPROPRIATION BILL FOR THE 2007 FISCAL YEAR"

RESOLUTIONS

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

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 Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
ROLL ATTACHED

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council hereby CONCURS in the communication of the City Engineer and Acting Police Chief dated September 7, 2006 to APPROVE the recommendation of the County of Wayne to concur with a federally funded road improvement project for Northline Road (Ford Avenue) by converting it to a three (3) lane road.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

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Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communications from Pamela Montelauro, 2458-21st , and Hazel and Ken Woodruff, 4117-18th , Wyandotte regarding the "Metro Detroit Pagan Pride Day" that was held on Saturday, September 9, 2006 in Bishop Park are hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from Bob and Lenette Ruzzin, 2121 Biddle Avenue dated September 12, 2006 regarding their problem with Republic yard waste pickup and the corrective action taken by Republic is hereby received and placed on file with a copies forwarded to the City Engineer and Republic Waste.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the Department of Legal Affairs dated September 13, 2006 responding to Council resolution dated September 11, 2006 relative to questions from Richard Miller concerning Cedar Street and the ZBA decision and handling of such as it pertains to Treadreka's appeal is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from Lisa Hooper, Executive Director and Heather Thiede, Administrative Assistant, Downtown Development Authority dated September 18, 2006 relative to the final budget for the Merge-Sports and Music Festival is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

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RESOLUTION FOR INSTALLATION OF A PUBLIC SEWER  
AND FOR THE CREATION OF A SPECIAL ASSESSMENT DISTRICT #919  
AND THE SETTING OF A PUBLIC HEARING

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

At a regular session of the City Council of the City of Wyandotte.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE

That the City Council of the City of Wyandotte deems it advisable and necessary for the public health, safety and welfare of said City and it's inhabitants and it is a necessary public improvement and beneficial to the City of Wyandotte, and it's inhabitants, to install a public sewer in the City of Wyandotte, more particularly described as being located in:

The east twenty five (25) foot wide public right-of-way of 3rd Street from the southeast corner of 3rd Street and Mulberry Street to the alley south of Mulberry Street, abutting:

Lots 1, Block 79, Plat of Part of Wyandotte as recorded in Liber 2 of Plats, Page 36, Wayne County Records.

RESOLVED FURTHER that the City Engineer, having prepared estimates of the cost and expenses, plats and diagrams of said improvement and of the locality to be improved, the same shall be deposited with the City Clerk for public examination: and

RESOLVED FURTHER that there is hereby tentatively designated a special assessment district against which the cost and expenses of said improvements are to be assessed, consisting of lots, parts of lots and parcels of land in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

Lot 1 and the east 38.0 feet of the north 35.0 feet of Lot 2 Block 79, Plat of Part of Wyandotte as recorded in Liber 2 of Plats, Page 36, Wayne County Records.

RESOLVED FURTHER that the cost and expenses of installing a public sewer in the east twenty five (25) foot wide public right-of-way of 3rd Street from the southeast corner of 3rd Street and Mulberry Street to the alley south of Mulberry Street shall be defrayed by special assessment upon the lots, parts of lots and parcels of land abutting and adjoining said improvement, as well as benefiting therefrom, excepting from said assessment, however, the improvement expense attributable to alley and street intersections, City owned land, and other property not assessable by law, the expense of which, together with any improvement expenses remaining after the aforesaid assessment, shall be defrayed from the general fund of the City.

RESOLVED FURTHER, that said estimates, plats and diagrams of said improvement and of the sewer to be installed having been so deposited with the City Clerk for public examination, said City Clerk shall give notice, according to the City Charter, of the proposed district to be specially assessed for said improvement and of the time and place when this Council will meet to consider said detailed estimate, plats and diagrams, and to hear objections thereto, and notice shall be given by said City Clerk, in writing, of the proposed district to be specially assessed for said improvements and of the time and place when this Council will meet to consider said detailed estimates, plats and diagrams, and to hear objections thereto, to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by mailing by first class mail addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of such hearing. The public hearing is scheduled for Monday October 16, 2006, at 7:00 p.m. in the Council Chambers of the Wyandotte City Hall.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

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Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS in the recommendation from the City Clerk as set forth in his communication dated September 14, 2006 to APPROVE the request from Lions, Tigers, and Beers, 2930 Van Alstyne (2929 Biddle) for a new outdoor service area one (1) area; in conjunction with the 2006 Class C SDM licensed business with Dance-Entertainment permit; with permitted hours of operation from 7:00 a.m. to 12 midnight from March 15th to October 31st. AND BE IT FURTHER RESOLVED that the Dance-Entertainment permit held in conjunction with the Class C licensed business located at 2930 Van

Alstyn (2929 Biddle) be limited NOT TO ALLOW topless dancers, and/or bottomless dancers, strippers, male or female impersonators, or similar entertainers, or topless and/or bottomless and/or partially nude or semi-nude waiter person or employees or any other form of nude or partially nude or semi-nude service or entertainment constituting a "Cabaret" as defined by the Wyandotte Zoning Ordinance.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer and City Assessor dated September 13, 2006 regarding the sale of former 3336-12th Street, Wyandotte is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the Council directs the City Attorney to prepare the necessary sale documents to sell 30 feet of the former 3336-12th Street to the property owners at 3342-12th in the amount of \$3,000; cash sale subject to the purchasers constructing a garage on said lot within nine (9) months with the right of the City to repurchase the lot at 80% of the sales price if said garage is not constructed. BE IT FURTHER RESOLVED that the Department of Legal Affairs is directed to prepare the necessary purchase agreement.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Engineer as set forth in his communication dated September 14, 2006 to refer said communication to the City Assessor and hereby directs the City Assessor to levy said charges in accordance with Section 222 of the City Charter as a special assessment against the property.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

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Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 899 Vinewood in the amount of \$70,000.00 to be appropriated from TIFA Area Funds; and that the Department of Legal Affairs is hereby directed to prepare the necessary documents and that the City Engineer is directed to DEMOLISH same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer regarding Leaf Collection Service in the City of Wyandotte is hereby received and placed on file and that Council authorizes the City Clerk to publish said schedule in the News Herald and that the City requests residents to avoid parking on the streets during the hours of their weeks of leaf collection.

I move the adoption of the foregoing resolution.  
MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka  
ROLL ATTACHED

RESOLUTION TO HOLD A PUBLIC HEARING TO CONSIDER A BROWNFIELD PLAN &  
PROVIDE NOTICE

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski  
At a regular session of the City Council of the City of Wyandotte.

WHEREAS on August 26, 1997 the City Council of the City of Wyandotte adopted a resolution creating a Brownfield Redevelopment Authority and establishing a Brownfield Redevelopment Zone that encompasses the boundaries of the City pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended (Act 381); and

WHEREAS the Brownfield Redevelopment Authority will present to the City Council a Brownfield Plan for Site No. 9, consisting of consisting of 26.8-acre part of the larger property at 1609 Biddle, in accordance with Public Act 381 of 1996, as amended. Said site is more particularly described as follows:

THAT PART OF FRACTIONAL SECTION 21, T. 3 S. R. 11 E., CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN. DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF FORD AVENUE, 66 FEET WIDE, WITH THE EAST LINE OF BIDDLE AVENUE, 120 FEET WIDE, AND PROCEEDING THENCE ALONG THE EAST LINE OF BIDDLE AVENUE N. 03° 55' 06" W. 1042.97 FEET; THENCE N. 90° 00' 00" E. 740.97 FEET; THENCE N. 00° 00' 00" E. 29.35 FEET TO THE POINT OF BEGINNING, THENCE FROM THIS POINT OF BEGINNING N. 00° 00' 00" E 1860.00 FEET; THENCE S 90° 00' 00" E. 944.33.00 FEET; THENCE S. 00° 00' 00" W. 715.00 FEET; THENCE N 90° 00' 00" W. 514.33; THENCE S. 00° 00' 00" W. 1145.00 FEET; THENCE N. 90° 00' 00" W. 430.00 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 1,167,598.86 SQUARE FEET OR 26.80 ACRES.

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WHEREAS before acting upon said Brownfield Plan the City Council is required, in accordance with Sections 13(10) of Act 381, as amended, to provide to the public a reasonable opportunity to express their views and recommendations regarding the Plan at a public hearing or in writing; and

WHEREAS it is the desire of the City Council that such a hearing shall be held on the 9th day of October 2006, at 7:00 p.m. in the Wyandotte City Hall Council Chambers at 3131 Biddle Avenue, Wyandotte, Michigan.

NOW THEREFORE, BE IT RESOLVED THAT the Community Development Director shall cause notice of such hearing to be published twice in a newspaper of general circulation in the City, the first notice not less than twenty days nor more than forty days, before said hearing; and

BE IT FURTHER RESOLVED THAT the Clerk shall immediately inform the City Assessor, the applicant, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Wyandotte, of the Public Hearing.

BE IT FURTHER RESOLVED THAT at said hearing interested persons shall have the opportunity to be heard relative to the Brownfield Redevelopment Plan.

I move the adoption of the foregoing Resolution.  
COUNCILPERSON Johnny A. Kolakowski  
SUPPORTED BY COUNCILPERSON Patrick J. Sutka  
ROLL ATTACHED  
Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that WHEREAS the Director of Financial Services has filed a copy of the communication relative to the 2007 Fiscal Year City Operating Budget with the City Clerk. NOW, THEREFORE BE IT RESOLVED that this Council shall hold a public hearing, in accordance with the law, in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte, on September 25, 2006, at 7:00 p.m.; AND FURTHER that, pursuant to Public Act 2 of 1968, the City Council will also act on the 2007 Fiscal Year City Operating Budget at the September 25, 2006, Council meeting following the closure of the Public Hearing.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski  
Supported by Councilperson Patrick J. Sutka

ROLL ATTACHED

Wyandotte, Michigan September 18, 2006

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the total bills and accounts in the amount of \$563,004.14 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

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

NAYS: None

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ADJOURNMENT

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

That we adjourn.

Carried unanimously.

Adjourned at 9:00 P.M.

September 18, 2006

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Maria Johnson, Deputy City Clerk