



## Minutes - October 9<sup>th</sup> 2006

Wyandotte, Michigan October 9, 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

PERSONS IN THE AUDIENCE

Richard Miller, 1202 – 2nd, regarding cable prices quoted last week. \$22.00 for phone service only. Regarding rates WOW does not provide regional pricing. \$45.66 COMCAST Basic. Prices vary. Wyandotte Cable is reasonable compared to WOW and COMCAST. Regarding AT & T Bill in Lansing – is still up in the air. Government does not support. Cable is an asset to our City.

COMMUNICATIONS FROM CITY & OTHER OFFICIALS

October 9, 2006

Honorable Mayor James R. DeSana and City Council  
3131 Biddle Avenue, Wyandotte, Michigan 48192

Dear Mayor and City Council Members:

We present for your approval the Election Board for the General Election to be held on Tuesday, November 7th, 2006.

We recommend the Chairman be compensated at a rate of One Hundred Fifty Dollars (\$150) each, and Election Workers at the rate of One Hundred and Twenty Five Dollars (\$125) each.

The undersigned requests your concurrence in the above recommendation.

Sincerely,  
ELECTION COMMISSION  
William R. Griggs, City Clerk  
Colleen A. Keehn, City Assessor  
William R. Look, Department of Legal Affairs

October 5, 2006

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

Dear Honorable Mayor DeSana and City Council Members:

Please be advised that the City of Wyandotte has a current Michigan Tax Tribunal appeal involving a waterfront marina.

Although both sides have offered concessions the appeal remains unsettled. Because of the considerable amount of tax base the county has recommended the use of a certified licensed appraiser. The cost for this service is estimated between seven and ten thousand dollars.

A budget amendment would be required.

Sincerely,  
Colleen A. Keehn, City Assessor  
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October 5, 2006

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 recent deliberations held regarding the 2007 Fiscal Year budget, one (1) Ordinance Officer Position was eliminated from the budget. Attached you will find an agreement regarding the voluntary retirement of an employee. This voluntary retirement will allow the City to avoid a layoff of any employee.

The undersigned recommends concurring with the retirement provisions as outlined in the attachment.

Sincerely,

Todd A. Drysdale, Director of Financial and Administrative Services

October 3, 2006

Honorable Mayor and City Council, City of Wyandotte

Dear Mayor and City Council Members:

Attached for your approval is the following Benjamin F. Yack Recreation Center Contract. May 11 and 12, 2007 – Wyandotte Catholic Consolidated Church c/o St. Joseph Church and St. Patrick's.

Sincerely,

Lisa Hooper, Executive Director, Downtown Development Authority

October 4, 2006

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

RE: Review Policy for Agreement Payback and Transfer Penalties Associated with an Industrial Facilities Exemption Certificate

Dear Mayor and Council,

Enclosed is a proposed "Review Policy for Agreement Payback and Transfer Penalties Associated with an Industrial Facilities Exemption Certificate (Enclosure No. 1). The Michigan Department of Treasury recommended that the City adopt a policy regarding the same prior to taking any action regarding the relocation of a company outside the City of Wyandotte that has an Industrial Facilities Exemption Certificate in effect. The proposed policy has been reviewed with supervisory personnel at the Michigan Department of Treasury.

The undersigned recommends adoption of the proposed policy. If the Council concurs with this recommendation, the enclosed resolution has been prepared for adoption (Enclosure No. 2). Please contact me if you have any questions.

Very truly yours,

Joseph M. Voszatka, Community Development Director

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October 4, 2006

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

RE: Part of Former 1716 Lindbergh, Wyandotte, MI

Dear Mayor DeSana and City Council Members:

Enclosed is an Agreement for the City to sell the above captioned property to Jason and Joy Pember the adjacent property owners at 1710 Lindbergh, Wyandotte, in the amount of \$1,500.00. The combination of the two (2) parcels will result in one (1) parcel measuring 45' x 101'.

The attached resolution will authorize the Mayor and City Clerk to execute the necessary documents.

Very truly yours,

Mark A. Kowalewski, City Engineer  
Colleen A. Keehn, City Assessor

October 4, 2006

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

Dear Mayor DeSana and City Council Members:

The adoption of the 2006-2007 budget provided for the position of a Superintendent of the Department of Public Services. The undersigned recommends the approval of Gary Ellison to the Superintendent of the Department of Public Services at a 39E Level. Mr. Ellison will continue his responsibilities as Construction Supervisor, as well as oversight of the entire Department as the new Superintendent. The Assistant Superintendent position will be eliminated.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 4, 2006

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

RE: Former 1507 Maple Parcel #3 – 1509 Maple Lot Sizes: 60' x 105'

Dear Mayor DeSana and City Council Members:

During the City's solicitation of proposals for the Sale of 14 Vacant Parcels, the City received two (2) proposals for the sale of the above-captioned property. See attached summary sheet.

The undersigned hereby recommends that the City sell said lot to Marie Joanne Miciura, 2476 Electric, Wyandotte, Michigan, for \$30,000.00 pursuant to her proposal to construct a single family two (2) story home, consisting of approximately 2,100 square feet, 3-4 bedrooms, brick exterior on the 1st floor and full basement with back water flow valve, sump pump, emergency escape and rescue opening per the 2003 Michigan Residential Code.

Very truly yours,

Mark A. Kowalewski, City Engineer  
Colleen A. Keehn, City Assessor  
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October 4, 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 Agreements for the City to acquire: 1169 Orchard - \$64,000.00 TIFA Area Funds; 458 Walnut - \$50,000.00 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

October 5, 2006

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

Dear Mayor DeSana and City Council Members:

In response to questions regarding the time required to demolish City owned properties the following applies. Prior to the demolition process beginning the City must first acquire the property. The closing can take several months and the home can stand vacant during that time. Once the City closes on the property it is added to the demolition list. The utilities are requested to be cut and the gas usually is the last to be cut. The time frame to cut the gas is typically 6 to 8 weeks and has taken up to 3 months in some instances.

In an effort to create a volume discount and eliminate numerous mobilization costs from the Contractor, the City waits until it acquires 8 to 10 properties. After all the utilities are confirmed to be cut and capped, bids are sought for demolition.

During the fall and winter months, the Contractor will demolish the home and backfill before moving to the next property. This does take a little longer for the Contractor to complete the work, but with uncertain weather, there are fewer complaints. During the summer months they will demo each building then go back and backfill each one.

To speed the process, Contractors currently under contractor, Pro Excavation of Riverview, Michigan and Homrich, Inc., Carleton, Michigan, could be given a shorter list of demolitions (3 or 4) to receive quotes on. The City has worked with a third contractor but this contractor's work proved to be substandard. Therefore, a bid package of five (5) homes could be bid with a recommendation back to Council to provide for third contractor.

To shorten the process of a home that is standing vacant, once all utilities are cut and capped, bid prices can be sought for those homes to be demolished. This would increase the cost of demolition.

Mark A. Kowalewski, City Engineer

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October 9, 2006

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

Dear Mayor DeSana and City Council Members,

A full time position has been open at the 27th District Court since the resignation of an employee in September. Based on a review of the City's current resources and organizational structure, the filling of this position with a full-time employee appears necessary to provide effective services to the citizens of the City of Wyandotte.

As such, the undersigned recommends Council approve the vacancy at the 27th District Court and authorize the hiring of a full-time position at the Class Code 25.

Sincerely,

Todd A. Drysdale, Director of Financial and Administrative Services

LATE ITEM

DATE: October 9, 2006

TO: Mayor & Council for City of Wyandotte  
Cc: Todd Drysdale, Finance/Administration

FROM: Randy L. Kalmbach, 27th District Court Chief Judge

RE: Filling Full Time Vacancy-Court Clerk

Last month the 27th District Court had a full time employee resign. Notices for filling the full time position were posted with the City of Wyandotte and general public.

The Court received several applications along with an internal request from a court part time employee working 40 hours/week to be considered for the full time position.

I am requesting the confirmation of the Mayor and Council to appoint Anna Pattenau to the full time position of Court Clerk at level 25B at \$25,334.40.

PETITION

PETITION SUBMITTING BY TAMMY A. RAMOS  
TO VACATE THE ALLEY EAST OF HER RESIDENCE  
LOCATED AT 144 FORD AVENUE

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September 29, 2006

To The Honorable Mayor and City Council, Wyandotte, MI 48192

Dear Mayor and City Council Members:

We, the undersigned citizens most respectfully petition your Honorable Body to vacate alley.

Tammy A. Ramos, 144 Ford, Wyandotte, MI 48192

I purchased a home at the above address on September 6, 2006 through the House of Urban Development (HUD), with all of the intentions of living in it only after all of the repairs are made and the final inspection has been completed. One of the repairs requested was to make the driveway concrete instead of rocks. We had a friend dig it out, but the first inspection filed was rejected because the driveway was not framed properly. This was corrected and a second inspection was filed. I called the Building Department to find out if the inspection passed. Greg Meyring informed me that the inspection was not approved because the driveway was extending 7 feet into the alley going east. I do not see an alley by my house and did not know one existed. We made the frame of the driveway 10 feet from the house on the east which is lined up with the existing entrance coming from the street. Now, if I take 7 feet from the 10 feet it only allows me 3 feet for a driveway that must be at least 8 feet in width. The length of the driveway starts at the top of the sidewalk and extends to the back of my yard approximately 147 feet. With the advice of Greg Meyring from the Building Department, I am requesting that the unseen alley going east from my house be vacated so I can complete a driveway, which was requested during the initial inspection of the property and completed before I purchased the home. Please accept this proposal as soon as possible because winter is quickly approaching and I would like to have a place to park my vehicles.

Sincerely,

Tammy A. Ramos, 144 Ford, Wyandotte, MI 48192  
(313) 226-7607 (work) 313-388-7882 (home)  
9/29/06

#### REPORTS AND MINUTES

Financial Services Daily Cash Receipts 9-12-2006 9-28-2006 \$1,574,639.54  
Financial Services Daily Cash Receipts 9-29-2006 9-29-2006 \$ 500,000.00  
Financial Services Daily Cash Receipts 9-28-2006 9-28-2006 \$2,017,619.81  
Police Commission Meeting September 12, 2006  
Wyandotte Recreation Commission September 27, 2006

#### AUTOMATIC REFERRALS

1. Amanda A. Gipson, UAW LEGAL SERVICES Plans, 20600 Eureka, Suite 620, Taylor, Michigan regarding the representation of Mr. Dallas Oaks with regards to a legal matter. (Referred to the Department of Legal Affairs and City Engineer for a view and report back in two weeks.)

#### CITIZEN PARTICIPATION

There was no response to the Mayor's inquiry.

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RECESS

RECONVENING

ROLL CALL

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

Absent: None

HEARING

BROWNFIELD REDEVELOPMENT PLAN SITE #9, BASF CORPORATION  
1609 BIDDLE AVENUE, WYANDOTTE

October 4, 2006

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

RE: Brownfield Redevelopment Plan, Site #9, BASF Corporation – 1609 Biddle Avenue

Dear Mayor and Council,

The enclosed resolution approves the Brownfield Redevelopment Plan for Site No. 9 (see Enclosure No. 1), a 26.8-acre portion of property at BASF's property located at 1609 Biddle. The WBRA approved the Plan on September 19, 2006, subject to City Council approval (see Enclosure No. 2). The Plan is only for the purpose of making improvements to the property eligible for a Single Business Tax (SBT) Credit. There is no tax increment financing involved and no financial impact to the City or any local taxing jurisdiction.

To summarize, the proposed project qualifies as a "Brownfield" under the Brownfield Redevelopment Finance Act, Public Act 381 of 1996, as amended, because, according to Section (n) of the Plan, the site is a "facility". The total eligible investment at the site is estimated at \$150 million. Approving the Plan will allow BASF to apply for a SBT Credit from the State of Michigan for 10% of the eligible investment, or approximately \$15 million.

The proposed Plan is complete and complies with all requirements of the Brownfield Redevelopment Financing Act, Act No. 381 of 1996, as amended. The undersigned recommends adoption of the following resolution (Enclosure No. 3).

Very truly yours,

Joseph M. Voszatka, Community Development Director

FINAL READING OF ORDINANCES

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND CHAPTER 19 HOUSING CODE,  
ARTICLE I. IN GENERAL, SECTION 19-5 INSPECTION OF RESIDENTIAL DWELLINGS PRIOR  
TO SALE OR TRANSFER, SUB-SECTION (a)(4), (a)(5), (c)(2), (g)  
OF THE WYANDOTTE CODE OF ORDINANCE

THE CITY OF WYANDOTTE ORDAINS:

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Section 1. Amendment of Sections 19-5(a)(4), 19-5-(a)(5), 19-5(c)(2), and 19-5(g)

Sec. 19-5 Inspection of Residential Dwellings Prior to Sale or Transfer, Sub-section (a) (4) to amend the expiration of a Certificate of Approval and (a)(5) to amend the expiration of a Certificate of Compliance, all other parts of this section shall remain the same.

19-5 (a)(4) Certificate of approval. A certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Wyandotte for residential dwellings. A certificate of approval is a certificate that shall be valid for five (5) years of issuance.

19-5 (a)(5) Certificate of compliance. A certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Wyandotte for all rental dwellings and rental units. A certificate of compliance shall be valid for ten (10) years from the date of issue unless the property is sold or transferred. A new inspection and a new certificate of compliance

shall be required prior to the sale or transfer of a rental dwelling or a rental unit after five (5) years from the issuance of a Certificate of Compliance or if a Certificate of Compliance is revoked by the City Engineer.

19-5(c)(2) New dwellings. A residential dwelling which has never been occupied will be issued a certificate of approval upon final inspection of the new construction work. A certificate of approval is a certificate that shall be valid for five (5) years of issuance.

19-5(g) Assumption of violations. (Last Paragraph to read) If a property is inspected and the sale does not occur, the inspection report is valid for one-year from the date of inspection. If the owner corrects all of the violations, a certificate of approval will be issued and remain valid for a five (5) years period. After five (5) years a new inspection and/or certificate of approval will be required for the sale of the property.

#### Section 2. Interpretation.

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.

#### Section 3. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

#### Section 4. Repeal of Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

#### Section 5. Effective Date.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and shall be published in 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.

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

I hereby approve the adoption of the foregoing Ordinance this 9th day of October, 2006.

#### CERTIFICATION

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 City Council of the City of Wyandotte, at a regular session on Monday, 9th day of October, 2006.

William R. Griggs, City Clerk James R. DeSana, Mayor

#### AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND CHAPTER 31.1 RENTAL DWELLINGS AND RENTAL UNITS,  
ARTICLE I. REGISTRATION; SECTION 31.1-1 DEFINITIONS  
AND ARTICLE II. CERTIFICATE OF COMPLIANCE, SECTION 31.1-11 CERTIFICATE OF  
COMPLIANCE REQUIRED OF THE WYANDOTTE CODE OF ORDINANCE

#### THE CITY OF WYANDOTTE ORDAINS:

##### Section 1. Amendment of Definition of "Certificate of Compliance" in definition section

Amend: Article I. Registration, Sec. 31.1-1 Definitions amend the definition for a certificate of compliance to amend as follows all other parts of this section shall remain the same.

Certificate of Compliance: A certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Wyandotte for all rental

dwelling and rental units. A certificate of compliance shall be valid for ten (10) years from the date of issue unless the property is sold or transferred more than five (5) years after issuance of the Certificate of Compliance and provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances. A new inspection and a new certificate of compliance shall be required prior to sale or transfer of a rental dwelling or a rental unit if said sale or transfer is more than five (5) years after issuance of a Certificate of Compliance.

#### Section 2. Amendment of Article II, Section 31.1-11

Amend: Article II. Certificate of compliance, Sec. 31.1-11. Certificate of compliance required. to amend to read as follows and all other parts of this section shall remain the same:

No person shall lease, rent or cause to be occupied a rental dwelling or rental unit unless there is a valid certificate of compliance issued by the department of engineering and building in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The certificate shall be displayed in a conspicuous place in each rental dwelling and rental unit at all times or in a common area shared by all occupants or a rental dwelling and rental unit. The certificate shall be issued after making application with the building department and an inspection by the building/mechanical inspector, electrical inspector, plumbing inspector, police and fire department inspectors to determine that each rental dwelling and rental unit complies with the provisions of the codes and ordinances of the City of Wyandotte. An inspection report shall be completed by the inspectors after completing the inspection of the property. The report shall note all violations found in the dwelling.

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Before a certificate of compliance is issued all violations must be corrected and approved. In lieu of correcting all violations before occupancy, except a dangerous condition, the amount of money required to correct said violations may be placed in escrow with the department of engineering and building. The escrow funds will be released only after all violations are corrected. Said violations shall be corrected within six (6) months of occupancy. If said violations are not corrected within six (6) months, occupancy may be prohibited.

A certificate of compliance is valid for ten (10) years from the date of issuance provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred more than five (5) years after issuance of the Certificate of Compliance and provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances. For a new rental dwelling a certificate of compliance shall be issued simultaneously with the certificate of occupancy, and shall remain valid for ten (10) years provided that the rental dwelling and rental units remain in compliance with all the applicable codes and ordinances and are not sold or transferred more than five (5) years after issuance of the Certificate of Compliance and provided that the rental dwelling and rental units remains in compliance with all applicable codes and ordinances. When the rental dwelling or rental units are going to be sold or transferred, a new inspection and a new certificate of compliance shall be required after five (5) years from the issuance of a certificate of compliance. The inspection fees will follow the same guidelines as stated in section 31.1-12(b). The city engineer may revoke a certificate of compliance for a violation of any code, ordinance or rule or regulation of the City. Upon revocation of a certificate of compliance a new inspection shall be required. The certificate of compliance must be renewed every ten (10) years at the department of engineering and building.

#### Section 3 Interpretation.

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.

#### Section 4. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

#### Section 5. Conflicting Ordinance.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

#### Section 6. Effective Date.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the 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. A copy of this ordinance may be inspected or obtained at the City of Wyandotte Clerk's Office, 3131 Biddle Avenue, Wyandotte, Michigan.

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

YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None  
ABSENT: None  
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I hereby approve the adoption of the foregoing Ordinance this 9th day of October, 2006.

#### CERTIFICATION

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 City Council of the City of Wyandotte, at a regular session on Monday, 9th day of October, 2006.

William R. Griggs, City Clerk James R. DeSana, Mayor

#### RESOLUTIONS

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. 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.

I move the adoption of the foregoing resolution.

MOTION by Councilman Patrick J. Sutka  
Supported by Councilman Johnny A. Kolakowski  
ROLL ATTACHED

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS in the Election Board for the November 7, 2006 General Election in the City of Wyandotte as set forth by the Election Commission in their communication dated October 9, 2006 and further agrees to the following compensation:  
Chairman \$150.00  
Board Member \$125.00

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS in the recommendation of Wayne County as set forth in the communication from the City Assessor dated October 5, 2006 to hire a licensed appraiser in an amount not to exceed \$10,000 to perform an appraisal on the waterfront Marina property under appeal by the Michigan Tax Tribunal. AND BE IT FURTHER RESOLVED that the Director of Financial and Administrative Services be directed to prepare the necessary budget amendment to achieve same.

I move the adoption of the foregoing resolution.

MOTION by Councilman Patrick J. Sutka  
Supported by Councilman Johnny A. Kolakowski  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None  
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Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that the communication from the Director of Financial and Administrative Services regarding the retirement agreement dated October 5, 2006 as it pertains to Randy Miller is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the Mayor executes said agreement on behalf of the City.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council APPROVES the contract as submitted by the Downtown Development Authority Director for rental of the Benjamin F. Yack Recreation Center for May 11th and May 12th, 2007 by Wyandotte Catholic Consolidated Church/St. Joseph Church and St. Patrick's Church. AND FURTHER that the Mayor and City Clerk execute the contract on behalf of the City and a Hold Harmless Agreement be signed and the proper insurance for said event be placed on file.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION BY COUNCILPERSON Patrick J. Sutka

WHEREAS, Since 1988, the Wyandotte City Council has traditionally granted requests for Industrial Facilities Exemption Certificates under the Plant Rehabilitation and Industrial Development Districts Act, Public Act 198 of 1974 ("Act 198"), to encourage and facilitate new investment, reinvestment, and job retention and creation in industrial property in the City of Wyandotte; and

WHEREAS, Since 1988, the Wyandotte City Council has traditionally granted Industrial Facilities Exemption Certificates for the 12-year maximum permitted by the Act to provide the maximum benefit to both small and large manufacturers; and

WHEREAS, In consideration of approval of an Industrial Facilities Exemption Certificate, the recipient through its investment in real and personal property, and the City, by its investment of the Industrial Facilities Tax Exemption, are mutually investing in and benefiting from said investments; and

WHEREAS, In accordance with Section 22 of Act 198, as amended by Public Act 334 of 1993, written agreements between the City and Certificate recipient are required; and

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WHEREAS, In accordance with Section 21 (2) of Act 198, as amended by Public Act 140 of 1999, if the owner or lessee of a facility for which a Certificate is in effect relocates that facility outside the industrial development district, plant rehabilitation district, or the City of Wyandotte during the period in which the Certificate is in effect, the owner or lessee is liable to the City of Wyandotte, upon relocating, for an amount to be determined as specified in the Act.

WHEREAS, The failure of a Certificate holder to comply with the conditions of their written agreement with the City and/or the relocation of a facility outside the City can have an adverse impact on the financial condition of the City; and

WHEREAS, The City Council desires at this time to establish a policy to guide the City in determining agreement paybacks when a Certificate recipient fails to comply with the conditions specified in the written agreement between the City and the Certificate recipient; and

WHEREAS, The City Council further desires at this time to establish a policy to guide the City in determining transfer penalties when a Certificate recipient transfers a Certificate outside the City during the

time period the Certificate is in effect; and

WHEREAS, The City Council has received a communication from the Community Development Director dated October 4, 2006, and a proposed "Review Policy for Agreement Paybacks and Transfer Penalties Associated with Industrial Facilities Exemption Certificates."

NOW, THEREFORE, BE IT RESOLVED THAT the Wyandotte City Council hereby adopts the "Review Policy for Agreement Paybacks and Transfer Penalties Associated with Industrial Facilities Exemption Certificates" dated October 4, 2006.

I move the adoption of the foregoing Resolution:

MOTION BY MEMBER Patrick J. Sutka  
SUPPORTED BY MEMBER Johnny Kolakowski  
YEAS: COUNCILMEMBERS Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None  
ABSENT: None

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS with the City Engineer dated October 4, 2006 regarding the former 1716 Lindbergh, Wyandotte. AND BE IT FURTHER RESOLVED that Council accepts the offer from Jason and Joy Pember dated September 26, 2006 in the amount of \$1,500.00 and that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

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

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Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the elimination of the Assistant Superintendent of the Department of Public Service position and name Gary Ellison as the Department of Public Service Superintendent/ Construction Supervisor at class 39E.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Assessor dated October 4, 2006, regarding the sale of Former 1507 Maple and that Council accepts the offer from Marie Joanne Miciura, dated October 4, 2006, for Parcel # 3- 1509 Maple (Former 1507 Maple) in the amount of \$30,000.00 to construct a single family two story home, consisting of approximately 2,100 square feet 3-4 bedrooms, brick exterior on the 1st floor and basement with back water flow valve, sump pump, emergency escape and rescue opening per the 2003 Michigan Residential Code, attached garage; and that the Mayor and City Clerk are hereby authorized to execute the necessary documents subject to the approval of the approval of the Department of Legal Affairs. AND FURTHER that all bid bonds or bid checks be returned.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 458 Walnut in the amount of \$50,000.00 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 Mayor and Clerk are hereby authorized to sign said documents and that the City Engineer is directed to DEMOLISH same.

I move the adoption of the foregoing resolution.

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

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Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 1169 Orchard in the amount of \$64,000.00 to be appropriated from TIFA Area Funds; and that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents and that the City Engineer is directed to DEMOLISH same.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that the communication from the City Engineer dated October 5, 2006 regarding the demolition of homes is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer is to prepare specifications for the demolitions of five (5) homes with a recommendation back to City Council and that additional properties ready for demolish be added to the existing contracts for Homrich, Inc., Carleton, Michigan and Pro Excavation of Riverview, Michigan through submittal of bids directly to the City Engineer.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that Council acknowledges receipt of the communication from the Director of Financial and Administrative Services dated October 9, 2006, regarding the full-time position at the 27th District Court and CONCURS with the recommendation therein and hereby declares said position

vacant and authorizes the filling of such vacancy. AND BE IT FURTHER RESOLVED that Council CONCURS in the recommendation as set forth in the communication from Judge Randy L. Kalmbach dated October 9, 2006 to hire Anna Pattenaude as a full time employee; Court Clerk; level 25B; \$12.18 per hour; \$25,334.40 per year.

I move the adoption of the foregoing resolution.

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

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Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that the petition submitted by Tammy A. Ramos, 144 Ford Avenue, Wyandotte on October 2, 2006 relative to the vacation of the east portion of the alley adjacent to her home is hereby referred to the City Engineer and Department of Municipal Service for a review and report back to Council in two weeks.

I move the adoption of the foregoing resolution.

MOTION by Councilman Patrick J. Sutka  
Supported by Councilman Johnny A. Kolakowski  
ROLL ATTACHED

Wyandotte, Michigan October 9, 2006

RESOLUTION BY COUNCILPERSON Patrick J. Sutka

RESOLVED BY CITY COUNCIL that: WHEREAS, the Wyandotte City Council is authorized by the provisions of Act 381, Public Acts of Michigan, 1996, as amended (Act 381) to create a brownfield redevelopment authority; and

WHEREAS, on August 25, 1997, the City Council adopted a resolution to create such an authority; and

WHEREAS, on September 19, 2006, the Wyandotte Brownfield Redevelopment Authority (WBRA) adopted Brownfield Redevelopment Plan No. 9 consisting of a 26.8-acre portion of the larger parcel located at 1609 Biddle Avenue, in accordance with Public Act 381 of 1996, as amended, subject to passage of a resolution by the Council. Said site is more particularly described as land situated in the City of Wyandotte, Wayne County, Michigan and 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.

WHEREAS, the City of Wyandotte Brownfield Redevelopment Authority has submitted this Brownfield Redevelopment Plan for Site No. 9 to the area taxing jurisdictions for review and comment and provided notice to the general public as required by Act 381; and

WHEREAS, the City of Wyandotte Brownfield Redevelopment Authority has now submitted the Brownfield Redevelopment Plan for Site No. 9 for review and approval by the Wyandotte City Council, and the Wyandotte City Council has conducted a public hearing on the matter as required by Act 381.

NOW, THEREFORE, BE IT RESOLVED THAT the Wyandotte City Council finds that the Brownfield Redevelopment Plan for Site No. 9 constitutes a public purpose through the following considerations:

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1. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
2. The proposed method of financing the costs of the eligible activities as described in the Plan are feasible since the Authority is not required to arrange any financing;
3. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act, as no costs shall be borne by the Plan; and
4. Since no taxable value will be captured as a result of adoption of the Plan, it is reasonable.

BE IT FURTHER RESOLVED THAT given the above findings, the Wyandotte City Council hereby approves the Brownfield Redevelopment Plan for Site No. 9 for implementation by the City of Wyandotte Brownfield Redevelopment Authority.

I move the adoption of the foregoing preamble and resolution.

MOTION BY COUNCILPERSON Patrick J. Sutka

SUPPORTED BY COUNCILPERSON Johnny Kolakowski

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

NAYS: None

ABSENT: None

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that the City Engineer has expressed a desire to meet in closed session to discuss acquisition/and or lease of real property. Now, therefore, be it resolved that this Body will meet in closed session immediately following the regularly scheduled Council meeting for the above purpose only.

I move the adoption of the foregoing resolution.

MOTION by Councilman Patrick J. Sutka

Supported by Councilman Johnny A. Kolakowski

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

NAYS: None

Wyandotte, Michigan October 9, 2006

RESOLUTION by Councilperson Patrick J. Sutka

RESOLVED by the City Council that the total bills and accounts in the amount of \$966,844.76 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilman Patrick J. Sutka

Supported by Councilman Johnny A. Kolakowski

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Patrick J. Sutka

Supported by Councilperson Johnny Kolakowski

That we adjourn.

Carried unanimously.

Adjourned at 8:10 p.m.

October 9, 2006

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William R. Griggs, City Clerk