



## Minutes - May 21, 2007

Wyandotte, Michigan May 21, 2007

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

### COMMUNICATIONS MISCELLANEOUS

May 7, 2007

The Honorable Mayor James DeSana And Members of the City Council City of Wyandotte  
3131 Biddle Avenue  
Wyandotte, MI 48192

Dear Honorable Mayor DeSana and Members of the City Council:

AS ALWAYS, A SINCERE THANK YOU!

Please accept our sincere gratitude as we say thank you for all that the city has done for us before, during and after the Hebda Memorial Challenge Cup and the Wyandotte High Schools Rowing Regatta.

The cooperation and assistance of the DPS Recreation, and Police departments was simply superb.

With the city's cooperation we able to provide two class regattas for over 2,100 young athletes from the mid-west and Canada. We have received rave reviews from our out-of-town crews about our downtown area, BASF Park, and our rowing facility. We can all be proud that these young student/athletes will have positive memories of their experiences in the City of Wyandotte.

Once again our sincere thanks for your support.

Mother Nature concurring, we will do it again in 2008:  
Hebda Cup Saturday, April 26th, 2008  
Wyandotte High Schools Regatta Friday & Saturday, May 2nd and May 3rd, 2008  
For the Wyandotte Boat Club

Fred Mekolon Jr., Regatta Chairman

May 14, 2007

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

Dear Honorable Mayor DeSana and Members of the Wyandotte City Council,

On behalf of the Wyandotte Minister's Association I wish to extend our sincere appreciation to you for allowing us to have our National Day of Prayer Program in Bishop Park on Thursday, May 3rd, 2007. Also, thank you for providing the platform for our use.

We are very pleased with the cooperation and participation this year. We had 98 in attendance including Judge Randy Kalmbach. I understand this attendance was greatly improved over the past few years.

Special thanks to Councilwoman Sherry Sutherby-Fricke for attending and presenting the proclamation from Mayor James DeSana proclaiming National Day of Prayer in the City of Wyandotte urging all citizens to observe this day by joining members of all faiths and creeds all over our nation in seeking divine guidance for ourselves, our leaders, and our country, and to reaffirm the fact that we are truly one nation, indivisible, under God.

Again, thank you. We look forward to working with you in the future with other programs in our city.

Sincerely,

Reverend Danny Slater  
WYANDOTTE MINISTERS ASSOCIATION  
(734) 246-5668 – Rouge Free Will Baptist Church (734) 284-1736 – Home

May 10, 2007

Dear Mayor and City Council and all other that it may Concern

My Name is Tina Milewski 749 Biddle Wyandotte Michigan 48192

I own the Speedboat Bar & grill I am also a Wyandotte Resident and also have two other buildings in the City that I have just Purchased.

I Purchased the Speedboat on July 13 2006 when I Purchased it a Few weeks before Closing I found out that Behind the Bar is a parking lot that does not Belong to the Bar But the part right behind your lot is another lot that is my lot so my Two Properties are on Both ends and your lot sits in the Middle of my properties so I was Wondering if I could purchase the Lot that sits in the middle of my two Properties for Additional Parking for my Business I have also Cleaned the Bar and Grill up made the Building more Attractive inside and out and I have never had any Complaints or trouble at my Establishment since I have Owned it, I am trying to make the Speedboat a name the City can be proud to have here as one of its Bar & grill in our great City and there are no other buildings next to mine on my side of the street just my bar and the two lots and the block ends and a street begins

I would appreciate it if the City would consider this Request to allow me to Purchase this lot.

Thank you for your Time and consideration

Tina Milewski

#### PERSONS IN THE AUDIENCE

Chris Calvin, 466 Sycamore, requests copy of closed session minutes. No action taken by Council on the open floor relative to his removal from a supervisory position; under Open Meetings Act. Requests a vote on this issue within two weeks.

Frank Tyrybon, 3145 – 22nd, thanked Council for use of Yack Arena for a benefit this Thursday, May 24th.

#### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

May 17, 2007

The Honorable Mayor and City Council, City of Wyandotte

Re: 118 Sycamore

Dear Mayor and Councilmembers:

An application was received from the Liquor Control Commission stating they have received an application for a transfer of ownership of a 2006 Class C licensed business, located in escrow at 2924 Second, Wyandotte, Michigan 48192, Wayne County, from Powell Entertainment, Inc. to Sand MP L.L.C; and transfer location to Sycamore Plaza, 118 Sycamore, Wyandotte, Michigan, 48192, Wayne County.

Said request was referred to the Department of Municipal Services, City Engineer, City Treasurer, Chief of Police and the Fire Chief; 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

May 16, 2007

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

Dear Mayor DeSana and Council Members:

The Engineering Department and Sarnacki & Associates Architects, Inc., have met with the Police Department and the 27th District Court to review and incorporate any design concerns into the new Police/Court Building. The revised floor plans are enclosed as Enclosure "1".

Results of the August 2005 bidding for general contract work are shown in Enclosure "2" and the undersigned has met with the low bidder, LaSalle Inc. LaSalle Inc. has agreed to include all floor plan changes as part of their Contract Agreement. Further, value engineering was done on the building which identified areas to reduce construction costs. I am further recommending three (3) alternatives be accepted which were included in the original bidding. The contract sum is \$6,988,532.00.

The Agreement has been reviewed by the City Attorney. Therefore, to proceed with the Police/Court Building the attached Resolution should be adopted.

Very truly yours,

Mark A. Kowalewski City Engineer

May 15, 2007

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

Dear Mayor DeSana and City Council Members:

The U.S. Coast Guard has announced a public notice period to solicit comments regarding the Detroit International Bridge Company to construct a 6 —lane cable stayed bridge over the Detroit River just west of the Ambassador Bridge. Please see attached public notice.

Very truly yours,

Mark A. Kowalewski City Engineer

May 14, 2007

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

Dear Mayor James R. DeSana and City Council Members:

This letter is to recommend that the City sell the City-owned property at 3634 3rd Street, in an "as is" condition to the Wyandotte Community Alliance (WCA) for \$1.00 as a rehabilitation project.

If you concur with the recommendation the attached Resolution will authorize same.

Very truly yours,

Mark A. Kowalewski City Engineer

May 15, 2007

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

Dear Mayor DeSana and City Council Members:

In response to the communication from Rosemary Acierno, 1057 Eureka regarding the City owned property known as former 1041 Eureka the following applies. When selling property to the adjacent property owners, it has been the recommendation of the Land Sales Committee to split the property so each adjacent property becomes the same size. The property at 1033 Eureka (Mr. and Mrs. Howard) is currently 42.43' x 136.12' and the property at 1057 Eureka (Ms. Acierno) is 72.86' x 136.12'.

The recommendation of the Land Sales Committee is to sell 36.43' feet to 1033 Eureka (Mr. and Mrs. Howard) and sell 6' feet to 1057 Eureka (Ms. Acierno). This will make both lots 78.86' x 136.12'.

Further, attached is an executed Purchase Agreement by Mr. and Mrs. Howard to acquire 36.43' feet of the former 1041 Eureka. The attached Resolution will authorize the undersigned to proceed with the sale of this property as recommended by the Land Sales Committee.

Very truly yours,

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

May 15, 2007

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

Dear Mayor and Council Members:

At the April 30, 2007, City Council Meeting, Council referred to the undersigned a communication from Sam Ansara, Austin's H.P. Grille, 3249 Biddle requesting permission to encroach into the Eureka and Biddle right-of-ways. The sign, a portion of the outdoor café and parking lot encroaches 10.09 feet south into the 60 foot Eureka Road right-of-way.

Further, the exterior façade encroaches 0.55 feet into the 120 foot Biddle Road right-of-way and a portion of the sign encroaches 1.10 feet into the 120 foot Biddle Road right-of-way. This right-of-way is owned by Wayne County.

To allow the encroachment into Eureka Avenue, the attached Grant of License and Hold Harmless Agreement would need to be executed between the City of Wyandotte and Sam Ansara the property owner. The Grant of License and Hold Harmless Agreement have been reviewed by the Department of Legal Affairs and approved.

I recommend that the Mayor and City Clerk sign said Agreement and that the Department of Legal Affairs record same.

Very truly yours,

Mark A. Kowalewski City Engineer

May 15, 2007

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

Dear Mayor DeSana and Council Members:

In accordance with Article XI of the AFSCME Local #894 Agreement with the City, the undersigned recommends a leave of

absence be granted to Jack Sclafani due to an illness. Mr. Sclafani's leave of absence is from May 7th through July 7th, 2007, and he is excused during this time period when appropriate documentation is presented to the City. This leave of absence is without pay.

Very truly yours,  
Mark A. Kowalewski City Engineer

May 15, 2007

The Honorable James R. DeSana And City Council  
City Hall, Wyandotte, Michigan 48192

RE: Former 615 Orchard Wyandotte, Michigan  
Dear Mayor DeSana and City Council Members:

In response to the questions regarding the development of the Former 615 Orchard the following applies. The undersigned has spoken with the Purchasers, Mr. and Mrs. Fivecoat regarding the construction of a new home at this location. Mr. Fivecoat has verbally agreed to construct the home 8 feet off the east property line and the detached garage will be 3 feet off the east property line.

The attached resolution will authorize the undersigned to close on the Purchase Agreement to incorporate the house and garage side yard set backs above. If closing does not occur by July 31, 2007, I will provide further update to City Council.

Very truly yours,  
Mark A. Kowalewski City Engineer

May 17, 2007

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

Dear Mayor DeSana and City Council Members:

The undersigned solicited proposals for Berkeley Submersible Pump for the south pond at the Wyandotte Shores Golf Course. The following are the proposals received:

Quint Plumbing \$6,000.00 plus \$75.00/hr per plumber for installation  
Wyandotte, Michigan

Arrow Pump and Motor, Inc. \$6,416.47 Installed  
Wyandotte, Michigan

Flowtronics \$6,544.00 plus \$95.00/hr for installation  
Moline, Ohio

The undersigned recommends the proposals of Quint Plumbing, Wyandotte, Michigan in the amount of \$6,000.00 as the best bid received with a not to exceed payment of \$375.00 for installation.

Very truly yours,

Mark A. Kowalewski, City Engineer

May 18, 2007

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

Re: Agreement with the School District for Viaduct Maintenance

Dear Mayor and City Council Members:

Attached, for your approval is a request to consider approval of the Viaduct Maintenance Agreement amend the following budget line item by the DDA.

This is the first written agreement regarding the relationship between the DPW, the DDA, and the School District and its contractors for the maintenance of land around the Eureka Road viaduct area. Since the project began nearly ten years ago many landscaping items and time tables have been introduced that have made this written agreement appropriate. Its purpose is to provide among other things measures for payment, monitoring, planning and information about team members their roles and provide for the prospects of each side.

It was moved by Gibb Rose, supported by Mayor DeSana to recommend to City Council to review and ratify the Viaduct Maintenance Agreement as attached here

Minutes of the meeting are not yet available. Thank you for your consideration of this matter.

Sincerely,

Lisa Hooper, Executive Director  
Downtown Development Authority

May 18, 2007

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

Re: Budget Amendment Request – Trash Cans

Dear Mayor and City Council Members:

Attached, for your approval is a request to amend the following budget line item by the DDA. It was moved by Gibb Rose, supported by Heatherleigh Navarre to recommend to City Council to amend the budget to increase line item 499-200-926-730-610 Streetscape Maintenance by an additional \$14,000. This action funds provide sufficient funds to purchase trash cans that match the existing ones. This amount is necessary to complete the replacement project underway this fiscal year. This amount will provide for the additional matching cans necessary to the upkeep of the downtown.

Minutes are not yet available. The amounts will come from the fund balance.

Thank you for your consideration of this matter.

Sincerely,

Lisa Hooper, Executive Director  
Downtown Development Authority

LATE ITEMS

May 18, 2007

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

Dear Mayor DeSana and Council Members:

On May 16, 2007, proposals for File #4416 — Painting of Guardrails & Light Poles & Installation of Deck at Bishop Park were opened and read aloud. A tabulation of the proposals is as follows:

BIDDER BID PRICE

NuCore Group Inc. \$13,900.00  
1310 S. Expressway Dr.  
Toledo, OH 43608

VJN Design & Build Corp.  
3150 Martin Road  
Walled Lake, MI 48390 \$16,510.00

The undersigned recommends that the City accept the proposal from NuCore Group Inc, Toledo, Ohio in the amount of \$13,900.00 as the best bid received meeting specifications.

Very truly yours,

Mark A. Kowalewski, City Engineer  
James R. Knopp, Superintendent of Recreation

May 21, 2007

Wyandotte City Council

To Whom It May Concern:

Please allow this letter as a request for authorization to have a storage "POD" parked and set in front of my house on 13th St. for up to 1 month without penalty or fines. My neighbor accidentally backed his auto through the front of my garage, causing significant damage. Contractors have recommended that the structure be re-built. I will need to have storage for the contents of my garage while the new structure is being built. Typically they will drop a storage POD in a driveway, however doing this will directly impede the construction efforts. Allowing us to have the POD parked in front of the house for the one month period of time will allow us access to the contents (lawn mower, trimmer, children bikes) during construction. Thank you for your time and consideration.

Patrick & Shelly Stewart, 1772 13th St., Wyandotte, MI 48192

These are the dimensions of the POD 8' w x 8' h x 16 l About the size of a dumpster used for construction that are put on the street. Dropped off 5-24-07 Removed by 6-25-07

REPORTS AND MINUTES AND CASH RECEIPTS

Financial Services Daily Cash Receipts April 30, 2007-May 10, 2007 \$5,767.55  
Financial Services Daily Cash Receipts May 16, 2007-May 17, 2007 \$7,864.25  
Wyandotte Cultural & Historical Commission April 12, 2007  
Beautification Commission May 8, 2007  
Planning & Rehabilitation Commission April 19, 2007

CITIZEN PARTICIPATION

No one present.

RECESS

RECONVENING

ROLL CALL

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

Absent: None

HEARING

BASF INDUSTRIAL FACILITIES EXEMPTION

May 16, 2007

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

Re: Industrial Facilities Exemption Certificate – BASF Corporation, 1609 Biddle Avenue

Dear Mayor and Council,

The enclosed resolution approves the application filed by the BASF Corporation, 1609 Biddle Avenue, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 10 and Plant Rehabilitation District No. 5. The Certificate would allow for an exemption during construction of the facility and for 12-years after completion. The application applies to the construction of approximately 152,300 square feet of building area and land improvements at a total estimated cost of \$60 million.

Approval of the application would complete the third and final step in implementing the incentive package approved by the Mayor and Council and the State of Michigan to attract the Joncryl Polymers Plant to Wyandotte. As noted in the application, investment in the site totals approximately \$140 million when including machinery and equipment.

If a Certificate is approved, the combined millage rate levied by all taxing jurisdictions on the taxable value of the improvements will be reduced from approximately 66 mills to 30 mills. Final approval is still required by the State Tax Commission.

The undersigned recommends that the Council adopt the following resolution.

Very truly yours,

Joseph M. Voszatka  
Community Development Director

May 17, 2007

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

Re: Industrial Facilities Exemption filed by B.A.S.F. Corp.  
1609 Biddle Avenue: Project cost estimated at \$60 million

Dear Honorable Mayor DeSana and City Council:

I have attached for your review a list of the current 2007 I.F.T. certificates. Please note that the granting of this certificate will exceed five (5) percent of an amount equal to the sum of the SEV of the City plus the SEV of the personal and real property thus exempted. The estimated percent is 5.82%.

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

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

Colleen A. Keehn, City Assessor

No objections and or comments.  
FINAL READING OF ORDINANCES

AN ORDINANCE DETERMINING THE SALARY  
FOR THE WYANDOTTE ENGINEER

THE CITY OF WYANDOTTE ORDAINS:

Section 1. City Engineer.

Commencing with the pay period beginning April 16, 2007, and expiring on April 20, 2009, the City Engineer shall receive an annual salary in the sum of \$101,504.00 and an annual auto allowance of \$3,000 plus benefits identical to the benefits provided other non-union general City employees (except for any approved general salary increase).

Section 2. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Effective Date.

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

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

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

I hereby approve the adoption of the foregoing Ordinance this 21st day of May, 2007.

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, 21ST day of May, 2007

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

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING  
ORDINANCE TO REZONE THE PROPERTY KNOWN AS 870 4th STREET AND THE FORMER 876 4th STREET FROM  
(RT) TWO FAMILY RESIDENTIAL DISTRICT TO (RA) ONE FAMILY RESIDENTIAL DISTRICT

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Rezoning of Property:

The following described property located in the City of Wyandotte, County of Wayne, State of Michigan, and described as follows:

Lot 91 except the north 6 feet and Lot 92 also the north 3 feet of Lot 93 Assessor's Wyandotte Plat No. 6

Commonly Known as: 870 4th Street and the Former 876 4th Street, Wyandotte, Michigan

be and is hereby rezoned from RT (Two Family Residential District) to RA (One Family Residential District).

Section 2. Amendment of Zoning Map.

The zoning Map of the City of Wyandotte be and is hereby amended in accordance with the provisions of this Ordinance as set forth in Zoning Map. No.263

Section 3. Severability.

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent to give this Ordinance full force and effect.

Section 4. 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 along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days

after adoption. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

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

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

I hereby approve the adoption of the foregoing Ordinance this 21st day of May, 2007.

#### 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, 21ST day of May, 2007

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

#### RESOLUTIONS

Wyandotte, Michigan May 21, 2007

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from Fred Mekolon Jr., Regatta Chairman, Wyandotte Boat Club, P.O. Box 341, Wyandotte dated May 7, 2007 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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the Wyandotte Ministers Association, Wyandotte Michigan dated May 14, 2007 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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from Tina Milewski, owner of the Speedboat Bar & Grill, 749 Biddle requesting to purchase property to be utilized as additional parking is hereby referred to the City Engineer for a review and report back to Council in two weeks.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan May 21, 2007

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 May 17, 2007 to APPROVE the transfer of ownership of a 2006 Class C licensed business located in escrow at 2924 Second, Wyandotte, Michigan 48192, Wayne County, from Powell Entertainment, Inc. to Sand MP L.L.C. ; and transfer location to Sycamore Plaza 118 Sycamore, Wyandotte, Michigan 48192, County of Wayne.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer relative to the Police/Court Building is received and placed on file; AND BE IT FURTHER RESOLVED that Council CONCURS with the recommendation to award the 27th District Court and Police Facility to LaSalle Inc. of Canton, Michigan in the amount of \$6,988,532.00 in accordance with the AIA Document with Exhibits A through G as submitted to City Council at their May 21, 2007 meeting.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer regarding a public notice for a proposed construction of a 6-lane cable stayed bridge over the Detroit River is hereby received and placed on file; AND BE IT FURTHER RESOLVED that said notice be placed on the local information cable channel.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to sell the property at 3634-3rd Street, Wyandotte to the Wyandotte Community Alliance for a rehabilitation project in the amount of \$1.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is directed to prepare the necessary sale documents and that the Mayor and City Clerk are hereby authorized to execute 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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and the City Assessor dated May 15, 2007 regarding the sale of former 1041 Eureka, Wyandotte, AND BE IT FURTHER RESOLVED that the Council accepts the offer of Rosemary Acierno dated May 21, 2007 in the amount of \$600.00 to purchase 6 feet of the former 1041 Eureka, Wyandotte; AND BE IT FURTHER RESOLVED that Council accepts the offer of Elizabeth and Larry Howard dated April 30, 2007 in the amount of \$3,643.00 to purchase 36.43' feet of the former 1041 Eureka, Wyandotte, 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.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer regarding the request from Sam Ansara to encroach on to the Eureka road right-of-way be hereby approved provided that the Grant of License and Hold Harmless Agreement is executed by both parties; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to sign said Grant of License and Hold Harmless Agreement; AND FURTHER that the Department of Legal Affairs record the Grant of License and that Mr. Ansara pay the recording fee of 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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer in accordance with the AFSCME Local # 894 Agreement to grant Jack Sclafani a Leave of Absence without pay from May 7, 2007, to July 7, 2007, in accordance with AFSCME Local #894 Agreement, and subject to appropriate documentation being presented to the City.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer regarding the City-owned property at the Former 615 Orchard is hereby received and placed on file; AND BE IT FURTHER RESOLVED that Council CONCURS with the recommendation of the City Engineer to authorize the City to close on the Purchase Agreement to construct the home 8 feet off the east property line and the garage 3 feet off the east property line. FUTURE, if closing does not occur before July 31, 2007, the City Engineer will provide further updates.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer regarding the Berkeley Submerible Pump for the south pond at the Wyandotte Shores Golf Course and accepts the bid from Quint Plumbing of Wyandotte, Michigan in the amount of \$6,000.00 with a not to exceed installation cost of \$375.00 from account # 525-750-750-250.

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, Ptak, Sutka  
NAYS: None  
ABSTENTION: Councilman Peterson

Wyandotte, Michigan May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS in the recommendation of the Downtown Development Authority and approves the Viaduct Maintenance Agreement between the Downtown Development Authority and the Wyandotte School District. AND BE IT FURTHER RESOLVED that the Director of Financial and Administrative Services be directed to amend

the budget for said 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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council hereby APPROVES the DDA request to amend the budget to increase line item 499-200-926-730-610 Streetscape Maintenance by an additional \$14,000 to provide sufficient funds to purchase trash cans that match the existing new ones.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer and Superintendent of Recreation regarding File # 4416-Painting of Guardrails & Light Poles & Installation of Deck at Bishop park and hereby accepts the proposal from NuCore Group Inc., of Toledo, Ohio in the amount of \$13,900.00 from account # 492-200-850-524; AND BE IT FURTHER RESOLVED that all bid bonds be returned to the unsuccessful bidder by the City Clerk and all bid checks be returned to the unsuccessful bidder by the City Treasurer.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that Council hereby GRANTS permission for the placement of a "POD" in front of the residence 1772-13th Street to store contents of existing garage while the garage is repaired for a period extending from May 24, 2007 to June 25, 2007 provided a copy of insurance is placed on file in the City Clerk's Office naming the City of Wyandotte as additionally insured for the length of the placement. AND FURTHER that said "POD" shall be marked with reflectors to protect the safety of vehicular traffic.

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

RESOLUTION APPROVING THE APPLICATION OF BASF CORPORATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY WITHIN WYANDOTTE INDUSTRIAL DEVELOPMENT DISTRICT NO. 10 AND PLANT REHABILITATION DISTRICT NO. 5

Wyandotte, Michigan Dated May 21, 2007

RESOLUTION BY COUNCILPERSON Johnny Kolakowski

RESOLVED BY CITY COUNCIL that:

WHEREAS, pursuant to Michigan Public Act 198 of 1974, as amended, and after a duly noticed public hearing held on the 12th day of April 1982, this Council by Resolution established Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 covering the property commonly known as 1609 Biddle Avenue, BASF Wyandotte Corporation's North Works on approximately 232.86 acres; and

WHEREAS, on March 30, 2007, the City Clerk received an application for an Industrial Facilities Exemption Certificate from the BASF Corporation, 1609 Biddle Avenue, for a new facility consisting of real property improvements within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 covering the property commonly known as 1609 Biddle Avenue; and

WHEREAS, by Resolution adopted April 23, 2007, the City Council directed the City Clerk to notify the Assessor, applicant, and the legislative body of each taxing unit which levies ad valorem taxes on the property located within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 and to publish notice in the Wyandotte News Herald that the application for an Industrial Facilities Exemption Certificate would be considered at a meeting of the City Council on May 21, 2007, at 7:00 P.M. local time in the Council Chambers at Wyandotte City Hall, and that an opportunity to be heard would be provided to the Assessor, the applicant and to the representative of each of the bodies so notified along with any other taxpayer or resident of the City of Wyandotte; and

WHEREAS, during a regular meeting of the City Council held on May 21, 2007, the applicant, the Assessor, a representative of the affected taxing units and any taxpayer or resident of the City of Wyandotte were afforded an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That this City Council finds:

a. That commencement of the restoration, replacement, or construction of the facility occurred not earlier than six months before the filing of the application for the Industrial Facilities Exemption Certificate.

b. That the application relates to a construction program, which when completed will constitute a new facility within the meaning of Michigan Public Act 198 of 1974, as amended, and will be situated in Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5.

c. That the completion of the facility is calculated to and will at the time of issuance of the Certificate have the reasonable likelihood to retain, create or prevent loss of employment within the City of Wyandotte.

d. That the application received by the City Clerk on March 30, 2007, applies to real property improvements estimated at \$60 million.

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

2. That the Mayor and City Clerk are hereby authorized to execute the Industrial Facilities Tax Exemption Certificate Letter of Agreement between the BASF Corporation and the City of Wyandotte which was signed by BASF Corporation on March 29, 2007, a copy of which is attached to the application.

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

4. The application of the BASF Corporation for an Industrial Facilities Exemption Certificate situated within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5, City of Wyandotte, County of Wayne, and State of Michigan, be and the same is hereby approved subject to the condition set forth in item number 3 above.

5. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of twelve (12) years plus two (2) years during construction.

I move the adoption of the foregoing preamble and resolution.

MOTION BY COUNCILPERSON Johnny Kolakowski

SUPPORTED BY COUNCILPERSON Patrick Sutka

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

NAYS: None

ABSENT: None

Wyandotte, Michigan May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

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 stated purpose only.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the Council Meeting of May 28, 2007 is hereby CANCELLED due to the MEMORIAL DAY HOLIDAY.

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 May 21, 2007

RESOLUTION by Councilperson Johnny A. Kolakowski

RESOLVED by the City Council that the total bills and accounts in the amount of \$1,357,076.88 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

ADJOURNMENT

MOTION by Councilperson Johnny A. Kolakowski

Supported by Councilperson Patrick J. Sutka

That we adjourn.

Carried unanimously.

Adjourned at 8:00 p.m.

May 21, 2007

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William R. Griggs, City Clerk

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