



## Minutes - October 1, 2007

Wyandotte, Michigan October 1, 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

Item #1 was removed from Agenda.

### PERSONS IN THE AUDIENCE

Corki Benson, 404 Vinewood, Garfield Group meeting Wednesday, 7 PM.

### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

The City Engineer removed item #2 from the Agenda.

September 24, 2007

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

RE: File # 4429 — 2007 Parking Lot Project

Dear Mayor DeSana and Council Members:

The City of Wyandotte Engineering and Building Department solicited bids for the 2007 Parking Lot Project on September 19, 2007. The bids for the referenced project were opened and read aloud in the City of Wyandotte Council Chambers. The following bids were received:

### BIDDER CITY BID PRICE

S & J Asphalt Paving Company Canton, MI \$59,304.00  
ABC Paving Company Trenton, MI \$63,655.18  
Pro-Line Asphalt Paving Washington, MI \$64,479.80  
Nagle Paving Company Novi, MI \$66,787.50  
Best Asphalt Inc. Romulus, MI \$67,682.50  
Jeffery Company Trenton, MI \$68,270.50  
Al's Asphalt Paving Company Taylor, MI \$70,393.60  
Anglin Civil Construction Novi, MI \$87,331.25

The undersigned recommends the acceptance of the proposal from S & J Asphalt Paving Company of Canton, Michigan in the amount of \$59,304.00 as the best bid received meeting the specifications.

Very truly yours,

Mark A. Kowalewski, City Engineer

Todd A. Drysdale, Director of Administrative/Financial Services

September 25, 2007  
Honorable Mayor and City Council, City of Wyandotte

Dear Mayor and City Council Members:

Please consider the following budget amendment. These were proposed by the DDA for City Council approval at their meeting September 24, 2007. The amounts will come from the fund balance.

The resolution was moved by Gilbert Rose and supported by Norm Walker and carried that the Downtown Development Authority recommend to the City Council to concur with and to approve the Downtown Development Authority recommendation to approve a budget amendment to line item 499-200-850-519 in the amount of \$27884.52 for the purpose of paying the summer taxes for the former Theatre building at Elm and First and Stohl House at 2624 Biddle Avenue with funds derived from the Unrestricted Fund Balance of the Authority

Please consider the amendment for approval'. The DDA fund balance has sufficient funds to cover these expenditures at this time.

Sincerely,  
Lisa Hooper, AICP, CMSM, Executive Director  
Downtown Development Authority

September 25, 2007  
The Honorable Mayor James R. DeSana And City Council, City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

At the September 18, 2007, City Council Meeting, Council referred to the undersigned a communication from David Aronoff and Catherine Morris regarding two (2) large boulders in the City Right-of-Way at 2251 22" Street, Wyandotte. To accomplish this, the attached Grant of License and Hold Harmless Agreement would need to be executed between the City of Wyandotte and David Aronoff and Catherine Morris the property owner. This Grant of License and Hold Harmless Agreement have been reviewed by the Department of Legal Affairs and approved.

The proposed Resolution authorizes the Mayor and City Clerk sign said Agreement. Further, Mr. Aronoff and Ms. Morris should be required to pay the recording fee of \$24.00 and that the Department of Legal Affairs record same.

Very truly yours,  
Mark A. Kowalewski City Engineer

September 27, 2007  
The Honorable Mayor James R. DeSana And City Council, City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

At the meeting of September 24, 2007, the City Council accepted proposals for sod and top fill for the former Wyandotte Theatre Property. However, Huron Sod Farms does not supply the larger rolls of sod. Therefore, the following are proposals solicited for, the purchase of 2,333 square yards (estimated) of big rolls of sod for said site. Measurement of the site indicates 2,750 square yards is required.

Unit				
Price Delivery	2,333 s.y.	2,750 s.y.		
DeBuck's Sod Farm, Inc.	\$0.11/s.f.(\$0.99s.y.)	\$ 70.00	\$2,380.00	\$2,793.00
Insta-Lawn Sold Farms	\$0.99/s.y.	\$480.00	\$2,790.00	\$3,203.00
New Lawn Sod Farm	\$0.13/s.f.(\$1.17s.y.)	\$ 0.00	\$2,730.00	\$3,218.00

Therefore, the attached Resolution will retract the previously accepted proposal from Huron Sod Farms of Romulus, Michigan and accept the proposal of DeBuck's Sod Farm, Inc., Howell Twp., Michigan in the amount of \$2,793.00 or \$0.99 per square yard from account 499-200-851-519.

All labor will be performed by the Department of Public Service.

Very truly yours,  
Mark A. Kowalewski, City Engineer

#### REPORTS AND MINUTES AND CASH RECEIPTS

Financial Services Daily Cash Receipts September 20, 2007  
Wyandotte Cultural & Historical Commission August 9, 2007  
Wyandotte Cultural & Historical Commission August 28, 2007  
Wyandotte Cultural & Historical Commission September 13, 2007  
Downtown Development Authority Special Meeting September 24, 2007

#### CITIZEN PARTICIPATION

None

#### RECESS

#### RECONVENING

#### ROLL CALL

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

Absent: None

#### HEARINGS

#### HEARING RELATIVE TO AN OBSOLETE PROPERTY REHABILITATION EXEMPTION (OPRE) CERTIFICATE FOR 204 OAK STREET

September 27, 2007  
The Honorable Mayor James R. DeSana And City Council, City Hall

Re: Obsolete Property Rehabilitation Exemption (OPRE) Certificate for 204 Oak Street

Dear Mayor and Council,

The Obsolete Property Rehabilitation Review Committee approved the enclosed recommendation (see Enclosure 1) regarding approval of the application of ADB Properties, LLC, for an OPRE exemption certificate for the property at 204 Oak Street.

Also enclosed for your information are a completed OPRE application (Enclosure 2); a letter from the City Assessor (Enclosure 3); and a letter from the Deputy Treasurer (Enclosure 4). If approved as recommended, the certificate would provide tax savings to the developer over a 12-year period as estimated in Enclosure 5. New personal property would be assessed and taxed at their full value and millage rate. Additional information regarding exemption certificates is available on the City's website under the Community Development Department.

The undersigned recommends that the Council receive and place on file the enclosures, and concur with the proposed resolution (Enclosure 6) approving an exemption certificate for 12 years subject to the terms and conditions included therein.

Very truly yours,

Joseph M. Voszatka, Community Development Director  
September 25, 2007

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

Re: O.P.R.E. Application — 204 Oak Street

Dear Honorable Mayor and City Council:

Attached you will find a spreadsheet listing the current assessed values along with the current and proposed values already exempt under P.A. 146 of 2000 (OPRE) and P.A. 198 of 1974 (IFT's). If granted, the proposed exemptions will exceed 5% of the total taxable value of the City of Wyandotte.

As the City Assessor for the City of Wyandotte it is my professional opinion that the granting of the Obsolete Property Rehabilitation Exemption Certificate shall not have the effect of substantially impeding the operation of the local government unit or impair the financial soundness of the taxing unit which levies an ad valorem property tax in the City of Wyandotte.

Should you have any questions, please advise.

Sincerely,

Colleen A. Keehn City Assessor

September 25, 2007

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

Dear Mayor DeSana and City Council Members,

The Treasurer's Department has reviewed the tax file for the property located at 204 Oak Street (011-11-0008307). According to the file on September 25, 2007, there are no delinquent property taxes owed to the City of Wyandotte.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely,

Robert J. Szczechowski,  
Deputy Treasurer/Assistant Finance Director

Tom Bidari, 1860 – 3rd, additional employees will be employed for construction, etc. Will help improve the surrounding area.

Pat Slack, interior designer, will coordinate interior of said property.

Wynn Design, Architect, was present.

HEARING RELATIVE TO AN  
OBSOLETE PROPERTY REHABILITATION EXEMPTION (OPRE)  
CERTIFICATE FOR 1 ST. JOHNS

September 27, 2007

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

Re: Obsolete Property Rehabilitation Exemption (OPRE) Certificate for 1 St. Johns

Dear Mayor and Council,

The Obsolete Property Rehabilitation Review Committee approved the enclosed recommendation (see Enclosure 1) regarding approval of the application of LTW Investments, LLC, for an OPRE exemption certificate for the property at 1 St. Johns.

Also enclosed for your information are a completed OPRE application (Enclosure 2); a letter from the City Assessor (Enclosure 3); and a letter from the Deputy Treasurer (Enclosure 4). If approved as recommended, the certificate would provide tax savings to the developer over a 12-year period as estimated in Enclosure 5. New personal property would be assessed and taxed at their full value and millage rate. Additional information regarding exemption certificates is available on the City's website under the Community Development Department.

The undersigned recommends that the Council receive and place on file the enclosures, and concur with the proposed resolution (Enclosure 6) approving an exemption certificate for 12 years subject to the terms and conditions included therein.

Very truly yours,

Joseph M. Voszatka, Community Development Director

September 25, 2007

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

Re: O.P.R.E. Application — 1 St. Johns

Dear Honorable Mayor and City Council:

Attached you will find a spreadsheet listing the current assessed values along with the current and proposed values already exempt under P.A. 146 of 2000 (OPRE) and P.A. 198 of 1974 (IFT's). If granted, the proposed exemptions will exceed 5% of the total taxable value of the City of Wyandotte.

As the City Assessor for the City of Wyandotte it is my professional opinion that the granting of the Obsolete Property Rehabilitation Exemption Certificate shall not have the effect of substantially impeding the operation of the local government unit or impair the financial soundness of the taxing unit which levies an ad valorem property tax in the City of Wyandotte.

Should you have any questions, please advise.

Sincerely,

Colleen A. Keehn City Assessor

September 10, 2007

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

Dear Mayor DeSana and City Council Members,

The Treasurer's Department has reviewed the tax file for the property located at 1 St. John's (004-07-004-000). According to the file on September 10, 2007, there are no delinquent property taxes.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely,

Robert J. Szczechowski

Deputy Treasurer/Assistant Finance Director

RESOLUTIONS

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

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 Todd Browning  
Supported by Councilperson Joseph Peterson  
ROLL ATTACHED

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Engineer and Director of Administrative and Financial Services File # 4429-2007 Parking Lot Project to accept the bid of S & J Asphalt Paving Company of Canton, Michigan in the amount of \$59,304.00 from Account # 492-200-850-543 with this amount being carried forward to the 2007-2008 Budget year; AND BE IT FURTHER RESOLVED that all bid bonds be returned to the unsuccessful bidders by the City Clerk and all bid checks be returned to the unsuccessful bidders by the City Treasurer; and that the Mayor and City Clerk are authorized to execute the necessary documents to perform said work.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that Council CONCURS in the recommendation of the Downtown Development Executive Director as set forth in her communication dated September 25, 2007 to approve the budget amendment to line item # 499-200-850-519 in the amount of \$27,884.52 for the purpose of paying the summer taxes for the former Theatre building at Elm and First and the Stohl House 2624 Biddle Avenue with funds derived from the Unrestricted Fund Balance of the Downtown Development Authority. AND BE IT FURTHER RESOLVED that said budget amendment is taken from the 2008 Fiscal Year budget.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that the communication from the City Engineer regarding the request from David Aronoff and Catherine Morris to encroach on the City property be hereby approved provided that the Grant of License and Hold Harmless Agreement be 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 that Mr. Aronoff and Ms. Morris pay the recording fee of \$24.00 and the Department of Legal Affairs is hereby directed to record the Grant of License.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
ROLL ATTACHED

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer regarding the purchase of sod for the former Wyandotte Theatre Property; AND BE IT FURTHER RESOLVED that the proposal from Huron Sod Farms of Romulus, Michigan be retracted in the amount of \$2,600.00 and that the proposal from DeBuck's Sod Farm, Inc. Howell Twp, Michigan be accepted in the amount of \$2,793.00 or \$.099 per square yard from account # 499-200-851-519.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
YEAS: Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

RESOLUTION APPROVING AN OBSOLETE PROPERTY REHABILITATION  
CERTIFICATE PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF  
THE OBSOLETE PROPERTY REHABILITATION ACT, PUBLIC ACT 146 OF THE STATE  
OF MICHIGAN OF 2000, AS AMENDED

At a regular meeting of the City Council of the City of Wyandotte, Wayne County, Michigan, held in the Council Chambers of said City on the 1st day of October 2007.

RESOLUTION by Councilmember Todd M. Browning

RESOLVED BY THE CITY COUNCIL THAT:

WHEREAS, the City of Wyandotte has been deemed a Qualified Local Governmental Unit, according to Section 2 (k) of PA 146 of 2000 ("PA 146"); and

WHEREAS, pursuant to PA 146, after a duly noticed public hearing held on January 8, 2007, the City Council by resolution established Obsolete Property Rehabilitation District No. 7 on January 8, 2007, as requested by ADB Properties, LLC, and said District has been deemed an obsolete property according to PA 146; and

WHEREAS, ADB Properties, LLC, owner of realty within said District, has filed an application for an Obsolete Property Rehabilitation Exemption Certificate with respect to the rehabilitation of facilities located in District No. 7; and

WHEREAS, the application is for obsolete property as defined in PA 146; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of PA 146; and

WHEREAS, the City Council hereby receives and places on file the recommendation from the City's Obsolete Property Rehabilitation Exemption Review Committee recommending approval of an exemption certificate for 12 years subject to terms and conditions specified therein; and

WHEREAS, before acting on said application, the City Council held a hearing on October 1, 2007, at the Council Chambers, City Hall, 3131 Biddle Avenue, at 7:00 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units, having been given written notice, were afforded an opportunity to be heard on said application; and

WHEREAS, the rehabilitation of the facility had not occurred before the establishment of District No. 7 on January 8, 2007; and

WHEREAS, the applicant has stated in writing that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Wyandotte, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

WHEREAS, said applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the applicant has supplied an application for a Certificate and provided all items described in the application under "Instructions" (a) through (f).

WHEREAS, the scope of the rehabilitation as stated in the application includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation; and

WHEREAS, completion of the rehabilitated facility is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to accomplish one or more of the following: (a) increase commercial activity; (b) create employment; (c) retain employment; (d) prevent loss of employment; (e) revitalize urban areas; or (f) increase the number of residents in the community in which the facility is situated.

NOW, THEREFORE BE IT RESOLVED BY the City Council of the City of Wyandotte:

1. The City Council finds and determines that the granting of the Obsolete Property Rehabilitation Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, Act No. 255 of the Public Acts of 1978 and Act No. 146 of 2000, shall not have the effect of substantially impeding the operation of the City of Wyandotte, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Wyandotte.
2. The application of ADB Properties, LLC, for a Certificate with respect to the rehabilitation of facilities located on the following described parcel of real property situated within Wyandotte Obsolete Property Rehabilitation District No. 7 at 204 Oak Street, Parcel Identification No. 57-011-11-0008-307, be and the same is hereby approved.
3. The Certificate when issued shall be and remain in force and effect for a period of twelve (12) years after the effective date (December 31, 2007).
4. The Obsolete Property Rehabilitation Act, Public Act 146 of the State of Michigan of 2000, as amended, Section 12, reads as follows:

The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the certificate.

Consequently, the City Council finds the following:

- A. The rehabilitation shall be completed no later than August 31, 2008, or within a duly authorized extension of that date. The date of issuance of a Certificate of Conformity shall be

used as the date of completion of the rehabilitated facility.

B. Since the Act has many purposes, including "improved exterior appearance of buildings" (Section 2(1))", "to levy and collect a specific tax upon the owners of certain facilities" (Preamble to the Act), and to prevent blight, the City Council may, by resolution, revoke a certificate for reasons specified in the Act and any one or more of the following reasons: (1) exterior alterations have occurred that are inconsistent with the originally approved plans, as determined by the OPRE Review Committee and the City Council; (2) the certificate holder is delinquent in the payment of any taxes or fees related to the facility; and (3) a current Certificate of Conformity has not been obtained and/or maintained for the rehabilitated structure by the completion dates specified in A above.

5. Not later than September 1 of each year that the exemption certificate is in effect, the certificate holder must provide in writing to the City Assessor a current estimate of the number of jobs retained or created by the exemption so that a report may be submitted to the State Tax Commission indicating the status of each exemption, as required under Section 14 of PA 146. Said report is to be prepared by the City Assessor and must be submitted to the State Tax Commission no later than October 15 of each year, and must include the current value of the property to which the exemption pertains, the value on which the obsolete property rehabilitation tax is based, and any other relevant information required by said Section 14.

I move the adoption of the foregoing resolution.

Motion by Councilmember Todd Browning

Supported by Councilmember Joseph Peterson

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

NAYS: None

ABSENT: None

**RESOLUTION APPROVING AN OBSOLETE PROPERTY REHABILITATION  
CERTIFICATE PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF  
THE OBSOLETE PROPERTY REHABILITATION ACT, PUBLIC ACT 146 OF THE STATE  
OF MICHIGAN OF 2000, AS AMENDED**

At a regular meeting of the City Council of the City of Wyandotte, Wayne County, Michigan, held in the Council Chambers of said City on the 1st day of October 2007.

RESOLUTION by Councilmember Todd M. Browning

RESOLVED BY THE CITY COUNCIL THAT:

WHEREAS, the City of Wyandotte has been deemed a Qualified Local Governmental Unit, according to Section 2 (k) of PA 146 of 2000 ("PA 146"); and

WHEREAS, pursuant to PA 146, after a duly noticed public hearing held on May 14, 2007, the City Council by resolution established Obsolete Property Rehabilitation District No. 8 on May 14, 2007, as requested by LTW Investments, LLC, and said District has been deemed an obsolete property according to PA 146; and

WHEREAS, LTW Investments, LLC, owner of realty within said District, has filed an application for an Obsolete Property Rehabilitation Exemption Certificate with respect to the rehabilitation of facilities located in District No. 8; and

WHEREAS, the application is for obsolete property as defined in section 2(h)(iii) of PA 146; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of PA 146; and

WHEREAS, the City Council hereby receives and places on file the recommendation from the City's Obsolete Property Rehabilitation Exemption Review Committee recommending approval of an exemption certificate for 12 years subject to terms and conditions specified therein; and

WHEREAS, before acting on said application, the City Council held a hearing on October 1, 2007, at the Council Chambers, City Hall, 3131 Biddle Avenue, at 7:00 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units, having been given written notice, were afforded an opportunity to be heard on said application; and

WHEREAS, the rehabilitation of the facility had not occurred before the establishment of District No. 8 on May 14, 2007; and

WHEREAS, the applicant has stated in writing that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Wyandotte, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

WHEREAS, said applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the applicant has supplied an application for a Certificate and provided all items described in the application under "Instructions" (a) through (f).

WHEREAS, the scope of the rehabilitation as stated in the application includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation; and

WHEREAS, completion of the rehabilitated facility is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to accomplish one or more of the following: (a) increase commercial activity; (b) create employment; (c) retain employment; (d) prevent loss of employment; (e) revitalize urban areas; or (f) increase the number of residents in the community in which the facility is situated.

NOW, THEREFORE BE IT RESOLVED BY the City Council of the City of Wyandotte:

1. The City Council finds and determines that the granting of the Obsolete Property Rehabilitation Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, Act No. 255 of the Public Acts of 1978 and Act No. 146 of 2000, shall not have the effect of substantially impeding the operation of the City of Wyandotte, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Wyandotte.

2. The application of LTW Investments, LLC, for a Certificate with respect to the rehabilitation of facilities located on the following described parcel of real property situated within Wyandotte Obsolete Property Rehabilitation District No. 8 at 1 St. Johns, Parcel Identification No. 57-004-07-0004-000, be and the same is hereby approved.

3. The Certificate when issued shall be and remain in force and effect for a period of twelve (12) years after the effective date (December 31, 2007).

4. The Obsolete Property Rehabilitation Act, Public Act 146 of the State of Michigan of 2000, as amended, Section 12, reads as follows:

The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the certificate.

Consequently, the City Council finds the following:

A. The rehabilitation shall be completed no later than June 30, 2008, or within a duly authorized extension of that date. The date of issuance of a Certificate of Conformity shall be used as the date of completion of the rehabilitated facility.

B. Since the Act has many purposes, including "improved exterior appearance of buildings" (Section 2(/)), "to levy and collect a specific tax upon the owners of certain facilities" (Preamble to the Act), and to prevent blight, the City Council may, by resolution, revoke a certificate for reasons specified in the Act and any one or more of the following reasons: (1) exterior alterations have occurred that are inconsistent with the originally approved plans, as determined by the OPRE Review Committee and the City Council; (2) the certificate holder is delinquent in the payment of any taxes or fees related to the facility; and (3) a current Certificate of Conformity has not been obtained and/or maintained for the rehabilitated structure

by the completion dates specified in A above.

5. Not later than September 1 of each year that the exemption certificate is in effect, the certificate holder must provide in writing to the City Assessor a current estimate of the number of jobs retained or created by the exemption so that a report may be submitted to the State Tax Commission indicating the status of each exemption, as required under Section 14 of PA 146. Said report is to be prepared by the City Assessor and must be submitted to the State Tax Commission no later than October 15 of each year, and must include the current value of the property to which the exemption pertains, the value on which the obsolete property rehabilitation tax is based, and any other relevant information required by said Section 14.

I move the adoption of the foregoing resolution.

Motion by Councilmember Todd Browning  
Supported by Councilmember Joseph Peterson  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None  
ABSENT: None

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that a City Employee has expressed a desire to meet in closed session to discuss his job performance and 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 purposes only.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

Wyandotte, Michigan October 1, 2007

RESOLUTION by Councilperson Todd Browning

RESOLVED by the City Council that the total bills and accounts in the amount of \$279,183.87 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Todd Browning  
Supported by Councilperson Joseph Peterson  
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka  
NAYS: None

ADJOURNMENT

MOTION by Councilman Todd Browning  
Supported by Councilman Joseph Peterson  
That we adjourn.  
Carried unanimously.  
Adjourned at 7:35 p.m.  
October 1, 2007

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William R. Griggs, City Clerk

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