



Minutes - October 15, 2007

Wyandotte, Michigan October 15, 2007

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

ROLL CALL

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

PERSONS IN THE AUDIENCE

Tom Pillar, 2397 – 23rd, regarding Gas Company repairs to curbs and concrete, etc. Repairs are delayed and not satisfactory. Why are repairs taking so long to complete? Engineer to review and report back.

Vernon Elmore, 2356 – 17th, regarding the School Board Election Cycle.

Richard Miller, 1202 – 2nd, regarding the School Board Election Cycle.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

October 11, 2007

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

Dear Mayor DeSana and City Council Members:

At the September 25, 2007, City Council Meeting, Council referred to the undersigned a communication from Peter and Olga Vlcko regarding a landscape planter construction in the City Right-of-Way at 524 Riverside Drive, Wyandotte. To accomplish this, the attached Grant of License and Hold Harmless Agreement would need to be executed between the City of Wyandotte and Peter and Olga Vlcko 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. Vlcko 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

October 10, 2007

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

Dear Mayor DeSana and Council Members:

In response to the comments from James Whetstone of 3342 — 12th Street, at the October 8, 2007, council meeting, the following applies. A notice was sent to Mr. Whetstone on June 29, 2007, which stated "to please remove cement pieces from alley" by July 6, 2007. The concrete was moved from the alley to private property. The City removed the concrete from the private property on July 17, 2007, the cost being \$341.07 for which Mr. Whetstone was invoiced.

The documentation was reviewed by the City Attorney and he stated that Mr. Whetstone implicitly did what was requested of him by removing the concrete from the alley to his private

property. Therefore, the recommendation of the undersigned is that said invoice be rescinded.

Very truly yours,
Mark A. Kowalewski, City Engineer
October 11, 2007

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

Dear Mayor DeSana and City Council Members:

Attached please find a quote from C & CE Equipment to purchase a John Deere Tractor with Broom in the amount of \$18,406.70.

This equipment is being purchased under the State of Michigan, Contract No. #071B4200191. The attached Resolution will authorize the undersigned to purchase said equipment.

Very truly yours,
Mark A. Kowalewski, City Engineer
Todd A. Drysdale, Dir. of Admin./Financial Services

October 11, 2007

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

RE: 2948-2956-2958 Biddle Avenue, Wyandotte, Michigan

Dear Mayor DeSana and Council Members:

On January 31, 2007 and September 10, 2007, Show Cause Hearings were held in the Office of the City Engineer presided over by the undersigned regarding the lack of maintenance and occupancy of the property at 2948-2954-2958 Biddle Avenue. Attached are the minutes of said hearings.

It was determined by the undersigned that the vacant building is dangerous and unsafe structure due to property maintenance violations and should be demolished or brought up to code.

Therefore in accordance with Section PM-107.6 Filing of findings, I request that your Honorable Body set a hearing to show cause why the vacant building should not be demolished or brought up to code in accordance with Section PM-202 Dangerous buildings, of the Wyandotte Property Maintenance Ordinance.

Very truly yours,
Jerry Gobb, Hearing Officer

REPORTS AND MINUTES AND CASH RECEIPTS

Beautification Commission Meeting September 11, 2007
Wyandotte Street Art Fair Meeting September 27, 2007
Municipal Service Commission September 25, 2007
Zoning Board of Appeals & Adjustments September 19, 2007

CITIZEN PARTICIPATION

None.

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, Kolakowski, Peterson, Sutka

Absent: Councilpersons Fricke, Ptak
FINAL READING OF ORDINANCE

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND SECTION PM-106.2 "PENALTY" OF THE PROPERTY
MAINTENANCE CODE ADOPTED BY THE CITY OF WYANDOTTE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment to Section PM-106.2 "Penalty" of the Property Maintenance Code

Section PM-106.2 shall be amended to read as follows:

Section PM-106.2 Penalty: Any person, firm or corporation who shall violate any provision of this code or shall fail to comply with any of the requirements thereof shall be responsible for a municipal civil infraction and is subject to all of the fines and costs and remedies as set forth in the City Code of Ordinances in Chapter 23.5, as amended, entitled "Municipal Civil Infractions". Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof shall be deemed a separate infraction. If any person commits a second offense, or subsequent violation of the Property Maintenance Code, such a violation constitutes a misdemeanor punishable by a fine not exceeding \$500 and/or imprisonment not exceeding 90 days provided the authorized city official issues an appearance ticket (and not a municipal civil infraction citation or notice) and marks it as a misdemeanor. However, nothing herein requires the authorized city official to charge a repeat offense of the Property Maintenance Code by the same individual as a misdemeanor.

Section 2. Severability.

All Ordinances or parts of Ordinances in conflict herein 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 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. The summary shall designate the location in the City where a true copy of the Ordinance can be inspected or obtained.

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

YEAS: Councilpersons Browning, Kolakowski, Peterson, Sutka

NAYS: None

ABSENT: Councilpersons Fricke, Ptak

I hereby approve the adoption of the foregoing ordinance this 15th day of October, 2007.

CERTIFICATE

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 Council of the City of Wyandotte, at a regular session thereof on Monday, the 15th day of October, 2007.

Dated October 15, 2007

JAMES R. DESANA, Mayor

WILLIAM R. GRIGGS, City Clerk

RESOLUTIONS

Wyandotte, Michigan October 15, 2007

RESOLUTION by Councilman Johnny A. Kolakowski

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

Wyandotte, Michigan October 15, 2007

RESOLUTION by Councilman Johnny A. Kolakowski

RESOLVED by the City Council that the communication from the City Engineer regarding the request from Peter and Olga Vlcko to encroach on the City owned 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 RESOLVED further that Mr. Vlcko pay the recording fee of \$24.00 and the Department of Legal Affairs record the Grant of License.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 15, 2007

RESOLUTION by Councilman Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Engineer as set forth in his communication dated October 10, 2007 to rescind the invoice sent to Mr. James Whetstone, 3342-12th for services rendered in the amount of \$341.07.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 15, 2007

RESOLUTION by Councilman Johnny A. Kolakowski

RESOLVED by the City Council that Council CONCURS in the recommendations of the City Engineer and Director of Administrative and Financial Services as set forth in their communication dated October 11, 2007 to purchase a John Deere Tractor with Broom from C & CE Equipment in the amount of \$18,406.70 from account # 101-448-850-530.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 15, 2007

RESOLUTION by Councilman Johnny A. Kolakowski

RESOLVED by the City Council that WHEREAS a hearing has been held in the Office of the Engineer in the Department of Engineering and Building, 3131 Biddle Avenue, Wyandotte, Michigan, on January 31, 2007 and September 10, 2007, and WHEREAS the interested parties were given opportunity to show cause, if any they had, why the commercial building at 2948-2954-2958 Biddle has not been repaired accordance with the City's Property Maintenance Ordinance, and WHEREAS the Hearing Officer has filed a report of his findings with this Council; AND NOW, THEREFORE BE IT RESOLVED, that this Council shall hold a public

hearing in accordance with Section PM-107.7 in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte on Monday, NOVEMBER 12, 2007, at 7:00 p.m., at which time all interested parties shall show cause, if any they have, why the vacant building has not been brought up to code or why the City should not have the vacant building be demolished or brought up to code at 2948-2954-2958 Biddle; AND BE IT FURTHER RESOLVED that the City Clerk shall give notice of said hearing ten (10) days before the hearing by certified mail-return receipt requested, and first class mail, in accordance with provisions of Section PM-107.4 of the Property Maintenance Ordinance.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan October 15, 2007

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

ADJOURNMENT

MOTION by Councilperson Johnny A. Kolakowski
Supported by Councilperson Patrick J. Sutka
That we adjourn.
Carried unanimously.
Adjourned at 7:55 p.m.
October 15, 2007

William R. Griggs, City Clerk
