



Minutes - September 8th, 2008

Wyandotte, Michigan September 8, 2008

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:

Dear Mayor DeSana and City Counsel Members,

This Letter is in regard to the 2% raises that the General Employees receive. Recycle Center employees are classified as "Seasonal Employees" and we are not given the 2%. However, we are not seasonal employees. We are open seven days a week, all year round, except for Holidays. With the volume of people who are recycling, it needs to be open seven days a week.

We are asking that you please take this into consideration in giving us the same percentage raise as all City employees receive. We didn't receive any part of the bonuses and have not gotten any raises in seven years.

Thank you for your time in reading this letter and taking this into consideration,

Sincerely,

Susan Leffew & Darlene Thiede

Mayor James DeSana and Council
3131 Biddle August 27, 2008
Wyandotte MI 48192

At the council meeting I was told to pay the \$9,684.81 and negotiate with Todd on the balance. The money was paid the next day and I await the call from Todd but I'm not quite sure how to proceed. Todd's position is tough luck, you owe the money, pay it all or we take your property. I am shocked and appalled that after my years of service and support of this community that would be threatened. Todd may have also underestimated the interest deduction because if you amortize the amount charged it is \$5,000.00 more than the \$34,917.02 the city wanted back (see attached schedule). Todd has also indicated he cannot make the decision, so I talk to him, he talks to you, you talk to him, and then he talks with me. Quite frankly, I'm intimidated to negotiate with someone that does it for a living. Somebody once told me never take a NO from someone that can't tell you YES how about an arbitrator.

My position is I am a responsible person that is being charged \$34,917.02 for a project on property I don't own and interest and penalty on money I did not borrow. In the past year the economy is in the dump. The minimum wage has increased twice, insurance, taxes, utilities, and food prices have soared. Businesses are closing and people are losing their jobs. You have an opportunity to help a tax paying business that has been in town for 38 years that has asked for nothing more than a fair shake.

In this terrible business climate and unsure future, I have loaned the business the \$9,684.81 for the final payment of SAD 845 Wyandotte Restaurants. Please accept the total of \$26,703.07 as complete payment.

Thank you
Salem Darany, Owner/Operator

Wyandotte Big Boy

PERSONS IN THE AUDIENCE

Brad Rushlow, 1117 Sycamore, property zoned industrial. Engineer: we will schedule 9-27-08 hearing with Planning Commission. Engineering Department will not issue a permit. Violation of Zoning Ordinance. Referred to Engineer and City Attorney for discussion.

Eugenia Galantowicz, 1224 Sycamore, neighbor feeds cats. Odor is terrible. Big problem.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

September 2, 2008

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

Dear Mayor DeSana and City Council Members,

Per the City Council resolution dated August 25, 2008, the undersigned was directed to review and report back regarding the communication from Salem Darany, owner of Wyandotte Big Boy dated August 19, 2008, relative to Special Assessment #845. Currently, Mr. Darany owes \$2,797.64 on his current tax bill from the special assessment payment due on June 30, 2007. Mr. Darany also owes \$2,572.71 from his special assessment invoice which was due on June 30, 2008. Lastly, Mr. Darany owes \$10,188.80 for the, remaining principal portion of SAD #845 for a total amount owed of \$15,559.15.

Note however, that Mr. Darany, as well as all other property owners who were included in Phase I of the Streetscape project, have been making principal payments according to the special assessment amount prior to the City's reduction of 35.82%. This was caused because of the retroactive reduction of Phase I special assessments. This error simply reduced the amount of time that the special assessment will be outstanding (from twenty (20) years to thirteen (13) years), resulted in \$4,377.52 in principal to be paid earlier than necessary, and reduced the amount of interest incurred by \$880.14. Although Mr. Darany has indicated that he wishes to pay off the special assessment immediately, the remaining period of this special assessment can be recalculated using the proper principal payment amounts to extend the amortization period to twenty (20) years as specified by the City Council resolution dated February 3, 2003. In either case, notice will be sent to affected property owners regarding this issue.

Mr. Darany appears to be offering to pay \$12,482.45 (including the special assessment portion that was placed on his 2008 summer tax bill) or 80.23% of his outstanding balance. This would be a reduction in principal of \$3,076.70. Currently the City has \$619,049.38 in accounts receivable for special assessments and an additional \$34,539.60 in special assessments that were included on the 2008 summer tax bills. Relieving the same percentage of the outstanding balances would cost the city approximately \$129,000.

If interest charges were relieved, consideration would also need to be given to the interest and penalties accruing on delinquent tax bills. Currently, there is \$220,686 in delinquent personal property tax receivable. Additionally, interest and penalties begin to accrue on real property taxes that are not paid by September 26, 2008. The City earned \$122,000 in interest and penalties during the prior tax year. Hence, relieving an equivalent amount of interest from these amounts would cost the City up to an additional \$43,000.

As verbally indicated at the August 25, 2008, Council meeting, there is no valid business reason to accept less than the amount owed on this special assessment as the City is virtually guaranteed to receive this amount, thus making collect ability a non-issue. Based on the current billings on this- special assessment, the City would receive \$2,155 in interest from the property owner. If the special assessment is paid off, the City could invest the \$9,684.81 and, based on current interest rates, would earn \$1,546 through 2014 when the special assessment is due to be paid off.

It should also be reiterated that the cost of the improvements to this property was \$49,272.31.

Grant funding paid for \$9,854.46 of these improvements. The City Council, per their May 20, 2002 City Council Resolution, relieved an additional \$4,500.83. The City Council's resolution dated February 3, 2003 further reduced this property owner's special assessment by \$12,507.28. Any additional reductions of this special assessment, or any other special assessment, would require recertification of the special assessment roll.

Also attached is copy of the resolution which indicates that interest will be charged at a rate of six percent (6%) per annum. Additionally, the decision in Wojewodzic and Lonier vs. City of Wyandotte is included that verifies that the streetscape special assessments were valid and legal. This information is being attached in response to Mr. Darany's claim that he did not know interest was being charged and his inferences that this special assessment may not have been legally levied.

In summary, the undersigned recommends that no adjustment be made to Mr. Darany's special assessment. The City should allow him to pay the remaining principal balance by September 12, 2008, with no additional penalties or interest being charged to his special assessment account. Note that relief from interest and penalties until September 12th will only apply to his special assessment balance and will have no effect on the special assessment amounts that have been placed on his tax bills due to his failure to pay the special assessment invoices in a timely manner.

Sincerely,

Todd A. Drysdale, Director of Financial and Administrative Services

September 8, 2008

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

Dear Mayor and Councilmembers:

Please be advised of the following filing requirements for the City of Wyandotte Elected offices for 2009.

1. Filing Date Deadline: Tuesday, December 2, 2008, no later than 4:00 p.m. in the City Clerk's office. 2. Petition signature requirements: 210 Minimum Signatures and 420 Maximum Signatures. Plus \$5.00 Filing Fee. 3. \$100.00 Filing Fee in Lieu of Petitions.

If necessary the City Primary Election will take place on Tuesday, February 24, 2009 and the General City Election will be Tuesday, May 5, 2009.

The Elective Offices are: Mayor (1) , City Clerk (1) , City Assessor (1) , City Treasurer (1) and City Councilmembers (6).

Sincerely yours,

William R. Griggs, City Clerk

September 3, 2008

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

Dear Mayor DeSana and City Council Members:

In response to the concerns of William R. Griggs, regarding curb cuts and pedestrian crossing on Northline (Ford) Road the following applies.

Two additional north-south pedestrian crossings with curb cuts and ADA ramps will be provided at:

21st Street -from southwest corner to the northeast corner.

6th Street - from the south side just east of the VFW Post 1136 driveway to the northwest corner.

The crossings will be signed as pedestrian crossings with advance and crossing signs at each location. The pavement will be painted as a crosswalk.

I have discussed this solution with Mr. Griggs.

Very truly yours,

Mark A. Kowalewski William R. Look
City Engineer Department of Legal Affairs

September 2, 2008

Mayor James R. DeSana And City Council
City of Wyandotte, Michigan

Dear Mayor DeSana and City Council:

The attached sole source estimate from Rink Systems, Inc. is to purchase six carts for the removal and storage of the current glass at Yack Arena. Rink Systems is the supplier of the new glass and board system that was installed during the 2006 Arena renovation project. By purchasing these carts, it will help our staff remove the current rink glass and store them securely without a chance of breakage. (See attached photos.)

The estimate for the six carts is not to exceed \$8,800.00. These funds are currently budgeted in the Yack Arena – Other Equipment Account ism-756-850-780-540.

Your concurrence with this request will help the current operation of the Yack Arena.

Sincerely yours,

Fred Pischke
Superintendent of Recreation

September 03, 2008

The Honorable Mayor DeSana and City Council City Hall
3131 Biddle Avenue
Wyandotte, Michigan 48192

Dear Honorable Mayor DeSana and City Council:

In response to the petition from Jean Miller, 4211 17'1' and others to vacate the alley between Marshall and Ludington and 1611' and 17th Streets the following applies:

A tabulation of the petition indicates that 64% of the abutting property owners are in favor of the vacating. The other 36% failed to sign.

There is a city sewer and municipal lines located down this alley which will have limited access if the alley was to be vacated.

There is a moratorium on alley vacations. However, vacations have been approved where access to utilities is not limited. Two properties in the affected area do not have driveways and have no room to construct driveways off the main street. One of these properties, 4297 17th, has off street parking accessible from the alley and the other, 4307 17th, has no off street parking but would need it if the house were to sell. Therefore, I recommend this request be denied.

Very truly yours,
Mark A. Kowalewski City Engineer

August 28, 2008

To: Honorable Mayor and City Council
From: Department of Legal Affairs
Re: Pending Federal Regulation to Preempt Local Zoning of Cell Towers

Dear Mayor and City Council:

It has been brought to our attention that the FCC is attempting to pass legislation to preempt local zoning of cell towers. It appears the proposed legislation is on a fast track and it is our recommendation that the city object to this legislation because it is detrimental to the City of Wyandotte. Attached is a proposed resolution for your consideration.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK
Professional Corporation
William R. Look

September 3, 2008

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

Re: Former 559 Chestnut Lot Size: 30' x 150'

Dear Mayor DeSana and Council Members:

Attached please find a Purchase Agreement to sell the former 559 Chestnut to William and Colleen Decker, the adjacent property owners at 555 Chestnut, Wyandotte, in the amount of \$3,000.00. The combination of the two (2) parcels will result in one (1) parcel measuring 60' x] SO'— In addition to purchasing the land, Mr. and Mrs. Decker will also be purchasing the existing garage on the former 559 Chestnut in the amount of \$500.00 provided a variance is granted from the Zoning Board of Appeals. If said variance is not granted the garage will be removed by the City.

If Council concurs with this sale, the attached Resolution will authorize Mayor and Clerk to execute the necessary documents.

Very truly yours,
Mark A. Kowalewski, City Engineer
Colleen A. Keehn, City Assessor

August 27, 2008

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

Dear Mayor and Council Members:

Attached please find a Purchase Agreement for the City to acquire the following property:

614 Chestnut/2747 6th Street \$25,900.00 TIFA Area Funds — Two (2) Single Family Dwellings

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

August 27, 2008

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

RE: Former 320 Pine Lot Size: 50' x 140'

Dear Mayor DeSana and Council Members:

Attached please find a Purchase Agreement to sell the above captioned property to Brian and Jenna Lukasik for \$12,000.00 for the construction of a new single family home consisting of approximately 2,200 square feet, full basement and detached garage.

If you concur with this sale, 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

September 3, 2008

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

Wyandotte, Michigan

Dear Mayor DeSana and Council Members:

The City of Wyandotte will participate in the Household Hazardous Waste (HHW) and Electronic Equipment Collection on Saturday, September 13, 2008, at the Riverview Land Preserve, corner of King and Grange Roads, between the hours of 8:30 a.m. and 1:00 p.m. Enclosed is a list of typical items that will be collected.

Very truly yours,
Mark A. Kowalewski City Engineer

August 26, 2008

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

RE: River Stone and Weedmat for New Police & Court Building

Dear Mayor DeSana and Council Members:

The following bids were solicited for the river stone and weedmat for the new police and court building:

BIDDER BID PRICE

Bakhaus Florist & Nursery, Riverview, Michigan \$3,650.00
J & R Landscaping Maintenance Inc, Wyandotte, Michigan \$4,300.00
Reliable Landscaping Inc, Canton, Michigan \$4,700.00
KLM Landscape, Romeo, Michigan \$6,002.50

The undersigned recommends the acceptance of the proposal from Bakhaus Florist & Nursery, Riverview, Michigan in the amount of \$3,650.00 as the best bid received meeting the specifications.

Very truly yours,

Mark A. Kowalewski Todd A. Drysdale
City Engineer Director of Administrative/Financial Services

August 27, 2008

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

Dear Mayor DeSana and City Council Members:

At the regular meeting on Thursday, August 21, 2008, a public hearing was conducted by the Planning Commission for the purpose of hearing arguments in favor of, or objections to, amendments to Section 2404.Q of the City of Wyandotte's Zoning Ordinance.

Attached is a copy of the resolution that was duly adopted by the Commission. If you have any questions relative to this, please do not hesitate to contact the undersigned.

Very truly yours,

Elizabeth A. Krimmel, Chairperson

Communication from the City Engineer submitting a rezoning application for 1117 Sycamore.

September 8, 2008

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 painting of the underside of the gazebo at BASF Park. The following are the proposals received:

Fine Finishing \$4,523.00
Southgate, Michigan

NuCore Group, Inc. \$5,698.00
Toledo, Ohio

Perfection Plus Painting & Decoration \$8,125.00
Brownstown, Michigan

The undersigned recommends the proposals of Fine Finishings in the amount of \$4,523.00 to be the best proposal received.

Very truly yours,

Mark A. Kowalewski, City Engineer
Todd A. Drysdale, Director of Administrative/Financial Services

AUTOMATIC REFERRAL:

1. Our Lady of Fatima's 91st Anniversary of Apparitions Rosary Rally, Saturday, October 11, 2008, 12:00 Noon, Bishop Park, Wyandotte, Michigan (COPIES TO POLICE AND FIRE)
2. Request from the Knights of Columbus to use the city streets on October 10th, 11th and 12th, 2008 for the Knights of Columbus MI Tootsie Roll Drive. (PERMISSION GRANTED) copies to Police and Fire.

REPORTS AND MINUTES AND CASH RECEIPTS

Financial Reports August 22- August 26 2008 \$16,047.36
Financial Reports September 3, 2008 - September 3, 2008
Wyandotte Cultural & Historical Commission July 10, 2008
Wyandotte Cultural & Historical Commission July 24, 2008
Wyandotte Cultural & Historical Commission August 14, 2008
Retirement Commission August 20, 2008
Beautification Commission August 12, 2008
Municipal Service Commission August 12, 2008
Zoning Board of Appeals & Adjustments August 6, 2008

CITIZEN PARTICIPATION

Bill Wilson, 2066 – 2nd, why were all the cross walks taken out along Northline? Engineer: safety issue.

RECESS

RECONVENING

ROLL CALL

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

Absent: None

HEARING

HEARING RELATIVE TO AMENDMENT # 1 TO BROWNFIELD
REDEVELOPMENT PLAN No. 9 - BASF PROPERTY AT

1609 BIDDLE AVENUE AND SUBSTATION PROPERTY
FOR WYANDOTTE MUNICIPAL SERVICES

September 3, 2008

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

RE: Amendment No. 1 to Brownfield Redevelopment Plan No. 9 – BASF Property at 1609
Biddle Avenue and Substation Property for Wyandotte Municipal Services

Dear Mayor and Council,

The Wyandotte Brownfield Redevelopment Authority ("WBRA") approved the enclosed Plan (Enclosure 1) on April 15, 2008, subject to certain conditions specified in its resolution (Enclosure 2), including the opportunity for the Mayor and Council to review and comment the Site Plan and Landscaping Plan for the project. The Wyandotte Planning Commission approved the Landscaping Plan for the project at its meeting on August 21, 2008, subject to comments from the City Engineer being incorporated into the plan. Enclosed is the Landscaping Plan as approved by the City Engineer (Enclosure 3).

To summarize, the Plan proposes to capture tax increment from two non-school millages totaling 3.4643 mills on the new BASF Joncryl Polymers Plant ("JPP") Project at 1609 Biddle. The tax increment will be used to assist Wyandotte Municipal Services (WMS) with expenses associated with constructing a new electrical substation in the area generally bounded by Alkali, Clark, McKinley and the railroad tracks. The substation will address the increasing need for electrical power from the JPP Project, as well as residential, commercial and industrial customers in the north end of Wyandotte. The brownfield tax increment captured by the Plan will be approximately \$2.2 million over 30 years, with approximately \$2.1 million allocated to WMS and \$83,000 to the WBRA's Administrative Operating Fund. The BASF Corporation will contribute \$1 million towards construction of the substation.

It should be noted that no school millages are proposed for capture under the Plan, and further, that no other local millages are proposed for capture because the Consolidated Tax Increment Finance Authority (TIFA) already captures all other available increment on property within the area. A Reimbursement Agreement between the WBRA and WMS will be prepared and presented to the Authority after approval of the Plan by the City Council.

The undersigned recommends that the Council adopt the following resolution (Enclosure 4) approving the Plan.

Very truly yours,

Todd A. Drysdale, Director of Financial and Administrative Services

No other comments.

FIRST READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XXXIV-GENERAL PROVISIONS
SECTION 2404.Q PARKING LAYOUT

RESOLUTIONS

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

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 Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from Susan Leffew and Darlene Thiede relative to receiving the 2% raise that the General Employees received is hereby referred to the Budget Committee and City Engineer for a review and report back to Council.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED
Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from Sam Darany, Owner/Operator, Wyandotte Big Boy relative dated August 27, 2008 relative to Special Assessment # 845 is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the Director of Financial and Administrative Services regarding Salem Darany's Special Assessment # 845 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that based on the recommendation of the Finance Director that no adjustment be made to Mr. Darany's special assessment balance and further, Council offers Mr. Darany the opportunity to pay the rest of his principal balance, except for those owing on his tax bill, by September 12, 2008, with no interest and penalties accruing from September 1st through September 12, 2008.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Clerk dated September 8, 2008 setting forth the filing date for City of Wyandotte elected offices for 2009 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the filing date be changed to reflect the following: Item # 1 The City of Wyandotte Primary Election filing date deadline shall be Tuesday, January 6, 2009 at 4:00 p.m. in the City Clerk's Office. AND FURTHER, all other sections of said communication shall remain the same. AND BE IT FURTHER RESOLVED that the City Clerk's Office shall forward said information to Wyandotte Cable and publish a notice in the local newspaper.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer and City Attorney dated September 3, 2008 regarding the addition of two (2) north-south pedestrian crossings with curb cuts and ADA ramps located on Northline Road at 21st Street from the southwest corner to the northeast corner and 6th Street from the south side just east of the VFW Post 1136 driveway to the northwest corner is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council CONCURS with the City Engineer and directs that the crossings be signed as pedestrian crossings with advance and crossing signs at each location with the pavement painted as a crosswalk. AND FURTHER that a copy of said resolution be forwarded to the Wayne County Engineer.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the request to purchase six (6) glass carts from Rink Systems, Inc. as set forth in the communication from the Superintendent of Recreation dated September 2, 2008 not to exceed \$8,800.00 from the Yack Arena other Equipment Account #101-756-850-780-540 is hereby APPROVED.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to DENY the petition submitted by Jean Miller, 4711-17th Street, Wyandotte to vacate the alley behind their property based on off street parking issues for numerous property owners.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that

WHEREAS, the Telecommunications Act of 1996 preserves local zoning of cell towers; and WHEREAS, there is no current crisis or problem with cell tower zoning and several hundred thousand cell towers already are in place and new ones being added every day under present legislation; and WHEREAS, the FCC recently started a proceeding at the request of the cellular industry to preempt local cell tower zoning known as WT Docket 08-165 in which the FCC proposes to implement 45 and 75 day "shot clocks" for municipalities to act on local zoning approval for cell towers with such applications automatically deemed granted if the deadlines are not met; and WHEREAS, the proposal ignores local zoning procedures such as the need to notify area residents and schedule and notice requirements for public hearings, and the fact that zoning bodies do not meet daily or weekly; and WHEREAS, complex or contentious applications may take more than 75 days to resolve, NOW THEREFORE, it is hereby resolved that the City of Wyandotte opposes the proposed action by the FCC to preempt local cell tower zoning. BE IT FURTHER resolved that a copy of this Resolution be forwarded to Senator Levin, Senator Stabenow, Congresswoman Kilpatrick, Congressman John Dingell.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council CONCURS with the communication from the City Engineer and City Assessor dated September 3, 2008 regarding the former 559 Chestnut, Wyandotte; AND BE IT FURTHER REOSLVED that Council accepts the offer from William and Colleen Decker to acquire the former 559 Chestnut in the amount of \$3,000.00. AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and City Clerk are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 614 Chestnut/2747 6th Street in the amount of \$25,900 to be appropriated from TIFA Area Funds; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and City Attorney, William R. Look, are hereby authorized to sign said documents; AND that the City Engineer is directed to DEMOLISH same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Assessor dated August 27, 2008 regarding the sale of the former 320 Pine, Wyandotte. AND BE IT FURTHER RESOLVED that the Council accepts the purchase agreement in the amount of \$12,000 for the construction of a new single family home between the City of Wyandotte, seller and Brian and Jenna Lukasik, purchasers dated August 5, 2008; AND FURTHER 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 Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer dated September 3, 2008 regarding the Household Hazardous Waste (HHW) Collection and Electronic Equipment collection scheduled for September 13, 2008 at the Riverview Land Preserve, King and Grange Roads from 8:30 a.m. to 1:00 p.m. is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the

City Engineer and Director of Financial and Administrative Services regarding the river stone for the new police and court building to accept the bid of Bakhaus Florist & Nursery, Riverview, Michigan in the amount of \$3,650.00 from account # 400-301-825-340; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the necessary documents to perform said work.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the Planning and Rehabilitation Commission dated August 27, 2008 relative to the public hearing for the purpose of hearing arguments in favor of, or objections to, amendments to Section 2404.Q of the City of Wyandotte's Zoning Ordinance is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that it hereby directs the City Engineer to issue a building permit to Virgil Maiani for the purpose of constructing a single family home at 1117 Sycamore provided the requirements of the zoning ordinance for a lot that would be zoned RA, single-family residential are met. AND BE IT FURTHER RESOLVED that the property owner has been advised that this action does not act as a rezoning of the property and rezoning procedures must still be pursued by the property owner.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the application for rezoning of 1117 Sycamore from I to RA as submitted by the City Engineer on behalf of Brad and Lori Rushlow is hereby referred to the Planning Commission for the proper public hearing.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

ROLL ATTACHED

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer and Director of Administrative and Financial Services regarding painting of the underside of the gazebo at BASF Park and accepts the proposal from Fine Finishings, Southgate, Michigan in the amount of \$4,523.00 from account # 101-448-825-482.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

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 April 15, 2008, the Wyandotte Brownfield Redevelopment Authority (WBRA) adopted Amendment No. 1 to Brownfield Redevelopment Plan No. 9 consisting of three contiguous parcels as described below, in accordance with Public Act 381 of 1996, as amended, subject to review of the Site Plan and Landscaping Plan and 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:

Parcel 1 is a 26.8-acre portion of the larger parent parcel at 1609 Biddle; Parcel 2 will consist of a public utility easement located on property owned by both BASF and the City of Wyandotte. Utility and transmission lines will utilize the public utility easement to connect the substation property (Parcel 3) to Parcel 1. Parcel 3 will consist of the property necessary to accommodate the substation project and associated improvements, and is generally bounded by Alkali, Clark, and McKinley Streets, and the railroad tracks.

WHEREAS, the Wyandotte Planning Commission approved the Landscaping Plan for the project at its meeting on August 21, 2008, subject to approval of the Plan by the City Engineer; the City Engineer subsequently approved a revised Plan and the City Council hereby accepts said Plan as approved by the Commission and the City Engineer; and

WHEREAS, the City of Wyandotte Brownfield Redevelopment Authority has submitted this Brownfield Redevelopment Plan for Site No. 9 to the affected 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 Amendment No. 1 to the Brownfield Redevelopment Plan for Site No. 9 constitutes a public purpose through the following considerations;

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 is feasible;
3. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
4. The amount of captured taxable valuable estimated by the Plan is reasonable.

BE IT FURTHER RESOLVED THAT given the above finding, the Wyandotte City Council hereby approves Amendment No. 1 to 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 Jason Ptak
Supported by Councilperson Todd Browning
YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan September 8, 2008

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the total bills and accounts in the amount of \$3,191,151.57 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Jason Ptak

Supported by Councilperson Todd Browning

That we adjourn

Carried unanimously.

Adjourned at 8:55 p.m.

September 8, 2008

William R. Griggs, City Clerk
