



Minutes - November 10th, 2008

Wyandotte, Michigan November 10, 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

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

November 5, 2008

The Honorable City Council
City of Wyandotte

Dear Colleagues:

We have already had discussions with regard to the 2009 city elections, including setting the filing date of January 6, 2009 for the 2009 Primary Election.

I am writing today to formally announce that I do not intend to seek re-election to the office of mayor for the 2009-2013 term. The mayor's position requires attendance at many events and meetings in addition to the administrative duties associated with that office. Everyone who knows me knows how much I enjoy my family, and how much I love my grandchildren. It is important to me to be present at their school and sports activities -- sometimes they need a boost from their grandpa when they lose their game or just have a bad day. I know they enjoy when I am there to do some of those little extra things.

Although I will not seek re-election to the office of mayor, there is a good possibility I will continue to be involved in city government. During my 30-plus years serving as an elected official, I have made many friends in positions at the County, State and Federal levels that I could continue to call upon for assistance so that we can carry on the progress that has already been made in our city.

I have enjoyed serving the people of this community as their mayor and appreciate the privilege to have served them in that capacity. We have continued to progress and have managed our city well during some very difficult times. Closer to the end of this term, I will present a more formal report on the progress we have made during this term of office.

Sincerely,

James R. DeSana, Mayor

November 10, 2008

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

Dear Mayor and Council members:

Please be advised of the following filing requirements for the Wyandotte School Board Trustee Elected offices for 2009:

1. Filing Date Deadline: Tuesday, February 10, 2009, no later than 4:00 p.m. in the City Clerk's Office.
2. Petition signature requirements: 40 Minimum Signatures and 100 Maximum Signatures. Plus \$5.00 Filing Fee.
3. \$100.00 Filing Fee in Lieu of Petitions.

The School Board Trustees will appear on the General City Ballot of Tuesday May 5, 2009.

The Elective Offices are: Four (4) School Board Trustees to be Elected for Terms to expire June 2013.

Sincerely yours,

William R. Griggs, City Clerk

November 6, 2008

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

Dear Mayor DeSana and City Council Members,

Effective December 27, 2007, the City Treasurer is now required under new state law to make quarterly investment reports to the City Council. More specifically, the state of Michigan amended Public Act 20 of 1943 to include Public Act 213 of 2007.

Attached for your review is the Quarterly Investment Report for the third quarter of the current calendar year. If you should have any questions, comments or concerns, please do not hesitate to contact me.

Sincerely,

Robert J. Szczechowski
Deputy Treasurer/Assistant Finance Director

October 28, 2008

The Honorable Mayor & Council City of Wyandotte
3131 Biddle Avenue
Wyandotte, Michigan 48192

Honorable Mayor and City Council,

Enclosed herewith are copies of resolutions passed by the Municipal Service Commission at its regular meeting of October 21, 2008. Resolutions are as follows:

1. Authorizes that the consolidation of the Finance and Administrative Departments of Wyandotte Municipal Services and the City of Wyandotte be completed in the next 60-90 days.
2. Authorizes the extension to the Letter of Understanding between Wyandotte Municipal Services and Century 21 for the purchase of 3005 Biddle Avenue.

Very truly yours,
City of Wyandotte
WYANDOTTE MUNICIPAL SERVICES

Melanie L. McCoy, General Manager

November 3, 2008

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

RE: Former 118 Emmons Wyandotte, MI Lot Size: 45' x 33.8'

Dear Mayor DeSana and City Council Members:

Enclosed please find a Purchase Agreement to sell the above captioned property to Carl Brandes and January Wagner, the adjacent property owner, at 141 Park Lane, Wyandotte, in the amount of \$912.00. The combination of the two (2) parcels will result in one (1) parcel measuring 72' x 181'.

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

November 5, 2008

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

Dear Mayor DeSana and City Council Members:

Enclosed for your approval is a Consent to Enter Private Property and Use for Construction Staging for the City owned property at 8th Street and Central between the City and 3-S Construction, Inc., for a three (3) month period.

The City Attorney are reviewed this Consent and approved same. The attached resolution will authorize Mayor and City Clerk to execute this agreement.

Very truly yours,
Mark A. Kowalewski City Engineer

November 3, 2008

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

Re: Former 109 Perry Place Lot Size: 45' x 100'

Dear Mayor DeSana and Council Members:

Attached please find the following Purchase Agreements:

1. To sell 28.75 feet to Billy Jo and Jeff Boley, the adjacent property owners at 103 Perry Place, Wyandotte, in the amount of \$2,875.00. The combination of the two (2) parcels will result in one (1) parcel measuring 61.25' x 100'
2. To sell 16.25 feet to John Groover and Kristie Ryan, the adjacent property owners at 121 Perry Place, Wyandotte, in the amount of \$1,625.00. The combination of the two (2) parcels will result in one (1) parcel measuring 61.25' x 100'.

If Council concurs with this sale, the attached Resolution will authorize Mayor and Clerk to execute the necessary documents and extend the closing time from November 7th to November 21st.

Very truly yours,

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

November 3, 2008

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

Re: City-Owned Property Former 226 Bondie 30' x 100'

Dear Mayor DeSana and Council Members:

Attached please find the following Purchase Agreements:

1. To sell 25 feet to Matteo and Diana Giaimo, the adjacent property owners at 218 Bondie, Wyandotte, in the amount of \$2,500.00. The combination of the two (2) parcels will result in one (1) parcel measuring 65' x 101'
2. To sell 5 feet to Kenneth Sinclair, the adjacent property owners at 230 Bondie, Wyandotte, in the amount of \$500.00. The combination of the two (2) parcels will result in one (1) parcel measuring 65' x 101'.

If Council concurs with this sale, the attached Resolution will authorize Mayor and Clerk to execute the necessary documents and extend the closing time from November 7m to November 21st.

Very truly yours,

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

November 6, 2008

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

Dear Mayor and Council Members:

Attached please find Purchase Agreements for the City to acquire the following properties:

2627 6th Street \$30,000.00 TIFA Area Funds – Single Family Dwelling
1757 2nd Street \$50,000.00 TIFA Area Funds – Single Family Dwelling
128 Riverbank \$27,000.00 TIFA Area Funds – Single Family Dwelling
237 Bondie \$51,000.00 TIFA Area Funds – Single Family Dwelling

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

November 3, 2008

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

RE: Former 2923 14th Street Lot Size: 60' x 50'

Dear Mayor DeSana and City Council Members:

Enclosed please find a Purchase Agreement to sell the above captioned property to Cara Merrill and Christopher Gazdowicz, the adjacent property owners, at 1267 Oak, Wyandotte, in the amount of \$2,100.00. The combination of the two (2) parcels will result in one (1) parcel measuring 50' x 140'.

If Council concurs with this sale, the attached Resolution will authorize Mayor and Clerk to execute the necessary documents and extend the closing time from November 7th to November 21st.

Very truly yours,

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

TO: Honorable Mayor and City Council
FROM: Department of Legal Affairs
DATE: November 6, 2008
RE: Amendment to Ordinance Concerning Dangerous Dogs

Dear Mayor and City Council:

Attached for your review is an amendment to the City Code of Ordinances pertaining to dangerous dogs. This ordinance is neutral as to dog breed and focuses upon the dog behavior. Two (2) classifications are created by the ordinance: (1) Dangerous dogs, and (2) Potentially dangerous dogs.

This ordinance was drafted after review of the existing state law, City of Farmington Hills Ordinance, information packet submitted from the American Kennel Club, and the model dangerous dog legislation from the Metropolitan Washington Council of Governments.

If the Animal Control Officer receives a complaint concerning a dangerous dog and he determines the dog to be dangerous, a recommendation is provided to the City Prosecutor who will file a summons and complaint with the Court. The dangerous dog must be surrendered to a proper dog control authority at the owner's expense until a court determination is made on the issue. This is an adoption of the current state law in Michigan. The Court can order the dog destroyed or require the owner to take certain precautionary steps to protect the public.

If a complaint is filed with the City and the Animal Control Officer deems the dog to be a potentially dangerous dog, a citation is issued and the court makes the final determination. If the court agrees the dog is potentially dangerous, the dog must be registered with the City, signage is required on the owner's property, and the dog must be maintained in a proper and secure enclosure.

If this ordinance meets your approval, it may be submitted for first reading at tonight's meeting.

Very truly yours,
LOOK, MAKOWSKI and LOOK, Professional Corporation, William R. Look

LATE ITEM
November 10, 2008
Mayor & Council, City of Wyandotte
3131 Biddle Avenue Wyandotte, MI 48192

RE: Hiring Full Time Employee to Vacant Court Position

Dear Mayor & Council:

I apologize for this late request to be added to your agenda item, as my memo of October 27, 2008, has been misrouted and never reached the Administrative Offices.

As you know my full time Civil Clerk, Judy Griggs, retired as of October 31, 2008. To fill this position I have appointed Candice Thiede who has previously worked in a part time capacity for the District Court since October 30, 2006. I am requesting that you confirm this appointment as follows:

Appointment of Candice Thiede as full time employee effective November 10, 2008, to Level Class 25, Step A at \$11.65/hour (\$24,232.00 annually). Upon satisfactory performance evaluations after each year of service, she will be entitled to progress to the next step in Class 25 as has been past practice.

Please advise me of the final status of this request. Thank you

Respectfully submitted,
Randy L. Kalmbach, 27th District Court Chief Judge

REPORTS AND MINUTES AND CASH RECEIPTS
Financial Services Daily Cash Receipts November 6, 2008
Wyandotte Cultural & Historical Commission September 29, 2008
Municipal Service Commission September 23, 2008
Plumbing Board of Appeals October 27, 2008
Southgate-Wyandotte Relief Drains Drainage Board September 26, 2008
Zoning Board of Appeals October 15, 2008

CITIZEN PARTICIPATION

Cindy Groff, 633 Vinewood, regarding information regarding ordinance and requests greater access to information on this ordinance.

Steve Schnepf, 1618 Davis, how is this ordinance different from other ordinances already on the books? Is there a need for more ordinances?

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
Absent: None

FIRST READING OF ORDINANCE

AN ORDINANCE ENTITLED
AN ORDINANCE TO RESCIND SECTION 4-28 ENTITLED "VICIOUS ANIMALS" and to
ADOPT SECTION 4-28 ENTITLED "DANGEROUS DOGS AND POTENTIALLY DANGEROUS DOGS"

HEARING

A HEARING RELATIVE TO AN OBSOLETE PROPERTY REHABILITATION EXEMPTION (OPRE) CERTIFICATE for 3033-35 BIDDLE)

November 5, 2008

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

Re: Obsolete Property Rehabilitation Exemption (OPRE) Certificate for 3033-35 Biddle

Dear Mayor and Council,

Enclosed for your information are the following: a completed OPRE application (Enclosure 1); a letter from the City Assessor (Enclosure 2); a letter from the Deputy Treasurer (Enclosure 3); and a recommendation from the City's Obsolete Property Rehabilitation Review Committee (Enclosure 4).

If a certificate is approved, the certificate would "freeze" the taxable value of the building at its pre-rehabilitation value for 12 years. Only school taxes would be assessed on all new real property improvements. New personal property would be assessed and taxed at the full taxable value and millage rate.

The undersigned recommends that the Council adopt the following resolution (Enclosure 5) approving an exemption certificate for 12 years subject to the terms and conditions included therein.

Very truly yours,
Todd A. Drysdale, Director of Financial and Administrative Services

RESOLUTIONS

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

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 Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from Mayor James R. DeSana dated November 4, 2008 relative to the upcoming City Election in 2009 is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from William R. Griggs, City Clerk dated November 10, 2008 setting forth the guidelines for filing for the upcoming School Board Trustee Election to take place on May 5, 2009 is hereby received and place on file. AND BE IT FURTHER RESOLVED that the City Clerk's Office shall publish said guidelines in the News Herald Newspaper and Cable System.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from the Deputy City Treasurer/Assistant Finance Director dated November 6, 2008 relative to the 2008 3rd Quarter Investment Report is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the General Manager of Municipal Service and the Municipal Service Commission as set forth in their communication dated October 28, 2008 to consolidate the finance and administration departments of municipal service with that of the City of Wyandotte's finance and administration. AND BE IT FURTHER RESOLVED that said consolidation shall take place within the next 60-90 days. AND FURTHER that within 30 days a complete organizational chart of the Administrative Service (Municipal Service) will be provided including the organizational chart of the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke
Supported by Councilperson Patrick Sutka
ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council hereby CONCURS with the recommendation of the General Manager of Municipal Service and the Municipal Service Commission as set forth in their communication dated October 28, 2008 to grant the request from Century 21 Riverpointe to extend the terms of the Letter of Understanding between Century 21 Riverpointe and the City of Wyandotte for the purchase of the property located at 3003-3005 Biddle Avenue to March 9, 2009. AND FURTHER that the City Attorney is to prepare said amendment and the Mayor and City Clerk are authorized to sign said amendment.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation from the City Engineer and City Assessor dated November 3, 2008, regarding the former 118 Emmons, Wyandotte; AND BE IT FURTHER RESOLVED that Council accepts the offer from Carl Brandes and January Wagner to acquire 45' x 38' feet of the former 118 Emmons in the amount of \$912.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from the City Engineer dated November 5, 2008 relative to the request from 3-S Construction, Inc. for the use of City-owned property at 8th and Central is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council grants permission for same and the Mayor and City Clerk are hereby authorized to execute the consent to Enter Private Property and Use of construction staging subject to monitoring and continued oversight of the City Engineer. AND BE IT FURTHER RESOLVED that personal property taxes shall be the responsibility of 3-S Construction and real property taxes shall be the responsibility of the City of Wyandotte. AND FURTHER that the revenue received from said agreement is to be deposited in account # 101-000-655-040.

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

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the communication from the City Engineer and City Assessor dated November 3, 2008, regarding the former 109 Perry Place, Wyandotte; AND BE IT FURTHER RESOLVED that Council accepts the offer from John Groover and Kristie Ryan to acquire 16.25' x 100' feet of the former 109 Perry Place in the amount of \$1,625.00; and BE IT FURTHER RESOLVED that Council accepts the offer from Bille Joe and Jeff Boley to acquire 28.75' x 100' feet of the former 109 Perry Place in the amount of \$2,875.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents; AND FURTHER that Council extend the closing from November 7th to November 21, 2008. AND BE IT FURTHER RESOLVED that if said closing does not occur by November 21, 2008 the cost to acquire the property will increase to \$200 per front foot.

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

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Assessor dated November 3, 2008, regarding the former 226 Bondie; AND BE IT RESOLVED that the Council accept the offer of Matteo and Diana Giaimo in the amount of \$2,500.00 AND BE IT FURTHER RESOLVED that Council accept the offer of Kenneth Sinclair in the amount of \$500.00; and that the Mayor and City Clerk are authorized to execute the necessary documents subject to the approval of the Department of Legal Affairs ; AND BE IT FURTHER RESOLVED that Council extend the closing date from November 7th to November 21, 2008. AND BE IT FURTHER RESOLVED that if said closing does not occur by November 21, 2008 the cost to acquire the property will increase to \$200 per front foot.

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

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 2627-6th Street in the amount of \$30,000.00 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 Sheri Fricke
Supported by Councilperson Patrick Sutka
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 1757-2nd Street in the amount of \$50,000.00 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 BE IT FUTHER RESOLVE 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 Sheri Fricke
Supported by Councilperson Patrick Sutka
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak, Sutka
NAYS: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 128 Riverbank in the amount of \$27,000.00 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 further 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 Sheri Fricke

Supported by Councilperson Patrick Sutka

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

NAYS: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 237 Bondie in the amount of \$51,000.00 to be appropriated from TIFA Area Funds; 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; BE IT FURTHER RESOLVED 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 Sheri Fricke

Supported by Councilperson Patrick Sutka

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

NAYS: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Assessor dated November 3, 2008, regarding the former 2923-14th Street; AND BE IT FURTHER RESOLVED that the Council accept the offer of Cara Merrill and Christopher Gazdowicz in the amount of \$2,100.00; 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; AND FURTHER that Council extends the closing date from November 7th to November 21, 2008. AND FURTHER if said closing is not executed by November 21, 2008 the cost to acquire the property will be increased to \$200 per front foot.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

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

NAYS: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from the Department of Legal Affairs dated November 6, 2008 regarding an amendment to the Dangerous Dog Ordinance is hereby received and placed on file with the First Reading to take place at tonight's meeting, November 10, 2008.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

ROLL ATTACHED

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from Judge Randy L. Kalmbach, 27th District Court Chief Judge dated November 10, 2008 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council CONCURS in the recommendation of the Judge to hire Candice Thiede as a full time employee effective November 10, 2008 as a Level Class 25, Step A at \$11.65/hour (\$24,232.00 annually). AND FURTHER that a copy of this resolution be forwarded to the Administrative Services and Finance Departments for coordination of the necessary documents to achieve same.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

YEAS: Councilmembers 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 10th day of November 2008.

RESOLUTION by Councilmember Sheri Fricke

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 August 11, 2008, the City Council by resolution established Obsolete Property Rehabilitation District No. 10 on August 11, 2008, as requested by M.L. Sawicki, LLC, and said District has been deemed an obsolete property according to PA 146; and

WHEREAS, M.L. Sawicki, 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. 10; 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, the City Council hereby receives and places on file the communications from the City Assessor and Deputy Treasurer; and

WHEREAS, before acting on said application, the City Council held a hearing on November 10, 2008, 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. 10 August 11, 2008; 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, exceeding 5% 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; 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 application of M.L. Sawicki, LLC, for an Obsolete Property Rehabilitation Act Exemption Certificate with respect to the rehabilitation of facilities located at 3033-35 Biddle Avenue within Wyandotte Obsolete Property Rehabilitation District No. 10 at, Wyandotte, Michigan, be and the same is hereby approved.
2. 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, 2008), pursuant to the provisions of P.A. 146 of 2000, as amended, and the conditions specified below.
3. 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 of the exterior and first floor of the project shall be completed no later than September 1, 2009, 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. The rehabilitation of the second floor of the project shall be completed no later than September 1, 2009, 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 second floor.

C. Since the Act has many purposes, including "improved exterior appearance of buildings" (Section 2(l))", "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 and B 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 Sheri Fricke

Supported by Councilmember Patrick Sutka

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

NAYS: None

ABSENT: None

Wyandotte, Michigan November 10, 2008

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the bills and accounts in the amount of \$1,849,319.05 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

Motion by Councilmember Sheri Fricke

Supported by Councilmember Patrick Sutka

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Sheri Fricke

Supported by Councilperson Patrick Sutka

That we adjourn

Carried unanimously.

Adjourned at 8:05 p.m.

November 10, 2008

William R. Griggs, City Clerk
