

Wyandotte, Michigan June 15, 2009

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor Joseph R. Peterson presiding.

ROLL CALL

Present: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec

Absent: None

PERSONS IN THE AUDIENCE

Tony Robinson, Representative of Carolyn Cheeks Kilpatrick, River Rouge Office, Room 203, (313) 297-6951 – office (313) 297-6952 – fax.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

June 9, 2009

The Honorable City Council City of Wyandotte
3131 Biddle Avenue
Wyandotte MI 48192

Gentlemen and Madam:

I am writing to submit the name of Mark A. Kowalewski for re-appointment as City Engineer for a two-year term ending April 18, 2011.

I am recommending that Mr. Kowalewski's annual salary remain at \$105,622.40, plus benefits identical to those provided other non-union general city employees, including any approved general salary increases. I am also recommending that Mr. Kowalewski continue to receive an annual auto allowance of \$3,000.00.

Thanking you in advance for your support of this appointment, I remain

Sincerely,

Joseph R. Peterson, Mayor

June 11, 2009

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

Dear Mayor Peterson and City Council Members,

Attached you will find an agreement regarding the voluntary retirement of an employee.

The undersigned recommends concurring with the retirement provisions as outlined in the attachment.

Sincerely,

Todd A. Drysdale

Director of Financial & Administrative Services

June 9, 2009

The Honorable Mayor Joseph R. Peterson And City Council
City Hall, Wyandotte, Michigan

Dear Mayor Peterson and City Council Members:

This letter is in response to the communication from Al and Ann Allotta, 569 Vinewood, regarding the City owned property located at 2627 6th Street the following applies. This property is a nonconforming use which the City has been trying to eliminate. The lot size is 50' x 63.35'. Therefore, it is the recommendation of the undersigned that the property be demolished and the vacant property be sold to Mr. and Mrs. Allotta. If the Allotta's desire additional storage they could building a new garage on this property once acquired from the City.

Very truly yours,

Mark A. Kowalewski, City Engineer

June 11, 2009

The Honorable Mayor Joseph R. Peterson and City Council
City Hall, Wyandotte, Michigan

Dear Mayor and Council Members:

Attached please find Purchase Agreement for the City to acquire the following property: 80 Chestnut - \$25,000.00 - 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

June 11, 2009

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

Dear Mayor Peterson and City Council Members,

The Wayne County Board of Public Works has submitted the sewage disposal rates effective July 1, 2009, for approval by the Wayne County Commission. The proposed rates represent an increase of 2.59% from the prior year's rate.

In order to meet current City obligations, the following sewage rate per million gallons is being recommended:

Operation and Maintenance	\$1,468.71
Debt Service	639.11
Replacement	256.29
Meter Loss	139.39
Collection Cost	<u>50.50</u>
Total	<u><u>\$2,554.00</u></u>

The proposed sewage rate includes a 5.00% rate increase over the current sewage rate of \$2,432.00/million gallons. The rate increase is primarily necessitated by increased debt service requirements relating to the approved capital improvement projects at the treatment facility. The total estimated increase in the county sewage rate is 18.53% over the next three (3) years. Note that the Sewage Disposal Fund does not receive any subsidy from other City funds for infrastructure improvements. Including this proposed rate increase, the average annual rate increase since 1997 is 4.81%.

Please note on Attachment B that the increase in sewage rate is estimated to cost the average homeowner \$.98 per month or \$11.71 per year. The proposed sewage rate would continue to place the City of Wyandotte as the second lowest sewage rate out of the thirteen communities that utilize the Wyandotte Wastewater Treatment Plant (Attachment C). Also, enclosed on Attachment D is the conversion calculation from million cubic feet to million gallons.

If there are any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,
Robert J. Szczechowski, Deputy Treasurer/Assistant Finance Director

June 11, 2009

The Honorable Mayor Joseph R. Peterson And City Council
City Hall, Wyandotte, Michigan

Dear Mayor Peterson and City Council Members:

The City of Wyandotte was successful in acquiring a \$40,000 grant for asbestos abatement from Downriver Community Conference, Downriver Area Brownfield Consortium (DABC), as a sub-grantee for the asbestos abatement at 81 Chestnut. Since the cost to remove the asbestos was under the grant amount, the undersigned has requested and the DABC has authorized the City to use the remaining funds to remove the asbestos at 3139-3149 Biddle.

One of the requirements for the use of these funds is to allow public input on the project. Therefore, attached is a Resolution scheduling a public hearing for July 20, 2009, to hear comments on the removal of asbestos materials at 3139-3149 Biddle, Wyandotte.

Very truly yours,
Mark A. Kowalewski City Engineer

June 10, 2009

The Honorable Mayor Joseph R. Peterson And City Council, City Hall

RE: Brownfield Redevelopment Plan No. 13 — Wyandotte Arts Center, 81 Chestnut

Dear Mayor and Council:

The enclosed resolution sets Monday, June 29, 2009, as the public hearing date to consider approval of a Brownfield Redevelopment Plan for the project in accordance with the Brownfield Redevelopment Financing Act, Act 381 of 1996, as amended. The Plan is currently being prepared, and will be considered by the Wyandotte Brownfield Redevelopment Authority (WBRA) at their meeting to be held on Tuesday, June 23. The WBRA will review the Plan and submit their recommendation to the Mayor and Council for consideration at the time of the public hearing.

If the Mayor and Council approve the Brownfield Plan, the project will be eligible to apply for a Brownfield Redevelopment Michigan Business Tax (MBT) Credit for up to 20% of the eligible investment expenses, which generally includes all eligible "hard" construction costs. The Brownfield Plan won't include any tax increment capture, and won't create any financial impact to the City or any local taxing jurisdiction. Approval of the Brownfield Plan is part of several steps necessary to qualify the project for various tax incentives available at the local, state and federal level, e.g., the Obsolete Property Rehabilitation Act, the MBT Credit, and a 20% federal historic preservation tax credit.

The undersigned recommends that the Mayor and Council adopt the following resolution authorizing the undersigned and the City Clerk to complete the procedural items necessary to consider adopting the Plan.

Sincerely,
Todd A. Drysdale, Director of Finance and Administration

REPORTS AND MINUTES:

Fire Fighter's Civil Service Commission	May 20, 2009
Downriver Brownfield Consortium	February 11, 2009
Downriver Brownfield Consortium	May 13, 2009
Zoning Board of Appeals & Adjustment	June 3, 2009

AUTOMATIC REFERRAL:

1. St. Patrick's Youth Group requesting permission to use the city-owned parking lot located at First Street and Chestnut for a fundraising event on the Fourth of July and on June 26, 2009 for the Fireworks. (PERMISSION GRANTED) Copies forwarded to Police, Fire, Engineer, DPS.

CITIZEN PARTICIPATION

Ted Miciura, 997 Sycamore, objects to reduction of mileage for Engineer from \$3000 to \$1000. Regarding concrete sidewalk program – what qualifications does Greg Meyring have? Why do city contractors not have to pull a permit when I have to? Unable to compete. Cracks are being marked, why? Feels concrete is below par.

Don Schultz, 534 Vinewood, objects to reduction in Engineer's car allowance

Frank Tyrybon, 3145 – 22nd, invitation to City music event on third Friday at Wyandotte Theater grounds.

Joseph Voszatka, 3166 Van Alstyne, objects to reduction in Engineer's mileage.

RECESSRECONVENINGROLL CALL

Present: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec

Absent: None

HEARINGS

**HEARING RELATIVE TO AN ESTABLISHMENT OF A
NEIGHBORHOOD ENTERPRISE ZONE
IN THE DOWNTOWN AREA**

June 8, 2009

The Honorable Joseph R. Peterson, Mayor And City Council Members
City Hall

Re: Neighborhood Enterprise Zone #8 (NEZ) for the Downtown Area

Dear Mayor and Council:

In accordance with a Council resolution adopted on May 18, 2009, and the Neighborhood Enterprise Zone (NEZ) Act, Public Act 146 of 1992, as amended, a public hearing has been scheduled on June 15, 2009. Enclosed is the following information regarding the establishment of the NEZ.

1. A table indicating the total acreage of each existing NEZ and proposed NEZ #8.
2. A preliminary map of the NEZ area. Generally, the new area will be the same as the boundaries of the Downtown Development Authority's Development Area, but some small areas will be excluded because they are already located in a NEZ, e.g., the condominium projects at Oak & Second and at Biddle & Orchard. Additionally, some areas outside of but abutting the DDA area may be included. A finalized map will be provided at the Council Meeting on August 3, 2009.
3. Detailed information on the NEZ program, including background information, types of eligible projects, tax advantages of the program, and application materials.
4. A proposed resolution for your consideration referring all comments and communications to the Director of Finance and Administration and the consultant for a review and report for the Council meeting on August 3, 2009, when a resolution may be adopted designating the creation of the NEZ.

In a separate communication from the City Assessor, the amount of the true cash value of property located within the proposed NEZ will be provided, as required by the NEZ Act.

The undersigned recommends that the Council proceed with establishing a NEZ for the downtown area. If you concur with this recommendation, the appropriate resolution is enclosed.

Sincerely,

Todd A. Drysdale
Director of Finance and Administration

June 11, 2009

Honorable Mayor Joseph R. Peterson and City Council Members
3131 Biddle Avenue, Wyandotte, MI 48192

Dear Mayor Peterson and City Council Members:

Please find the attached list of properties located within the proposed Downtown Neighborhood Enterprise Zone. This report is in compliance with Michigan Compiled Law 207.773 (Public Act 147 of 1992) Section 3 (4) requiring the assessor to determine and furnish to the local government unit the amount of true cash value of the property located within the proposed Neighborhood Enterprise Zone.

True Cash Value Zone #8 (Downtown) 107,369,800

Please feel free to contact the undersigned if you have any additional questions or concerns.

Sincerely,

Colleen A. Keehn, City Assessor

RESOLUTIONS

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

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 with amendment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
ROLL ATTACHED

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby CONCURS in the recommendation as set forth by Mayor Peterson in his communication dated June 9, 2009 to re-appoint Mark A. Kowalewski as the City Engineer for a two-year term ending April 18, 2011. AND BE IT FURTHER RESOLVED that Mr. Kowalewski's annual salary will be \$105,622.40, and further that he shall receive benefits identical to those provided other non-union general city employees, including any approved general salary increases and allow gas mileage at the rate that the IRS establishes for travel allowances; plus an annual allowance of \$1,000 to cover in town travel expenses and to submit mileage for out of town City business travel.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilmembers Browning, DeSana, Galeski, Sabuda
NAYS: Councilmembers Fricke, Stec

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby CONCURS in the recommendation as set forth by the Director of Financial and Administrative Services in his communication dated June 11, 2009 to grant the retirement of Kathleen Trudell, City employee adhering to the separation of employment agreement, full and final release waiver and discharge of claims. AND BE IT FURTHER RESOLVED that Mayor and Council thanks Kathleen for her many years of dedicated service to the City of Wyandotte.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby CONCURS with the recommendation of the City Engineer as set forth in his communication dated June 9, 2009, regarding the city-owned property at 2627-6th Street.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 80 Chestnut in the amount of \$25,000.00 to 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 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 Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilman Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the Council concurs in the recommendation of the Deputy Treasurer/Assistant Finance Director and that effective July 1, 2009, the Department of Municipal Service is directed to increase the billing for sewage disposal charges by 5.00% to \$2,554.00 per million gallons of water consumed. This will provide the City with the necessary funds for the following purposes:

- To pay the City of Wyandotte's share of operation and maintenance of the sewage disposal system
- To pay the County of Wayne's sewage charges on a monthly basis
- To pay for the replacement of equipment of the sewage disposal system
- To cover the loss of revenue due to the difference between the City's master meter and customer's meters
- To pay for debt service

The moneys collected, except for the collection costs of \$50.50 per million gallons of water consumed which will be retained by the Municipal Service Commission, shall be placed in the appropriate fund to be used for the above stated purposes and any balance that may accrue shall be retained therein to provide for emergencies, contingencies, and extraordinary events.

IT IS FURTHER RESOLVED that in accordance with Ordinance 802 Article III, Section Five, all customers of the City of Wyandotte's Wastewater System shall receive annual notification and breakdown of the new sewage rate and the Municipal Service Department is hereby directed to print said sewage rate breakdown on all water bills on an annual basis.

IT IS FURTHER RESOLVED that the Department of Legal Affairs be directed to prepare the necessary Ordinance Amendments if necessary.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Daniel Galeski

YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec

NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the City Engineer regarding grant funds from the Downriver Community Conference, Downriver Area Brownfield Consortium Revolving Loan Fund Program for the U.S. Environmental Protection Agency is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council will hold the required public hearing on July 20, 2009 at 7:00 p.m. in the City Council Chambers, 3131 Biddle Avenue for the purpose of reviewing Asbestos Abatement Survey at 3139-3149 Biddle and hear comments on the asbestos abatement. AND BE IT FURTHER RESOLVED that the City Clerk is directed to publish notice of said public hearing in the News Herald.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Daniel Galeski

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda, Stec

NAYS: None

RESOLUTION TO HOLD A PUBLIC HEARING TO CONSIDER A
BROWNFIELD PLAN & PROVIDE NOTICE

Wyandotte, Michigan June 15, 2009

RESOLUTION BY COUNCILPERSON Leonard Sabuda

At a regular session of the City Council of the City of Wyandotte.

WHEREAS on August 26, 1997, the City Council of the City of Wyandotte adopted a resolution creating a Brownfield Redevelopment Authority and establishing a Brownfield Redevelopment Zone that encompasses the boundaries of the City pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended (Act 381); and

WHEREAS the Brownfield Redevelopment Authority will present to the City Council a Brownfield Redevelopment Plan (the "Plan") for Site No. 13 in accordance with Public Act 381 of 1996, as amended, consisting of property at 81 Chestnut; and

WHEREAS before acting upon said Plan the City Council is required, in accordance with Section 13 (10) of Act 381, as amended, to provide to the public a reasonable opportunity to express their views and recommendations regarding the Plan at a public hearing or in writing; and

WHEREAS it is the desire of the City Council that such a hearing shall be held on the 29th day of June 2009, at 7:00 p.m. in the Wyandotte City Hall Council Chambers at 3131 Biddle Avenue, Wyandotte, Michigan.

NOW THEREFORE, BE IT RESOLVED THAT the City Clerk shall cause notice of such hearing to be published twice in a newspaper of general circulation in the City, not less than 10 or more than 40 days before said hearing; and

BE IT FURTHER RESOLVED THAT at said hearing interested persons shall have the opportunity to be heard relative to the Brownfield Redevelopment Plan.

I move the adoption of the foregoing Resolution.

Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby resolves that on this 15th day of June, 2009 a public hearing was held pursuant to Act No. 147 of the Public Acts of 1992, as amended, to consider the establishment of Neighborhood Enterprise Zone (NEZ) No. 8. Generally, the area of the proposed NEZ will be the same as the boundaries of the Downtown Development Authority's Development Area, but some small areas will be excluded because they are already located in a NEZ, e.g., the condominium projects at Oak & Second and at Biddle & Orchard. Additionally, some areas outside of but abutting the DDA area may be included. A finalized map will be provided at the Council Meeting on August 3, 2009.

RESOLVED FURTHER that all comments and communications are hereby referred to the Director of Finance and Administration and the consultant for a review and report for the Council meeting scheduled for Monday, August 3, 2009, at which time the Mayor and Council may consider a resolution designating said NEZ.

I move the adoption of the foregoing preamble and resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Daniel Galeski
YEAS: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan June 15, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the total bills and accounts in the amount of \$1,530,539.24 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Daniel Galeski

YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda, Stec

NAYS: None

ADJOURNMENT

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Daniel Galeski

That we adjourn

Carried unanimously.

Adjourned at 8:30 p.m.

June 15, 2009

William R. Griggs, City Clerk