

Wyandotte, Michigan November 9, 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

UNFINISHED BUSINESS:

RESOLVED by the City Council that the communication from Natalie Kelly, 108 Goddard relative to the purchase of adjacent property is hereby referred to the City Engineer for a review and report back in two weeks.

COMMUNICATIONS MISCELLANEOUS

Mr. Mayor & Council

I am a 57 year old partially disabled man due to a leg injury and 13 back surgeries.

I use the recycle center quite frequently and mostly in the morning hours. I use 2 canes to walk so carrying my recycle to each station is a pretty hard chore at times.

The reason for this letter is during the morning the attendant (Sue) gets to my truck to help before I can get out of it. Even if she is helping someone else she always makes it over to assist me. However, I have on occasions had to go later in the evening and have had no help. On October 27th at 5:30 pm I sat waiting a few minutes for help but no one came out. It took me @ 20 minutes to do my recycling (not easy with my canes), & during that time still no one came out. Do you not have evening help? If not, I guess I'll go in the mornings, where I know I'll have assistance.

Sue is a great help to not only me, but I have seen her helping a lot of older residents that also need assistance. Thank you.

Edward Kropog Jr., 1439 – 13th
(734) 250-4902

If you have any questions this is my cell phone #. Feel free to call me at any time.

Edward J. Kropog Jr.

Nov 5, 2009

To Mayor Peterson and City Council

It is our hopes the Mayor and City Council will act on the idea of contacting the railroad to purchase the property between Orchard and Forest Streets at the dead-end to continue the beam and the pine trees as this would greatly help us in blocking the noise from Cadon Plating and the railroad and also would improve the neighborhood.

Thank you,

David and Martha Beaudrie
3800 9th
Wyandotte, MI 48192

Dear Mr. Mayor and City Council Members,

My name is James F. Kilander and I live at 435 Oak St. Regarding the letters sent on September 18th and September 25th 2009 about my driveway. I am happy to tell you all is well. The following day work began to solve this problem. The old approach was cut out and a new one poured.

I started using my driveway again after six months of construction. Its very nice to safely come and go as I please and not have to fight traffic, or other people not giving me the space I need. It is now wide enough.

I would like to thank the Mayor and the other Council Members who saw the problem and acted accordingly, to solve it. Mr. Stec especially.

As far as Mr. Kowalewski's comment that he didn't believe everything that was stated in the letters, Mr. Kowalewski should look at both sides of a story and not make decisions without all the facts being looked at. Stop the negativity.

For the first time in my life, I finally believe in the power of the Mayor and Council and would like to thank you all for getting involved. Without your input my driveway would still be unusable, you did me a superb service. So once again, thank you for your support and action on this matter.

Sincerely, Mr. and Mrs. James F. Kilander

October 28, 2009

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

Dear Mayor and Council:

On Thursday, July 16, 2009 we met with the Planning Commission on behalf of RE/MAX On The Blvd., concerning an approval request for a pole sign at our new business at 1200 Ford Avenue.

We have our own monument sign in storage. It originally cost \$4500 and was,-, at our office on Grosse Ile. Our only other option is to reconfigure this sign and place it on the north side of our beautiful brick building. We would still need a sign on the south side which is where the fireplace is located. This would add additional light to the secluded side of 12th Street in a residential neighborhood. In addition, mounting a sign on the brick portion of our building, which looks more like a home than a business, will make the building look less appealing and we cannot bring ourselves to damage the brick and run electrical along the walls. This will completely change the character of the building.

Our sign company had reviewed the ordinances concerning our request and it appeared we qualified for a pole sign because there were no other alternatives to provide us with east/west signage exposure for our company.

Our request was denied on July 16, 2009 – stating that the ordinance allows for pole signs when a ground sign cannot be erected due to building location or other site constraints (copy attached).

At the meeting, the members basically stated that they did not want anymore pole signs and it was up to their discretion.

We are requesting the Mayor and Council override the decision of the Planning Commission and allow us to mount our sign properly within the ordinance, since we have no other option and there is no room for a ground sign.

Thank you for your consideration.

Sincerely, Robert and Jane Denning, Owners, 734-571-2100

William R. Baud
3310 3rd St.
Wyandotte, MI

Dear Mayor Peterson & City Council:

In regards to the property at 80 Chestnut St. which will be used as the parking lot for the artist's residence in the refurbished Masonic hall I hereby request common council to add to their agenda my proposal that any construction and landscaping for that lot take into account the need to save the maple tree that sits on the easement in front of 80 Chestnut.

Respectfully yours, William Baud
williamr@wyan.org

PERSONS IN THE AUDIENCE

Mr. Thomas, 1615 Lindbergh, regarding replacement of flag at Cedar & Fort Streets.

Teri Skolasinski, 219 Superior, regarding power surge of October 28, 2009, and had the following read into the record:

Monday, November 9th

Dear Mayor and Council:

On the morning of October 28th a Municipal Service pole fell in the alley between Superior and Chestnut and 2nd and 3rd Streets. The pole was rotted at the base and when it fell those connected to the electric line pole on the block experienced a very large surge of power. We also had a horrific smell of burning wiring, smoke, sparking of electrical appliances and computers, breaking light bulbs, and a delay of power for a short time.

I'm not here to blame the Council but I believe there is not another MS meeting until November 17th, although the MS Website has not had their agenda and minutes undated since August 1

Because most of the neighbors affected by this surge of power all have individual private insurance companies there is much stress trying to repair or replace things lost in our homes. This includes having to file a claim for something that did not involve a maintenance problem within our private homes and also having to pay our deductibles. Some neighbors have \$2,500 deductibles higher than the amount of their losses and therefore can't even file a private insurance claim.

I have compiled a list of concerns from some of my neighbors and the list is as follows:

Television	13	Light bulbs	70
HVAC	6	Stereo amp	3
Dishwasher	3	Stove/Oven	3
Microwave	5	Refrig	4
Coffee maker	1	Fax	1
Phone	7	Dehumidifier	1
Computers	8	Hot Tub motor	1
Clock/radio	13	Garage opener	1
DVDNCR	12	Printers	4
CD player	2	Baby monitor	1

Some of my neighbors have been told by MS employees that their fee will be waived to reinstall a new computer, they will be paid to fix their TV at A&P Electronics, an adjustor would be coming around the neighborhood, and the incident was being investigated by MS and their insurance representatives. Some have been told by the Mayor they will receive \$500 for their deductible and where did that \$500 number come from? None of this has been communicated in writing. None of this has been consistent information. And not everyone has had contact with MS with the exception of a card left in their door, by Jerry Kupser the day of the incident.

As of today it has been 13 days since all this happened and in most cases the neighbors have no idea what to do next. I had my furnace fixed by Gee and Missler and purchased a new telephone and have been reimbursed by my insurance company for those items. I personally paid \$125 for a private electrical inspection of my home because the strong smell of burning wiring and smoke tells me I could have additional electrical problems due to this surge that are not evident right now....like AC problems. I still have to look into getting my TV/DVD, stove, and computer repaired or replaced.

Many of my neighbors are senior citizens who have paid for insurance all their homeowner lives and this process is very overwhelming to them. In today's economic times many of the neighbors cannot pay to repair their broken items or deal with their deductibles, and some have even been told their insurance company would not take their claim and to call MS.

Other neighbors are very concerned about damage to their wiring behind the walls of their homes that could endanger their families in the future. Many are frustrated that this incident was not handled faster and with better results than it has to this point.

ALL OF US are very thankful that no fire resulted that would have damaged several homes if that pole fell a different way or if some of those sparks had started a fire in a basement of a neighbor that was not home to monitor their situation.

Our homes are close together and speaking for myself and the neighbors on my block, we sincerely hope this information will not be received and placed on file and that and we as a close group will get some help from this Mayor and Council to answer our questions_ and resolve our concerns.

THANK YOU!!!!!!

Teri Skolasinski
219 Superior 283-1698

November 5, 2009

James and Terri Skolasinski
219 Superior St.
Wyandotte MI 48192-5036

RE: Date of Accident: 10-28-09
Our Client: Wyandotte Municipal Services
Our Claim #: WYO 09000005-02

Dear Mr. and Mrs. Skolasinski:

The ASU Group-Risk Management is the claim administrator for The City of Wyandotte Municipal Services. I am in receipt of information regarding a claim for damage as a result of a power outage.

We have conducted an investigation into the claim. The investigation also includes a review of the Governmental Immunity statutes for the State of Michigan.

The City of Wyandotte Municipal Services is subject to Governmental Immunity statutes that state that governmental entities are immune from liability, with the exception of certain types of accidents. The Statutory Exceptions to Immunity are as follows: The Highway Exception, The Motor Vehicle Exception, The Public Building Exception, The Public Hospital Exception, The Proprietary Function Exception and Sewage Disposal Systems Event.

The facts of your accident do not fit within any of the exceptions to governmental immunity. For that reason, we are unable to further assist you with your claim.

Please feel free to contact me if you have any further questions or need for clarification. Thank you.

Sincerely,
Sue Owens, Sr. Claim Examiner
Risk Management
866-283-0783

Dennis Bargowski, 213, 215, 217 Superior, regarding surge that was so strong that it knocked out appliances.

Alfred & Caroline Lawrence, 263 Superior, regarding power surge.

Robert Benson, 404 Vinewood, regarding power surge

Rebecca Brovage, 247 Superior, regarding power surge.

Larry Tavernier, 125 Vinewood, regarding Wayne County lead program.

William Baud, 3310 – 3rd, regarding preservation of tree in front of 80 Chestnut.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

October 29, 2009

Mayor and City Councilmembers 3131 Biddle Avenue
Wyandotte, Michigan 48192

Dear Mayor and City Councilmembers:

In reference to Council resolution of October 5, 2009 relative to Mr. Chapin's request to increase the number of amusement devices, in conjunction with a Class C Liquor Licensed establishment at 3530 Biddle Avenue, and bypass the requirements of the Arcade Ordinance of the City of Wyandotte.

The undersigned concurs with the recommendation of the Chief of Police that we do not amend the Arcade Ordinance for the above request but utilize Sec 3-93 of the Wyandotte Code of Ordinance to allow the Chief of Police to determine the number of amusement devices in establishments not licensed as an Arcade; subject to same obtaining the required licenses from the office of the City Clerk.

I further recommend we charge no additional fees other than that set forth above.

Sincerely yours,

William R. Griggs, City Clerk

November 3, 2009

Mayor and City Council City of Wyandotte
3131 Biddle Avenue Wyandotte, MI 48192

Dear Honorable Mayor and City Council Members:

SUBJECT: TRAFFIC CONTROL ORDER 2009-008

After review, the Traffic Bureau recommends the installation of a "Handicap Parking" sign at 2803 Tenth St., Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Sergeant Pouliot, this letter serves as a recommendation for Council support of Traffic Control Order 2009-8 as specified on said order.

If there are any additional questions, please feel free to contact my office at extension 4424.

Sincerely,

Daniel J. Grant, Chief of Police

November 4, 2009

Honorable Mayor Joseph Peterson And City Council
City of Wyandotte
Michigan

Dear Mayor Peterson and Council Members:

Please find attached contracts, hold harmless agreements, general conditions and insurance certificates for the following events scheduled at the Benjamin F. Yack Recreation Center:

Roosevelt High School Commencement - June 17, 2010

Your approval is appreciated.

Sincerely yours,
Fred Pischke
Superintendent of Recreation

November 2, 2009

Mayor and City Council City of Wyandotte
3131 Biddle Avenue Wyandotte, MI 48192

Dear Mayor and City Council,

I would like for you all to review the copy of the viaduct maintenance agreement from the Wyandotte Public Schools and to authorize Mayor Joseph R. Peterson to ratify the presented agreement between the City of Wyandotte Downtown Development Authority and the Wyandotte Public Schools.

Respectfully,

Brandon E. Wescott

November 3, 2009

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

Dear Mayor Peterson and City Council Members:

Attached please find a Service Agreement between the City of Wyandotte and AmeriScan Imaging Services in the amount of \$3,838.50. This Service Agreement is for the scanning equipment in the Engineering and Building Department. The attached Resolution will authorize the undersigned to enter into said Agreement.

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

November 3, 2009

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

Dear Mayor Peterson and City Council Members:

At the regular meeting on Thursday, October 15, 2009, the Commission discussed the following changes to Sections the Zoning Ordinance:

1. Amending Article XXII - Section 2200 Special Land Uses – S. Outdoor Café. This change will regulate signs for outdoor cafes.
2. Adding Article XXVIII A - Conditional Rezoning. This ordinance would allow property owners to seek conditional rezoning of their property.
3. Amending Article II – Definitions Section 201 Specific Terms. This will define wind energy system.
4. Article XXII – Section 2202 Special Land Uses - JJ. Wind Energy Systems. This ordinance will regulate wind energy systems.

These proposed amendments are enclosed for your consideration. If you concur with these amendments the attached Resolution will refer them to the City Attorney for proper form and to the Planning Commission for the required public hearing.

Very truly yours,
Elizabeth A. Krimmel Chairperson

November 2, 2009

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

Dear Mayor Peterson and Council Members:

In response to the Council Resolution dated October 26, 2009 regarding the property at 80 Chestnut the following applies. Attached for your approval are the proposed Rules for selecting a broker, selling the property, and property information for the property at 80 Chestnut, Wyandotte. Also attached is a list of Wyandotte-based Realtors

If you concur with these Rules, I recommend the attached proposed Resolution be approved.

Very truly yours,
Mark A. Kowalewski City Engineer

REPORTS AND MINUTES:

Wyandotte Cultural and Historical Commission	October 7, 2009
Fire Commission Meeting	October 20, 2009
Police Commission Meeting	October 20, 2009
Municipal Service Commission	September 22, 2009
Zoning Board of Appeals and Adjustments	October 21, 2009

CITIZEN PARTICIPATION

None

RECESSRECONVENINGROLL CALL

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

Absent: None

FINAL READING OF ORDINANCES

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE CODE OF ORDINANCE
OF THE CITY OF WYANDOTTE BY AMENDING SEC. 19-5 "INSPECTION OF
RESIDENTIAL DWELLING PRIOR TO SALE OR TRANSFER"

Section 1. Amendment of Sec. 19-5 entitled "Inspection of Residential Dwelling Prior to Sale or Transfer".

Sec. 19-5. Inspection of residential dwellings prior to sale or transfer.

(a) Definitions.

1. Dwelling. A residential structure and accessory uses located in the City of Wyandotte. A rental dwelling as defined in Chapter 31.1 of the Code of Ordinances which has a current certificate of compliance issued to it is not included in this definition.
2. Accessory use. Garage, shed, pools, gazebo, pigeon coop, doghouses, playhouses, or similar uses.
3. Transfer. The sale or conveyance of title to another for consideration, or the execution of a land contract, or the exercise of an option to purchase a dwelling. A conveyance by lease, gift, devise, or lien foreclosure are not included in this definition.
4. Certificate of approval. A certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Wyandotte for residential dwellings.
5. Certificate of occupancy. A certificate issued by the department of engineering and building in accordance with the provisions of the Wyandotte Zoning Ordinance for an approved use or occupancy.
6. Person. Any individual, partnership, corporation or other legal entity.

(b) Certificate of approval required. It shall be unlawful for any person to transfer a dwelling or for any person to act as a broker for the transfer of a dwelling which does not have a current certificate of approval issued for said dwelling except as otherwise allowed by this section.

(c) Issuance of a certificate of approval.

(1) The department of engineering and building shall issue a certificate of approval only after it has inspected the dwelling and finds that the dwelling meets the requirements of all of the applicable codes and ordinances of the City of Wyandotte. An inspection report shall be completed by the inspector after completing the inspection of the property. The report shall note all violations found in the dwelling. Before a certificate of approval is issued all violations must be corrected and approved. The inspection report shall be valid for one (1) year from the date of inspection. In lieu of correcting all violations before occupancy, except as outlined in subsection 19-5(e), the amount of money estimated to correct said violations may be placed in escrow with the department of engineering and building as outlined in subsection 19-5(g). Upon re-inspection and approval of the correction of all violations, a Certificate of Approval will be issued and remain valid for a five (5) year period at which time a new inspection and certificate of approval will be required for the subsequent sale or transfer of the property provided that conditions of Sec. 19-5(c)(3) are not applicable. The five (5) year period shall commence no later than the expiration date of the inspection report or six (6) months from the date of the affidavit assuming correction of the violations, whichever is later.

(2) New dwellings. A residential dwelling which has never been occupied will be issued a certificate of approval upon final inspection of the new construction work. The certificate of approval shall be valid for five (5) years of issuance.

(3) Notwithstanding any other provision of this ordinance, a new inspection and a new certificate of approval shall be required for any transfer or sale if the property becomes vacant, or is the subject of foreclosure proceedings, or is the subject of a police report regarding vandalism, breaking and entering or open structure, or is determined to be a dangerous building by the engineer in accordance with the City of Wyandotte Property Maintenance Code.

(d) Disclaimer of liability by City. A certificate of approval is not a warranty or guarantee that there are no defects in the dwelling and the City of Wyandotte shall not be held responsible for defects not noted in the inspection report.

This inspection of the land use, exterior posture and interior accessories of the structure is limited to visual inspection only. The City of Wyandotte does not guarantee or approve by inference any latent, structural, or mechanical defects thereto, or such other items that are not apparent by such visual inspection.

The City shall not assume any liability to any person by reason of the inspections required by this section or the code adopted herein or the issuance of a certificate of approval or a certificate of occupancy.

(e) Dangerous conditions. Should the department of engineering and building, upon inspection, determine that there are conditions which constitute an imminent danger to health and safety, it may order the conditions to be remedied and may limit or prohibit occupancy where appropriate.

(f) Registration and fees. Any person that is going to transfer a dwelling must register with the department of engineering and building for the purpose of setting up an inspection of the dwelling. The fee for the registration and inspection shall be in the amount of one hundred eighty dollars (\$180.00) for a one-family dwelling and two hundred seventy dollars (\$270.00) for a two-family dwelling.

(g) Assumption of violations. The buyer of a residential dwelling may assume the responsibility for correcting the violations noted on the inspection checklist through the following procedure: (a) there shall be placed in escrow with the department of engineering and building an amount of money approximately equal to that required to complete the repairs; (b) the buyer shall execute a notarized affidavit, provided by the department of engineering and building, stating their intent to assume the responsibility of correcting these violations completely within six (6) months of the date of the affidavit, or on or before the inspection report expiration date, whichever is later.

The money held in escrow may not be claimed by the buyer/owner until all violations are corrected and the final inspection of the checklist is approved as complete. However, the department of engineering and building may elect to refund portions of the escrow money to the buyer upon inspections which indicate that a significant portion of the violations noted on the inspection checklist have been corrected, provided the repairs and inspections are scheduled within the specified period. If all the violations are not corrected and approved within the specified period, occupancy may be prohibited and in addition, any and all costs that the city may incur in overseeing the file for that particular property while enforcing the city ordinance concerning inspection of residential dwellings shall be deducted from the escrow amount, including but not limited to any and all costs involved in bringing legal proceedings to enforce the ordinance. An extension beyond the specified period may be granted by the city engineer in those instances when the weather conditions are such that it would be impractical (as determined by the city engineer) to bring the property into compliance. A written request for an extension must be submitted to the city prior to the expiration of the specified period setting forth what violations have been corrected to date and what items cannot be corrected due to the weather. If the city engineer determines that the party making the request has been diligent in correcting the violations and that the weather makes it impractical to complete all repairs, an extension may be granted.

Commencing January 1, 2003 (beginning with the oldest files by date and then proceeding forward), a written notice shall be sent to the last known address to the persons who provided the escrow (and to the buyer of the home if the buyer did not deposit the escrow) if the corrections have not been made within a six-year period of the date of affidavit. The notice shall require the buyer to submit to the department of engineering and building a violation correction schedule within one (1) month of notice. The schedule shall not exceed six (6) months in length and shall include the time necessary to make sure all required permits are obtained to complete the repairs and notify the city to conduct a final inspection. The notice shall contain a provision that if the buyer does not: (1) Submit a schedule within (1) month to the city setting forth the repair schedule, or (2) complete all required repairs and arrange a final inspection by the city within six (6) months of the date of the notice, all funds deposited in escrow shall be forfeited to the city. If the required schedule is not submitted or if the work is not completed within the submitted scheduled time frame, the owner of the property shall be issued a ticket. Nothing in this section prohibits the city from commencing legal proceedings against a violator of this ordinance sooner than the above stated six-year period.

(h) Penalty. Any person who shall fail to obtain a certificate of approval as required by this section, or who shall fail to correct any violations within the time required by this section, or who shall violate any of the terms of this section shall be responsible for a municipal civil infraction punishable by a fine of not more than five hundred dollars (\$500.00) for each violation. The penalties imposed by this section shall not limit any other statutory or common law right or action that any person or entity may have.

Section 2. Severability

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent necessary to give this Ordinance full force and effect.

Section 3. Effective date

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and this ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption.

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

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

NAYS: None

ABSENT: None

I hereby approve the adoption of the foregoing ordinance this 9th day of November, 2009.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the 9th day of November, 2009.

Dated November 9, 2009

JOSEPH R. PETERSON, Mayor
WILLIAM R. GRIGGS, City Clerk

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES OF THE CITY OF WYANDOTTE BY AMENDING SEC. 31.1-11
"CERTIFICATE OF COMPLIANCE"

Section 1. Amendment of Sec. 31.1-11 entitled "Certificate of Compliance"

Sec. 31.1-11 Certificate of compliance required.

No person shall lease, rent or cause to be occupied a rental dwelling or rental unit unless there is a valid certificate of compliance issued by the department of engineering and building in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The certificate shall be displayed in a conspicuous place in each rental dwelling and rental unit at all times or in a common area shared by all occupants of a rental dwelling and rental unit. The certificate shall be issued after making application with the building department and an inspection by the code enforcement inspectors to determine that each rental dwelling and rental unit complies with the provisions of the codes and ordinances of the City of Wyandotte. An inspection report shall be completed by the inspectors after completing the inspection of the property. The report shall note all violations found in the dwelling.

Before a certificate of compliance is issued all violations must be corrected and approved. In lieu of correcting all violations before occupancy, except a dangerous condition, the amount of money estimated to correct said violations may be placed in escrow with the department of engineering and building. The escrow funds will be released only after all violations are corrected. Said violations shall be corrected within six (6) months of occupancy. If said violations are not corrected within six (6) months, occupancy may be prohibited.

A certificate of compliance is valid for a period of five (5) years from its date of issuance if issued within six (6) months of the date of the inspection report, provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred. If the violations are corrected more than six (6) months of the date of the inspection report, then the certificate of compliance will be valid for a period of five (5) years and six (6) months from the date of the inspection report. For a new rental dwelling a certificate of compliance shall be issued simultaneously with the certificate of occupancy, and shall remain valid for five (5) years provided that the rental dwelling and rental units remain in compliance with all the applicable codes and ordinances and are not sold or transferred. When the rental dwelling or rental units are going to be sold or transferred, a new inspection and a new certificate of compliance shall be required. The inspection fees will follow the same guidelines as stated in section 31.1-12(b). The city engineer may revoke a certificate of compliance for a violation of any code, ordinance or rule or regulation of the city. The certificate of compliance must be renewed every five (5) years at the department of engineering and building. Any existing certificate of compliance that contains an expiration date prior to the adoption of this ordinance shall remain in effect until the expiration date provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances, are not sold or transferred within five (5) years of the expiration date of the current certificate of compliance, and provided that the property is not vacant or subject to foreclosure proceedings, or is the subject of a police report regarding vandalism, breaking and entering or open structure, or is determined to be a dangerous building by the engineer in accordance with the City of Wyandotte Property Maintenance Code.

Section 2. Severability

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent necessary to give this Ordinance full force and effect.

Section 3. Effective date

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and this ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption.

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

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

NAYS: None

ABSENT: None

I hereby approve the adoption of the foregoing ordinance this 9th day of November, 2009.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the 9th day of November, 2009.

Dated November 9, 2009

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

RESOLUTIONS

Wyandotte, Michigan November 9, 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 without objection.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda

Supported by Councilperson Daniel Galeski

ROLL ATTACHED

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from Natalie Kelly, 108 Goddard relative to the purchase of adjacent property is hereby held in abeyance for three weeks.

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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from Terri Skolasinski of 219 Superior and other neighbors concerning damage caused by the downed electrical pole in the vicinity of Superior and Chestnut Streets (between 2nd and 3rd) is referred to Melanie McCoy and Jerry Kupser for a review and report back to the City Council and Mayor's Office within one (1) week. BE IT FURTHER RESOLVED that the Department of Municipal Service is directed to have an employee immediately determine all residents who were affected by this incident and to immediately contact these residents to determine the damages caused and to investigate whether any danger exists to the residents affected.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from Edward J. Kropog Jr., 1439-13th relative to the staff assistance at the recycling center is hereby referred to the City Engineer and Superintendent of Public Service for notification to their employees of said complaint.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from David and Martha Beaudrie, 3800-9th regarding the extension of the berm in their neighborhood is hereby referred to the City Engineer for a review and report back in three (3) months. (February 9, 2010).

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from Mr. and Mrs. James F. Kilander, 435 Oak regarding the construction on Oak Street is hereby received and placed on file with copies forwarded to the Engineering Department.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from Robert and Jane Denning, owners RE/MAX On The Boulevard regarding their appeal for placement of a pole sign on their business is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Leonard Sabuda
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from William Baud, 3310-3rd regarding the preservation of the Maple tree that sits on the easement in front of 80 Chestnut is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer is encouraged to attempt to preserve said tree if it does not impede future development.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communications from the City Clerk, Chief of Police and Legal Department relative to the request from Jackalope's Bar and Grill, 3530 Biddle requesting a variance to the Arcade Ordinance is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council CONCURS in the Police Chief and City Clerk's recommendation to grant said variance to Jackalope's Bar and Grill, 3530 Biddle Avenue, Wyandotte and also to monitor and grant variances to Class C Liquor Licensed establishments on a case by case basis.

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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the Chief of Police as set forth in his communication dated November 3, 2009 for the placement of "Handicap Parking" signs at 2803-10th Street, Wyandotte, Michigan and hereby directs the Department of Public Service to install same.

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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that Council hereby APPROVES the Benjamin F. Yack Recreation Center rental contract for the Roosevelt High School Commencement, June 17, 2010 as submitting by the Superintendent of Recreation and hereby authorized the Mayor and City Clerk to sign said contract on behalf of 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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the Wyandotte Downtown Development Authority dated November 2, 2009 regarding the viaduct maintenance agreement between the Wyandotte Public Schools and the City of Wyandotte Downtown Development Authority is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council authorizes the Mayor to execute the agreement including all conditions contained within on behalf of 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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the City Engineer and Director of Administrative and Financial Services regarding the Service Agreement for the scanning equipment in the Engineering and Building Department is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Service Agreement in the amount of \$3,838.50 to be funded from account # 101-440-750.210.

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 November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the communication from the Planning Commission regarding the adoption of Wyandotte Zoning Ordinance amendments is hereby received and placed on file. AND BE IT FURTHER RESOLVED that said amendments be referred to the City Attorney for proper format and that said amendments be referred back to the Planning Commission for the required public hearing.

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 November 9, 2009

RESOLUTION by Councilperson Daniel Galeski

RESOLVED by the City Council that Council hereby CONCURS with the recommendation of the City Engineer as set forth in his communication dated November 2, 2009 to solicit bids from eligible Wyandotte-based Realtors for the sale of the city-owned property at 80 Chestnut, Wyandotte and approves the Rules to Solicit said Realtors as submitted.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Daniel Galeski

Supported by Councilperson Todd Browning

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

NAYS: Councilman Sabuda

Wyandotte, Michigan November 9, 2009

RESOLUTION by Councilperson Leonard Sabuda

RESOLVED by the City Council that the total bills and accounts in the amount of \$1,656,815.72 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 9:15 p.m.

November 9, 2009

Maria Johnson, Deputy City Clerk