

Wyandotte, Michigan October 18, 2010

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, Sabuda, Stec

Absent: Councilperson Galeski

COMMUNICATIONS MISCELLANEOUS

October 6, 2010

Mayor Joseph Peterson
City of Wyandotte
3131 Biddle Avenue Wyandotte, MI 48192

RE: Zoning Board of Appeals

Dear Mayor Peterson,

Please accept this letter as my resignation and request for replacement as a member on the Zoning Board of Appeals. This is not an easy decision as I truly enjoy serving on the Board and giving back to my community with my time and talents. However, due to economic conditions I have been forced to work out of town on a fairly continuous basis since last spring and I have been unable to consistently attend the meetings, which is not fair to the other members of the Board, the City of Wyandotte or the petitioners bringing Appeals before the board.

I sincerely hope that I can have to opportunity to serve again in some capacity in the future when work allows me to be in the City on a consistent basis again. Thank you again for the opportunities that the City of Wyandotte has offered to me.

Sincerely,
VIA E-MAIL
David N. Lapp
351 Plum
Wyandotte, MI 48192

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

October 14, 2010

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

Gentlemen and Madam:

I am writing to request your concurrence in the appointment of Michael J. Flachsmann, 1139 - 16th Street, Wyandotte MI 48192 to the Zoning Board of Appeals and Adjustment. Mr. Flachsmann will fill the position created by the resignation of David Lapp. His term will expire May 2011.

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

Sincerely,
Joseph R. Peterson, Mayor

October 14, 2010

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

Dear Mayor Peterson and City Council Members:

On August 25, 2010, sealed bids were opened and read out loud in the Council Chambers for File #4519 - Solid Waste Collection Program for a Seven (7) Year period. The City Engineer provided a summary of the bids and recommendation at the September 16, 2010, Council Meeting. The City Council conducted work study sessions on September 27th and October 4th to receive public comment, allow for further review of proposals and compare expenditures to revenue over the seven (7) years of the proposed contract.

Based on the above deliberation, the undersigned recommend that Waste Management of Michigan, Inc., be awarded the contract. Attached is a summary of the three (3) bidders including any clarifications to the bids. Further, this recommendation will necessitate future annual 12% increases for the next three (3) years to the dumpster rates.

Very truly yours,

Joseph R. Peterson, Mayor

Mark A. Kowalewski, City Engineer

October 14, 2010

The Honorable Mayor Peterson and Council Members
City Hall, Wyandotte, Michigan

Dear Mayor and Council Members:

On October 6, 2010, proposals were opened and read aloud in the City of Wyandotte City Hall for File #4518 - Soil Remediation Gas Vapor Barrier Installation Lot 6 Labadie Park & Adjoining Second Street ROW. A tabulation of the proposals is as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
High Tech Industrial Services, Inc. Ypsilanti, Michigan	\$157,700.00
Homrich Incorporated Carleton, Michigan	\$194,300.00

The soil remediation and gas vapor barrier installation costs will be paid from Response Activities #7 Account #231-107-825-040.

The undersigned recommends acceptance of the proposal from High Tech Industrial Services, Inc., Ypsilanti, Michigan, in the amount of \$157,700.00 as being the best bid received meeting specifications.

This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the development of property.

Very truly yours,

Mark A. Kowalewski, City Engineer

October 14, 2010

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

Dear Mayor and City Council Members:

To be in compliance with Michigan State Housing Development Authority (MSHDA) Office of Community Development (OCD) Compliant Procedures, Conflict Resolution and Mediation Procedures for Applicants, Recipients, and Contractors of OCD Grantees; Policy Bulletin #3 for Neighborhood Stabilization Program (NSP), I recommend the following designates be approved by City Council:

Program Administrator - City Engineer, Mark A. Kowalewski
Chief Executive Officer (CEO) - Mayor, Joseph R. Peterson
Review Committee - Norm Walker, Todd Drysdale, Don Schultz

The attached Resolution will provide for the adoption of this policy and appointment of these individuals.

Very truly yours,
Mark A. Kowalewski, City Engineer

October 11, 2010

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

Dear Mayor Peterson and City Council Members:

A requirement of the City of Wyandotte to receive Federal Grants such as Neighborhood Stabilization Program (NSP) Funds or Community Development Block Grant (CDBG) Funds is to have a Fair Housing Policy. Enclosed is a proposed policy for Wyandotte. The Fair Housing contact person would be the City Attorney.

I recommend the City Council adopt this Policy.

Very truly yours,
Mark A. Kowalewski, City Engineer

October 13, 2010

The Honorable Mayor Joseph R. Peterson 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:

2298 Cora	\$30,000.00	TIFA Area Funds - Single Family Dwelling
1818 Biddle Avenue	\$40,000.00	TIFA Area Funds - Commercial Building

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

LATE ITEM

October 12, 2010

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

Subject: Pension payments

Dear Mayor and Council:

I regret having to write this letter, as I feel it should not have been necessary. However, I must appeal to your sense of fairness as it relates to my pension with the City of Wyandotte, for which I am fully vested and am to receive payments beginning at age 55, which was July 12, 2006. I worked for the City for many years and feel that I did a good job. My pension is part of my compensation for my service. My last day of service was 9/17/93. I requested that my pension begin at age 55 and it was approved as such on 10/26/93. Please see attached approved retirement form indicating same as signed by Mr. Dave Sabuda, City Finance Director, and the respective Actuary.

My wife and I were counting on my pension and expected it to be there when we needed to access it. The amount owed to us is a serious amount of accumulated funds we were relying on. I was told by the City Administration that I was all set and would my pension would begin starting at age 55. However, we were shocked when we were told by Mr. Todd Drysdale that my pension funds would not be paid to me from my eligible date of 55 years old, and I would only receive payments going forward, because I did not submit another letter. To deny me my benefits, Mr. Drysdale referenced a line in an ordinance regarding a letter being submitted to begin the payments (copy attached). However, nowhere does it state that you will be denied your cumulative benefits owed to you, and this was never told to me by anyone. To have something like this happen to us at this stage in life is unbelievable. I have not asked for anything other than my accumulated funds as approved in my pension payment agreement form from my eligible date of July 12, 2006. Larger payments for later deferrals, as in Social Security and other pension plans, are typical. I did not request any larger payments or any accrued interest earned on my funds, etc., just the accumulated monthly payment amount I am to receive and provided for in my retirement agreement documents.

What on earth would be the motive for doing this? In all my years of public service, I have never experienced anything like this and would not have allowed it to occur when I had the authority to do so. I refuse to believe that Wyandotte would create an ordinance with the intent to deny someone their owed compensation over some letter. Such behavior is beyond reason and any sense of fairness. If an eligible retiree became debilitated, or had a fire that destroyed records, or were lost in transit during relocation, or some other unforeseen interruption in life, then are they to be denied portions of their pension because they didn't write a letter? I do not believe the City's intent is to create an ordinance with an "I gotcha" tactic to withhold or deny pension payments to a retiring employee.

Before I began working for the City of Wyandotte, I served in the military for four years with two terms in Viet Nam from 1969-1971. As a result of being exposed to conditions in the northern quadrant at that time (I served in-country at Qua Viet on the Dong Ha River in the Quang Tri province), I developed serious health issues in recent years and went through a grueling year of chemo therapy and other treatments. Knowing about writing a letter to Mr. Drysdale, after so many years later, was the last thing I would be thinking of. However, this, among other things, created considerable disruption in our lives, and now, when need it most; my accumulated pension funds are being denied to us. The aggravation we now have to go through to receive what is rightfully owed us is quite disheartening.

Again, I appeal to your sense of fairness and justice in this matter Honorable Mayor and City Council, in helping me receive the pension funds owed to me as indicated by the City approved retirement effective date in the attached retirement agreement .

Thank you for your time and kind assistance in this matter.

With every good wish and highest regards, I remain,

Very truly yours,

Chet L. Hunt, 1548 Botsford Drive
 Knoxville, TN 37922

REPORTS AND MINUTES

Financial Services Daily Cash Receipts	October 11, 2010
Building Code Board of Appeals	October 11, 2010
Wyandotte Recreation Commission	October 12, 2010

CITIZEN PARTICIPATION

K. Kendall, Republic, regarding October 13, 2010 letter to Council. Republic is lowest bid and we have provided good service, we have agreed to make adjustments. Why has Council not agreed to select the Republic bid?

R. Custer, 505 Pine, in bad accident. Wyandotte Police did a great job. Phones for overseas vets are being accepted at Post #74 on Oak Street.

RECESS

RECONVENING

ROLL CALL

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

Absent: Councilpersons Galeski

RESOLUTIONS

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

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 James R. DeSana
Supported by Councilperson Lawrence S. Stec
ROLL ATTACHED

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council hereby accepts the resignation of David N. Lapp from the Zoning Board of Appeals and Adjustments with regret. AND BE IT FURTHER RESOLVED that Council thanks Mr. Lapp for his many years of service.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
ROLL ATTACHED

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council hereby CONCURS in the recommendation as set forth by Mayor Peterson in his communication dated October 14, 2010 to appoint Michael J. Flachsmann, 1139-16th Street to the Zoning Board of Appeals and Adjustments, term to expire May 2011.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from the Mayor and City Engineer dated October 14, 2010 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the Solid Waste Collection Program as described in said communication and bid specifications are hereby approved as submitted and a contract with Waste Management of Michigan, Inc. shall be entered into with the City of Wyandotte for a period of seven (7) years in the amount of \$7,543,757.34 from account # 290-448-825-830-470. AND BE IT FURTHER RESOLVED that the bid bonds be returned to the unsuccessful bidder by the City Clerk and all bid checks be returned to the unsuccessful bidder by the City Treasurer.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Stec
NAYS: Councilman Sabuda

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer to accept the proposal from High Tech Industrial Services, Inc. Ypsilanti, Michigan, for File # 4518-Soil Remediation Gas Vapor Barrier Installation Lot 6 Labadie Park & Adjoining Second Street ROW, in the amount of \$157,700.00 as being the best bid received meeting specifications, and that the soil remediation and gas vapor barrier installation costs will be paid from Response Activities # 7 Account # 231-107-825-040. FURTHER this recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the development of property. FURTHER that all bid bonds be returned to the unsuccessful bidders.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from the City Engineer regarding the Michigan State Housing Development Authority (MSHDA) Office of Community Development (OCD) Compliant Procedures, Conflict Resolution and Mediation Procedures for Applicants, Recipients, and Contractors of OCD Grantees; Policy Bulletin # 3 for Neighborhood Stabilization Program (NSP is hereby adopted by the City of Wyandotte, AND BE IT FURTHER RESOLVED that Council appoints Mark A. Kowalewski, City Engineer as the Program Administrator; Joseph R. Peterson, Mayor as Chief Executive Officer, Norm Walker, Todd Drysdale and Don Schultz as the Review Committee.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from the City Engineer regarding a Fair Housing Policy is hereby adopted as recommended; AND BE IT FURTHER RESOLVED that the City Attorney, William R. Look, is hereby appointed the Fair Housing contact person on behalf of the City of Wyandotte; AND BE IT RESOLVED that should a contractor, applicant, tenant or resident have a fair housing complaint they are advised to contact the City Attorney.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 2298 Cora in the amount of \$30,000.00 to be appropriated from TIFA Area Funds; AND BE IT RESOLVED that the Department of Legal Affairs, William R. Look is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the purchase agreement 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 James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 1818 Biddle Avenue in the amount of \$40,000.00 to be appropriated from TIFA Area Funds; AND BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the purchase agreement; 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 James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from Chet L. Hunt, 1548 Botsford Drive, Knoxville, TN. 37922 relative to his pension is hereby referred to the Director of Financial and Administrative Services and Department of Legal Affairs for a review and report back in three (3) weeks.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the City Engineer has expressed a desire to meet in closed session to discuss acquisition and/or lease of real property and the Department of Legal Affairs has expressed a desire to meet in closed session to discuss pending litigation. Now, therefore, be it resolved that this Body will meet in closed session immediately following the regularly scheduled Council meeting for the above stated purposes only.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec
NAYS: None

Wyandotte, Michigan October 18, 2010

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the total bills and accounts in the amount of \$4,304,928.94 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson James R. DeSana

Supported by Councilperson Lawrence S. Stec

That we adjourn.

Carried unanimously.

Adjourned at 7:40 p.m.

October 18, 2010

William R. Griggs, City Clerk