

Wyandotte, Michigan November 22, 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, Galeski, Sabuda, Stec

Absent: None

COMMUNICATIONS – MISCELLANEOUS

November 18<sup>th</sup>, 2010

Mayor and City Council:

My name is Courtney Smith and I'm the manager of the ATT store on the corner of Fort and Oak Street. I am writing this letter in hopes to get permission to put ground flags on the outside of the building. Two flags on the Fort Street side and two on the Oak Street side. Flags would be 8 foot high and put out in every morning and taken down at the end of every day. We are a new business to the area and need as much exposure as possible. Please call me with any questions.

Thank you  
Courtney Smith, 734.250.1599, 734.324.8888  
2901 Fort

Dear Honorable Mayor & City Council of Wyandotte,

I am Scott Galeski a lifetime resident of the City of Wyandotte and have recently took up the hobby of independent film making. Independent films are low budget out of pocket projects that appeal to a unique crowd of movie goers. Upon completion of a film, it is entered into various film festivals throughout the country for competition. My films are in itself unique due to the used of local citizens as actors that are film on location throughout Downriver. Some of our actors have gained opportunities to work professionally with main stream films and TV shows as extras to include Detroit 187 and work with Steven Segul.

My first film "The Tank" has been chosen as Official Selection in (8) different film festivals, with (6) awards nominations and (2) awards.

I am requesting permission for the use of the Wyandotte Police Department's, Jail Cells, booking area, interview room and class room for our next project "The Tank II. This project will be at no expense to the city of Wyandotte, the Police Department or its citizens. The project will not effect the daily operations of the Police Department. The entire project will be supervised by myself and other Officers that will be involved with the project. We would like to shoot the film in the spring of 2011. Exact dates can not be given at this time due to scheduling the film shoot on days that will not affect the Department's operations. We estimate a total of (1 6) hours to complete the project divided into different days. All requested hold harmless agreements will be completed by all involved.

I have personally spoke with Chief Grant who stated he had no issues with the project and agreed it could be done on days that would not affect department operations. Attached is a response from Mr. Look acknowledging our armature status and that we should seek approval from the city council. Also attached is a draft of our hold harmless agreement that can and will be altered at your request.

The entire film industry has brought a positive light to the state of Michigan and our fine city. I would appreciate your support in this artistic endeavor.

Respectfully & Sincerely,  
Scott Galeski, 2011 Oak Street, Wyandotte, MI 48192  
November 11, 2010

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

November 11, 2010

Honorable Mayor and City Councilmembers 3131 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor and City Councilmembers:

The action taken by the Wyandotte Board of Education to close Taft School, at 891 Goddard requires the undersigned to change the voting location of Precincts Four (4) and Five (5) to the Veterans of Foreign Wars Post 1136, 633 Ford Avenue, effective immediately.

All future elections will require registered voters in Precinct Four (4) and Five (5) to utilize the VFW for voting purposes. In addition, all registered voters in Precinct Four (4) and Five (5) will receive notification of said change along with a new registration card.

The undersigned request you concur in said recommendation.

Sincerely yours,  
ELECTION COMMISSION  
William R. Griggs, City Clerk  
Colleen A. Keehn, City Assessor  
William R. Look, City Attorney

November 18th, 2010

Mayor & City Council  
3131 Biddle Ave.  
Wyandotte, MI 48192

Dear Mayor & City Council,

I would like to take this opportunity to let the public know that the Wyandotte Downtown Development Authority will be attending Main Street Training in Howell, Michigan on December 1st, 2010. If anyone would like copies of the information materials at this training, please contact Brandon Wescott of the Wyandotte DDA at 734 324 4506 or bwescott@wyan.org.

Sincerely,  
Brandon E. Wescott  
Director, Downtown Development Authority

November 18th, 2010  
Mayor & City Council, 3131 Biddle Ave.  
Wyandotte, MI 48192

Dear Mayor & City Council,

I would like to take this opportunity to let the public know that the re-dedication of the Wyandotte Totem Pole will take place at 4:30 PM on Monday December 6th, 2010 at the Southwest Corner of Biddle and Eureka. There will be a reception following at the Wyandotte Arts Center (81 Chestnut) and if anyone is interested in attending the reception, please RSVP by December 1st, 2010 to Brandon Wescott, Wyandotte Downtown Development Authority, 734 324 4506 or bwescott@wyan.org.

Sincerely,  
Brandon E. Wescott, Director, Downtown Development Authority

Tuesday, November 16, 2010

Mayor & City Council City of Wyandotte 3131 Biddle Ave.  
Wyandotte, MI, 48192

Honorable Mayor and City Council Members;

Please consider approving the attached contracts relative to the Wyandotte Museums event: A Victorian Holiday Evening.

The Victorian Holiday Evening is a Signature Event of the Wyandotte Museums - a part of our year long Heritage Event Series. For this particular evening, the Wyandotte Museums Campus will be featured Saturday, December 11th for a special Christmas celebration. Guest will enjoy live harp music, a visit with Santa in a Christmas Wonderland, wassail and cookies - all in the authentically decorated Ford-MacNichol Home. In the Yard, children of all ages can see Santa's live reindeer and treat themselves to roasted chestnuts while listening to our strolling Victorian carolers and three-piece brass ensemble. Then, following the lantern lit sidewalk, guests will get a glance inside our newest building, the 1908 Burns Home, where they can festively decorate gingerbread men cookies with icing and candy. Finishing up the evening at the Marx Home, interactive musical storytelling make this memorable family experience.

A fun family event for all ages, tickets are now on sale at the Wyandotte Museums Office, 2624 Biddle Avenue. We are offering two program start times: 6:00 PM and 7:00 PM, and tickets are priced at \$10 for Adults, and \$5 for children 12 and under.

The two contracts attached are for the musical entertainment featured at the event. We are pleased to say that both of these contract fees have been fully covered by the gracious support of Daly Merritt Inc., and Southgate Lincoln Mercury.

I invite all members of Council to join us the evening of December 11<sup>th</sup> in support of Wyandotte Museums programming, and at the November 19<sup>th</sup> Tree Lighting. We look forward to seeing you!

Should you have any questions, please do not hesitate to contact me and thank you for your support of Wyandotte Cultural Programs.

Thank you very much,  
Jody Chansuolme

November 11, 2010

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

Dear Honorable Mayor and City Council Members:

SUBJECT: TRAFFIC CONTROL ORDER 2010-10

After review, the Traffic Bureau recommends the installation of "Handicap Parking" signs at 357 Superior, 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 2010-10 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 16, 2010

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

Dear Mayor Peterson and City Council Members:

Attached please find a quote from Cascade Engineering of Grand Rapids, Michigan to purchase 144 - 96 gallon toters at the price of \$41.79 per container for a total of \$6,017.76. These containers will be black with the City of Wyandotte logo stamped on the container. The containers will be leased to Wyandotte property owners for \$48.00 for a two (2) year period.

Cascade Engineering is extending to the City of Wyandotte the same pricing per container based on a bid received by the City of Dearborn. Cascade Engineering is the only Michigan based-cart manufacturer.

The undersigned recommends the acceptance of the proposal from Cascade Engineering of Grand Rapids, Michigan.

Very truly yours,  
Mark A. Kowalewski, City Engineer

November 17, 2010

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:

425 Cherry \$23,000.00 T1FA Area Funds - Two (2) 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.

\*Purchase Agreement on File in the City Clerk's Office.

Very truly yours,  
Mark A. Kowalewski, City Engineer

November 17, 2010

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

Dear Mayor Peterson and City Council Members:

Enclosed is a Code of Conduct and Conflict of Interest Policy for Receipt of Federal or State Funds. Adoption of this policy will assure compliance regarding the receipt of Federal Funds by the City of Wyandotte. These funds include the Neighborhood Stabilization Program (NSP1), (NSP2) and well as the Community Development Block Grant (CDBG) Funds.

We recommend said policy be adopted.

Very truly yours,  
Mark S. Kowalewski, City Engineer  
William R. Look, City Attorney

November 16, 2010

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

RE: 3421 13th Street Wyandotte, Michigan

Dear Mayor Peterson and Council Members:

On July 30, 2010, a Show Cause Hearing was held in the Engineering Office presided over by the undersigned regarding the condition of the property at 3421 13th Street. The Hearing was reconvened November 15, 2010. Attached are the minutes of said hearings.

It was determined by the undersigned that since the property has been vacant, dilapidated and deteriorated and that the cost to repair the structures would exceed 50% of the State Equalized Value, the structures should be demolished. Therefore in accordance with Section PM-107.6 Filing of findings, I request that your Honorable Body set a hearing to show cause why the building should not be demolished to code in accordance with Section PM-107.7 Council Action, of the Wyandotte Property Maintenance Code.

Very truly yours,  
Lou Parker, Hearing Officer

LATE ITEMS

November 19, 2010

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

Dear Mayor Peterson and Council Members:

In order to clear up legal descriptions for the Labadie Redevelopment Project a portion of an alley must be vacated.

Therefore, it is the recommendation of the undersigned that the street vacation be granted with a utility easement reserved and recorded. The Department of Legal Affairs has prepared the necessary resolution for setting a hearing of necessity for the street vacation and the reserving of an easement.

Very truly yours,

Mark A. Kowalewski, City Engineer

November 19, 2010

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

Dear Mayor Peterson and Council Members:

In order for Labadie Street from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street to become completely a private street in the Labadie Redevelopment Project a portion of the street must be vacated.

Therefore, it is the recommendation of the undersigned that the street vacation be granted with a utility easement reserved and recorded. The Department of Legal Affairs has prepared the necessary resolution for setting a hearing of necessity for the street vacation and the reserving of an easement.

Very truly yours,

Mark A. Kowalewski, City Engineer

REPORTS AND MINUTES

Financial Services Daily Cash Receipts	November 9-16, 2010
Retirement Commission Meeting	November 17, 2010
Downtown Development Authority	November 10, 2010
Wyandotte Cultural & Historical Commission	October 14, 2010
Police Commission Meeting	November 11, 2010
Beautification Commission Meeting	October 13, 2010
Fire Commission Meeting	November 11, 2010
Fire Commission Meeting	October 28, 2010

CITIZEN PARTICIPATION

Lynn Steffensky, WBA, informed Council of additional activities in effect for Holidays, trolley rides, etc.

RECESSRECONVENINGROLL CALL

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

Absent: None

FINAL READING OF ORDINANCES

AN ORDINANCE ENTITLED  
AN ORDINANCE TO AMEND CHAPTER 7 BUILDINGS AND BUILDING  
REGULATIONS ARTICLE III. MECHANICAL CODE, SECTION M-113.3 FEE SCHEDULE  
OF THE CITY OF WYANDOTTE CODE OF ORDINANCES

CITY OF WYANDOTTE ORDAINS:

Section 1.

Article III. Mechanical Code, Sec. 7-33 Amendments, Section M-1 13.3 Fee Schedule is hereby amended to read as follows:

Section M-113.3 Fee schedule. Add the following:

Installation of Geothermal Well	200.00
Each Bore Per Property Location	75.00

Section 2.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 3.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

## Section 4.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

## Section 5.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and 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, Sabuda, Stec

NAYS: Councilperson Galeski

ABSENT:

I hereby approve the adoption of the foregoing Ordinance this 22<sup>nd</sup> day of November, 2010.

## CERTIFICATION

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 City Council of the City of Wyandotte, at a regular session on Monday, 22<sup>ND</sup> day of November, 2010.

William R. Griggs, City Clerk

Joseph R. Peterson, Mayor

AN ORDINANCE ENTITLED  
AN ORDINANCE TO ADD CHAPTER 9.1 GEOTHERMAL TO THE CITY OF  
WYANDOTTE CODE OF ORDINANCES

## CITY OF WYANDOTTE ORDAINS:

## Section 1.

That the City Code of Ordinances be hereby amended by adding Section 9.1 for the installation of geothermal systems.

## ARTICLE I. GENERAL

## Sec. 9.1-1. Short title.

This chapter shall be known as the Wyandotte Geothermal Ordinance.

## Sec. 9.1-2. Definitions.

For the purpose of this chapter, the following terms shall have the meaning given herein:

Administration fees and charges shall mean reasonable reimbursement to the city for all services rendered by the various city departments and employees to the geothermal system and all reasonable direct and indirect costs and expenses the city may incur as a result of the installation, operation, maintenance, administration, and/or use of the geothermal system, including, but not limited to, costs of police and fire protection, use of streets, payment in lieu of taxes.

City is the City of Wyandotte.

Geothermal system shall mean all the pipes, valves, headers, and other equipment and material, required for the purpose of constructing a vertical heat exchanger (VHE), or ground source heat pump loop system, installed in the city right-of-way for the purpose of providing a renewable source of energy for heating and cooling systems in residential, commercial and industrial buildings.

Private geothermal system shall mean all the pipes, valves, headers, and other equipment and material, required for the purpose of constructing a vertical heat exchanger (VHE), or ground source heat pump loop system, installed on private property for the purpose of providing a renewable source of energy for heating and cooling systems in residential, commercial and industrial buildings.

Installation charge shall mean the amount to be charged to a customer for the installation of and connection to the geothermal system.

Department shall mean the department of municipal service of the City of Wyandotte.

Operator of such system shall mean the department of municipal service of the City of Wyandotte, or the Geothermal Utility designated by the department of municipal service.

Person shall mean any individual, person, firm, partnership, association, corporation, company, or organization of any kind.

Sec. 9.1-3. System to be controlled by the department of municipal service.

The department of municipal service, or its designated Geothermal Utility, is charged and entrusted with the construction, management, supervision and control of the geothermal system constructed in the city right-of-way to be owned by the city. The municipal service commission shall make and enforce all necessary specifications, rules and regulations for the construction and operation of the geothermal system, including the setting of guidelines and requirements to authorize a person to install a geothermal system.

Sec. 9.1-4. Rates and charges; fixing and collecting.

The municipal service commission shall, from time to time, fix and cause to be assessed the reasonable monthly rates and such installation charge as may be fixed, to be paid by the customer to the geothermal system. The commission may make, subject to the approval of council, and enforce all necessary rules and regulations for the collection of the monthly geothermal rates. The rates shall be promptly collected by and paid to the commission and all moneys so received shall be turned over when and as collected, to the city treasurer on daily balances and the city treasurer shall give duplicate receipts therefore, one of which shall be filed with the city clerk.

Sec. 9.1-5. Disposition of funds.

The money paid into the city treasury by the municipal service commission shall be deposited in a separate account and applied on the payment of administrative fees and charges, and costs and expenses incurred by the geothermal system. The customer rates and installation charges determined by the commission shall be sufficient to pay the operating, administrative and maintenance costs, charges and expenses of the geothermal system.

Sec. 9.1-6. Accounts and reports.

The commission shall make quarterly reports to the council which reports shall embrace an itemized statement of all the revenues and expenditures relating to or connected with the geothermal system and an accurate list of all customer rates. This statement shall be certified by the commission, entered into record by the city clerk and published in such a manner as the council may direct. The commission shall also make such other reports as the council may, from time to time, require. The council shall cause all the accounts and records of the commission to be audited at least once a year and at such other times as it shall see fit.

Sec. 9.1-7. Civil liability.

This chapter shall not be construed to relieve from or lessen the responsibility of any party owning, operating, controlling or installing any geothermal system in the city right-of-way for damages to persons or property caused by any defect therein nor shall the city be held as assuming any such liability by reason of the specifications or inspection authorized herein or permit issued as herein provided. Should any section, subdivision, sentence, clause or phrase of this chapter be declared by the courts to be invalid, the same shall not affect the validity of this chapter as a whole or any part thereof other than the part so invalidated.

Sec. 9.1-8. Penalty.

Any person who shall violate a provision of this chapter or code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair geothermal systems or private geothermal systems in violation of an approved plan, specification or directive of the code official, or of a permit or certificate issued under the provisions of this chapter or code, shall be guilty of a municipal civil infraction. A defendant who is found responsible for an ordinance violation designated as a municipal civil infraction, whether by admission or by court determination, is subject to a civil fine not to exceed five hundred dollars (\$500.00) per offense, plus court costs. Any subsequent violation of this section may be prosecuted as a misdemeanor with fines no exceeding five hundred dollars (\$500.00) and/or ninety (90) days in jail. Each day that the violation occurs constitutes a separate violation.

Sec. 9.1-9. Unauthorized use of system; penalty.

(a) Unauthorized physical connections. It shall be unlawful for any person to make any physical connection to the department's geothermal system operating within the City of Wyandotte right-of-way that is not expressly authorized by the operator of the system.

(b) Unauthorized physical installation. It shall be unlawful for any person to install any geothermal system in the right-of-way of the City of Wyandotte without the express authorization of the department.

(c) Unauthorized modification to equipment or system. It shall be unlawful for any person to make any modification to the geothermal system in the city right-of-way so as to induce any uncompensated system service or level of service for which the operator has established a compensation rate without the express authorization of the operator of such system.

(d) Theft of renewable energy source. It shall be unlawful for any person to obtain, by any reason whatsoever, any renewable energy from any geothermal system operating within the City of Wyandotte right-of-way without the express authorization of the operator of such system.

(e) Penalty. Any person using any such geothermal system in the city right-of-way, without the authority of the operator of such system, for the purpose of using the renewable energy source or any violation of any provision of this section shall be guilty of a municipal civil infraction. A defendant who is found responsible for an ordinance violation designated as a municipal civil infraction, whether by admission or by court determination, is subject to a civil fine not to exceed five hundred dollars (\$500.00) per offense, plus court costs. Any subsequent violation of this section may be prosecuted as a misdemeanor with fines no exceeding five hundred dollars (\$500.00) and/or ninety (90) days in jail. Each day that the violation occurs constitutes a separate violation.

Secs. 9.1-10 – 9.1-19. Reserved.

## ARTICLE II. PERMITS AND INSPECTIONS

Sec. 9.1-20. Permit required.

A plumbing permit shall be required prior to the installation, alteration or modification of vertical heat exchangers and ground source heat pump loop systems.

(a) The permit shall be secured from the city engineer.

(b) No alterations or additions shall be made to an existing vertical heat exchanger or ground source heat pump loop system after installation and inspection without first notifying the city engineer and securing a permit thereof.

(c) Subsection (a) shall not apply to repair work of valves and fittings.

Sec. 9.1-21. Permit application generally.

Applications for the permit required by this article shall describe the work to be done and be made by the person, firm or corporation doing the work.

Sec. 9.1-22. Fraudulent permit applications.

(a) It shall be unlawful for any person to present any fraudulent information in making application for any permit from the inspection authority. Furthermore, it shall be unlawful to use the name of another person in order to secure a geothermal permit unless regularly employed by and directly authorized by the person approved by the municipal service commission.

(b) It shall be unlawful for an independent person to file for a geothermal permit for work contracted for or performed or to be performed by others in the city right-of-way without specific permission of the municipal service commission.

Sec. 9.1-23. Persons eligible for permits.

Permits shall be issued pursuant to this article only to:

(1) Holders of a contractor's license who are approved for the installation of a geothermal system in the city right-of-way by the municipal service commission.

(2) Any person or homeowner employing a person approved by the municipal service commission to install a geothermal system in the city right-of-way who shall supervise actively the new installation in the public right-of-way, which is to be used by the applicant to provide a renewable energy source at the premises adjacent to the public right-of-way.

(3) Holders of a contractor's license, for the installation of a private geothermal system.

(4) Any person or homeowner employing a person who shall supervise actively the new installation on private property, which is to be used by the applicant to provide a renewable energy source at the premises on the private property.

Sec. 9.1-24. Additional work under permits.

After a permit has been issued pursuant to this article and the fee deposited, no additional work shall be included. In cases in which additional work is to be installed, a new permit shall be secured and the fee paid.

Sec. 9.1-25. Permit expiration.

Any permit issued shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work.

Sec. 9.1-26. Refund of permit fees.

If no work has been done, a permit grantee shall be entitled to a refund of his or her permit fee in accordance with established rules of the city.

Sec. 9.1-27. Permit revocation.

Any permit issued pursuant to this article in violation of state law, these rules or any ordinance, or as a result of false or fraudulent information, or misinterpretation of conditions, shall be subject to revocation at the discretion of the inspection authority. The person holding the permit shall be notified to appear and show cause why the permit should not be revoked and failure to appear shall be deemed sufficient to cause the permit to be revoked.

Sec. 9.1-28. Notification of incomplete installation required.

Should any person to whom a permit has been issued quit the installation for any reason, that person shall notify the inspection authority and request inspection of work completed and secured. If a permit holder fails to notify the inspection authority the property owner for whom the system is being installed for may notify the inspection authority.

Sec. 9.1-29. Inspections generally.

Within twenty four (24) working hours of commencement of the installation of the geothermal system, it shall be the duty of the permit holder to notify the city engineer, who shall instruct the inspector to inspect, from time to time for the duration of the work, the installation. Upon completion, if it is found to be fully in compliance with this chapter and does not constitute a hazard to life and property, the inspector shall issue to the permit holder, a certificate of inspection authorizing connection to the geothermal system.

Sec. 9.1-30. Right of inspection authority to require contractor's representative to be present.

The inspection authority reserves the right to require a representative of the approved person or contractor to be on the job when inspection is made.

Sec. 9.1-31. Records.

The city engineer shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this chapter. The city engineer shall be provided with the necessary office space and clerical help to carry out the provisions of this section.

Secs. 9.1-32 — 9.1-39. Reserved.

### ARTICLE III - STANDARDS

Sec. 9.1-40. Codes and standards.

All materials and devices or appurtenances and all construction and maintenance shall comply with the following:

- (a) A certain document, one (1) copy of which is on file in the office of the city clerk of the City of Wyandotte, being marked and designated as the Michigan Mechanical Code/2006 Edition, is hereby referred to, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, as prescribed in Chapter 7, Article III of this Ordinance.
- (b) A certain document, one (1) copy of which is on file in the office of the city clerk of the City of Wyandotte, being marked and designated as the Standards and Specifications for the Installation of Geothermal Systems as adopted by the department of municipal services of the City of Wyandotte, is hereby referred to, and made a part hereof, as if fully set out in this chapter.
- (c) Specifications, guidelines, rules and regulations for the construction and operation of private geothermal systems, as determined to be equal to those adopted by the department of municipal services by the city engineer.
- (d) The purpose of this code is the practical safeguarding of persons and property from hazards arising from the installation of a geothermal system.

Sec. 9.1-41. Construction requirements.

No certificate of inspection shall be issued unless the installations are in strict conformity with the provisions of this chapter, and the rules and regulations issued by the department of municipal services, and, unless they are in conformity with the approved methods of construction for safety to life and property. The regulations as set forth in the 2006 Edition of the Michigan Mechanical Code and other installation and safety regulations approved by the department of municipal services, or in the case of private geothermal systems, the plans and documents approved by the city engineer, shall be prima facie evidence of such approved methods.

Sec. 9.1-42. Materials, appurtenances, etc.

No materials, devices, or appurtenances shall be used or installed unless they are in conformity with the provisions of this chapter and the rules and regulations issued by the department of municipal services, or in the case of private geothermal systems, materials, devices, or appurtenances determined as equal by the city engineer. Conformity of materials, devices and appurtenances with the standards of Underwriter's Laboratories, Inc., as approved by the American Engineering Standards Committee, and other standards approved by the American Engineering Standards Committee, shall be prima facie evidence that such materials, devices and appurtenances comply with the requirements of this chapter. The manufacturer's name, trademark or other identification symbol shall be placed on all materials, devices and appurtenances used or installed under this chapter.

Secs. 9.1-43 – 9.1-49. Reserved.

Section 2.

Nothing in this ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 3.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 4.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 5.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and 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, Stec

NAYS: Councilpersons Galeski, Sabuda

ABSENT: None

I hereby approve the adoption of the foregoing Ordinance this 22<sup>nd</sup> day of November, 2010.

CERTIFICATION

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 City Council of the City of Wyandotte, at a regular session on Monday, 22<sup>ND</sup> day of November, 2010.

William R. Griggs, City Clerk

Joseph R. Peterson, Mayor

RESOLUTIONS

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Courtney Smith, Manager of the At & T Store located at 2901 Fort Street, Wyandotte relative to the display of ground flags on the outside of the building is hereby APPROVED provided that the ground signs do not impede traffic as reviewed by the Chief of Police.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the request from Scott Galeski relative to filming in the City of Wyandotte utilizing the Wyandotte Police Department facilities in the Spring of 2011 is hereby GRANTED provided a Hold Harmless Agreement is executed by Mr. Galeski and all others assisting in said project. AND BE IT FURTHER RESOLVED that the Chief of Police monitor said filming.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the Election Commission as set forth in their communication dated November 11, 2010 to change the voting location of Precinct Four (4) and Precinct Five (5) from Taft School, 891 Goddard to the Veterans of Foreign Wars Post 1136, 633 Ford Avenue effective immediately due to the closure of Taft Elementary School by the Wyandotte Board of Education. AND BE IT FURTHER RESOLVED that the City Clerk shall notify all registered voters in precinct four and five of said change in the form of a letter and new voters registration card.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of the Downtown Development Authority relative to the Main Street Training in Howell, Michigan on December 1, 2010 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that anyone interested in copies of the information materials regarding this training session be encouraged to contact Mr. Westcott.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of the Downtown Development Authority regarding the re-dedication of the Wyandotte Totem Pole to take place on Monday, December 6, 2010 at 4:30 p.m. at the Southwest Corner of Biddle and Eureka is hereby received and placed on file. AND BE IT FURTHER RESOLVED that if anyone is interested in attending the reception following the re-dedication located at the Wyandotte Arts Center (81 Chestnut) they should RSVP by December 1, 2010 to Brandon Wescott, DDA Director, 734-324-4506 or bwescott@wyan.org.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Director of Museums and Cultural Affairs dated November 16, 2010 setting forth two (2) contracts for the Victorian Holiday Evening to take place December 11, 2010 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council APPROVES said contracts in the amount of \$150.00 for a musical performance by Rob Bourassa and for \$200.00 for Ruth Myers and hereby grants permission to the Museum Director to execute same on behalf of the City of Wyandotte. AND FURTHER Mayor and Council thank Daly Merritt Inc. and Southgate Lincoln Mercury for their gracious support of this event.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Chief of Police setting forth Traffic Control Order 2010-10 relative to the installation of "Handicap Parking" signs at 357 Superior, Wyandotte is hereby received and place on file. AND BE IT FURTHER RESOLVED that Council concurs in the recommendation and hereby directs the Department of Public Service to install said signs.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer dated November 16, 2010 to purchase 144-96 gallon toter containers from Cascade Engineering of Grand Rapids, Michigan in the amount of \$6,017.76 from account # 290-448-850-540; carts to be black with the City of Wyandotte's logo, with imprinted serial numbers and including a standard ten (10) year warranty.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 425 Cherry in the amount of \$23,000.00 to be appropriated from TIFA Area Funds; AND BE IT FURTHER 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 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 Lawrence S. Stec  
Supported by Councilperson James R. DeSana  
YEAS: Councilmembers Browning, DeSana, Fricke, Sabuda, Stec  
NAYS: Councilman Galeski

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the Code of Conduct and Conflict of Interest Policy for receipt of Federal or State Funds as set forth by the City Engineer and City Attorney in their communication dated November 17, 2010 is hereby ADOPTED with copies forwarded to all elected officials, appointed officials and department heads for distribution to their employees that are involved with the funds from the Neighborhood Stabilization Program (NSP1), (NSP2) and Community Development Block Grant (CDBG) Funds.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that WHEREAS a hearing has been held in the Office of the Engineer in the Department of Engineering and Building, 3131 Biddle Avenue, Wyandotte, Michigan, on November 15, 2010 and WHEREAS the interested parties were given opportunity to show cause, if any they had, why the structure at 3421-13th Street has not been brought up to code or demolished in accordance with the City's Property Maintenance Ordinance, and WHEREAS the Hearing Officer has filed a report of his findings with this Council; AND NOW, THEREFORE BE IT RESOLVED that this Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte on Monday, December 20, 2010, at 7:00 p.m. at which time all interested parties shall show cause, if any they have, why the buildings have not been brought up to code or why the City should not have the building demolished at 3421-13th Street; AND BE IT FURTHER RESOLVED that the City Clerk shall give notice of said hearing ten (10) days before the hearing by certified mail-return receipt requested, and first class mail, in accordance with provisions of Section PM-107.4 of the Property Maintenance Ordinance.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

That it is a necessary public improvement for the health, welfare, comfort and safety of the People of the City of Wyandotte, and is deemed advisable to vacate the following land as public alley in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

The 12.08 foot wide public alley abutting the east 30.19 feet of Lot 60 "Assessor's Wyandotte Plat No. 4 of Lots 21 to 30 incl., of the Subdivision of P.C. 112, for the Heirs of Antoine Labadie, deceased" City of Wyandotte, Wayne Co., Michigan., as recorded in Liber 65 of Plats, Page 31, Wayne County Records; and,

RESOLVED FURTHER, that this Council will meet on Monday, December 20th, 2010, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

RESOLVED FURTHER, that the City Clerk shall give notice of such meeting, with a copy of this Resolution, in a newspaper published and circulating in said City, in accordance with the provisions of the City Charter.

I move the adoption of the foregoing Resolution.

Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

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

NAYS: None

ABSENT: None

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

That it is a necessary public improvement for the health, welfare, comfort and safety of the People of the City of Wyandotte, and is deemed advisable to vacate the following land as a public street in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

A portion of the public street known as Labadie Street, fifty (50) feet wide, from the west right-of-way line of Second Street to the extended west property line of Lot 55, abutting the west 25.0 feet of Lot 55 Chas H Riopelle Subdivision #1 of the East Part of P.C. 179 Lying East of the D.T. and I.R.R. and West of Labadie and Reaume Sub., Village of Ford (now City of Wyandotte), Wayne Co Mich., as recorded in Liber 39 of Plats, Page 50, Wayne County Records.

RESOLVED FURTHER, that this Council will meet on Monday, December 20, 2010, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

RESOLVED FURTHER, that the City Clerk shall give notice of such meeting, with a copy of this Resolution, in a newspaper published and circulating in said City, in accordance with the provisions of the City Charter.

I move the adoption of the foregoing Resolution.

Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

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

NAYS: None

ABSENT: None

Wyandotte, Michigan November 22, 2010

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the Council meeting of Monday, November 29, 2010 is hereby CANCELLED due to the THANKSGIVING DAY HOLIDAY.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson James R. DeSana

That we adjourn.

Carried unanimously.

Adjourned at 8:25 pm

November 22, 2010

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William R. Griggs, City Clerk