

Wyandotte, Michigan December 20, 2010

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

ROLL CALL

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

Absent: Councilperson DeSana

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

December 14, 2010

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

Gentlemen and Madam:

I was looking over the zoning map recently and noticed that the property on the west side of Biddle Avenue between Chestnut and Poplar is zoned General Business. The property on the west side of Biddle Avenue north of Poplar is zoned Planned Development (PD).

I am writing to request that my letter be referred to the Planning and Rehabilitation Commission to consider rezoning the property on the west side of Biddle Avenue between Chestnut and Poplar from General Business to Planned Development.

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

Sincerely,

James R. DeSana, Councilman

December 16th, 2010

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

Dear Mayor & City Council,

The below table is a break down of the expenses of the \$3,900 the DDA amended its budget to allow for marketing the Farmers Market.

Farmers Market - Marketing Expenditures

Local Harvest - Web Listing	\$25.00
Farmers Market Coalition - Membership	\$25.00
Promotional Postcards	\$152.40
Promotional Posters	\$65.00
Ile Camera Advertisement	\$900.00
Website	\$137.87
iStock Imagery	\$18.25
Additional Postcards & Flyers (exten)	\$170.50
Barnyard Express (September)	\$400.00
John Deere Tractor	\$50.00
Blue Ribbon Awards	\$49.50
Prizes, office supplies	\$203.44
Senior Trip Vouchers	\$24.00
Kids Prizes	\$87.11
Signs, Prizes	\$102.36
Penals	\$303.75
Bags	\$341.49
Wagons	\$609.45
Salary (48 hours *20 plus FICA)	\$1,033.44
Wagon Sponsorships (Deduction)	\$500.00
Sale of Bags (Deduction)	\$36.00
Total	\$4,162.56

Respectfully,

Brandon E. Wescott, Director, Downtown Development Authority

December 14, 2010

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

Dear Mayor Peterson and Council Members:

In accordance with the Wayne County, Department of Public Services procedures, it is necessary for the City to execute an Annual Permit for Maintenance and Pavement Restoration in the County Right-of-Way. The following are approved activities:

1. Sanitary sewer inspection, repair, and routine maintenance.
2. Water main inspection, repair, routine maintenance and installation of residential and commercial water service connections.
3. Application of dust palliatives.
4. Repair and replacement of existing sidewalks.
5. Perform street sweeping operations during daylight hours only.
6. Replace and repair pavement cuts due to utility repairs.

Please note that no Annual Permit will be issued for Special Events. Special Events Permits will have to be submitted per event.

Please find attached a proposed resolution authorizing the City Engineer to sign such permit.

Very truly yours,
Mark A. Kowalewski, City Engineer

December 14, 2010

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

Dear Mayor Peterson and Council Members:

In accordance with the Michigan Department of Transportation procedures, it is necessary for the City to designate positions that are authorized to sign the Annual Permit for Miscellaneous Operations and other Permits within Free Access State Truckline Right of Way.

Please find attached a proposed resolution authorizing the City Engineer, Municipal Service Manager and Police Chief to sign such permits.

Very truly yours,
Mark A. Kowalewski City Engineer

December 14, 2010

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

Dear Mayor Peterson and Council Members:

Waste Management will be collecting Christmas Trees beginning January 3, 2011 thru January 31, 2011. The removal of ornaments, decorations, tree stands and plastic bags will permit the trees to be treated as compost. Trees will be collected on Tuesdays north of Vinewood and Thursdays south of Vinewood

Very truly yours,
Mark A. Kowalewski, City Engineer

December 13, 2010

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

RE: 316 Chestnut Wyandotte, MI

Dear Mayor Peterson and Council Members:

On January 20, 2010, May 20, 2010 and November 11, 2010, Show Cause Hearings were held in the Engineering and Building Department regarding the unsanitary, deteriorated, dangerous and unsafe dwelling and garage at 316 Chestnut Street, Wyandotte, Michigan. Attached are minutes of the Hearings and Property Maintenance letters.

At the hearings it was determined and ordered that the dwelling and garage, due to unsanitary conditions and property maintenance violations, should be demolished. As of today's date, the order has not been complied with.

Therefore in accordance with Section PM-107.6 Filings of findings, the undersigned requests that your Honorable Body set a hearing to show cause why the garage should not be demolished in accordance with Section PM-107.7 Council Action, of the Wyandotte Property Maintenance Code.

Very truly yours,

Mark A. Kowalewski City Engineer

December 14, 2010

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

Re: 1141 McKinley

Dear Mayor Peterson and Council Members:

In October 2010, the City of Wyandotte received a Quit Claim Deed from Wayne County Treasurer deeding the interest of the County for the property at 1141 McKinley to the City for tax foreclosure. The City paid Wayne County \$5,275.86. The current occupant/owner, Mr. Douglas Thornsberry is requesting the City to Quit Claim the City's interest in the property back to him.

It is the recommendation of the undersigned with concurrence with the City Attorney to relinquish the City's interest in this property for the amount of \$7,000.00. This amount will cover all costs incurred by the City.

If this meets with your approval, I recommend that the Department of Legal Affairs be directed to prepare the necessary documents and the Mayor and Clerk be authorized to execute same.

Very truly yours,

Mark A. Kowalewski, City Engineer

December 15, 2010

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

Dear Mayor Peterson and Council Members:

Attached for your consideration is a Purchase Agreement for the City to acquire the property known as 641-659 Vinewood (Vinewood Village Condominium) for the amount of \$455,399.00. The City would be purchasing this property utilizing Neighborhood Stabilization Program (NSP2) Funds.

There are currently 2 buildings on the property with a total of 10 units. The front building closest to Vinewood has four (4) units. The units have a living room with fire place, dinning room, kitchen with energy star appliances and 1/2 bath on the 1St floor. On the 2"d floor is a master suite, bedroom, full bath and laundry facilities. Each unit has an attached garage and a full basement. This building is completely finished and ready for sale.

The back building has 6 units. The units would have two (2) or three (3) bedrooms, an attached garage and a basement. Although the building is finished on the exterior, the units in this building are roughed in only.

NPS2 Funds would be utilized to complete the rear building and place all units on the open market for sale for income qualified persons.

Also, the previous developer was planning to develop a Phase II which would have included two (2) additional buildings with a total of 8 units, The City would redesign these buildings to meet Michigan State Housing Development Authority (MSHDA) requirements and update the Master Deed before proceeding with any sales.

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.

Very truly yours,
Mark A. Kowalewski, City Engineer

December 16, 2010

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

Dear Mayor Peterson and City Council Members:

On December 15, 2010, proposals were opened and read aloud in the Council Chambers for File #4532 - Rehabilitation of 1158 Biddle and 1111 1st Street. A tabulation of the proposals is attached.

The undersigned recommends the proposal of Baird & Lowler Building Co., of Grosse Ile, Michigan in the amount of \$60,989.00 as the best bid received meeting specifications.

Very truly yours,

Mark A. Kowalewski, City Engineer

HEARINGS

NOTICE OF HEARING OF OBJECTIONS TO THE PROPOSED
VACATION OF AN ALLEY IN THE CITY OF WYANDOTTE
PUBLIC ALLEY WEST OF BIDDLE AVENUE
BETWEEN LABADIE STREET AND ST. JOHNS STREET

No Objections.

NOTICE OF HEARING OF OJBECTIONS TO THE PROPOSED
VACATION OF A PUBLIC STREET IN THE CITY OF WYANDOTTE
PORTION OF THE PUBLIC STREET KNOWN AS
LABADIE STREET FROM THE WEST RIGHT-OF-WAY LINE OF
SECOND STREET WEST 25.0 FEET

No Objections

NOTICE OF A SHOW CAUSE HEARING
AS TO WHY THE STRUCTURE
AT 3421-13TH STREET
HAS NOT BEEN BROUGHT UP TO
CODE OR DEMOLISHED

No Objections

FINAL READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING ORDINANCE TO
REZONE THE PROPERTY COMMONLY KNOWN AS BISHOP PARK AND MUNICIPAL
PARKING LOT FROM (RA) SINGLE FAMILY RESIDENTIAL DISTRICT TO (RU)
RECREATION UNIT DISTRICTS

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Rezoning of Property:

The following described property located in the City of Wyandotte, County of Wayne, State of Michigan, and described as follows:

1. Bishop Park Area:

Part of Fractional Section 28, Section as bounded by south line vacated Vinewood Avenue 80 feet wide and by westerly edge of Detroit River and by south line vacated Chestnut Street, 80 feet wide and by Van Alstyne Blvd, 80 feet wide, except north 150 feet thereof.

2. Municipal Parking Lot:

Lots 1 to 6 inclusive, also north 26 feet of vacated street adjacent to south line of Lot 6, corrected plat of Blocks 19, 20, 30 and 31, Block 20, Town 3 South, Range 11 East as recorded in Liber 1, Page 297 of Wayne County Records.

Lots 1 to 9 inclusive, corrected plat of Blocks 19, 20 40 and 31, Block 19, Town 3 South, Range 11 East as recorded in Liber 1, Page 297 of Wayne County Records.

Commonly Known as: Bishop Park and Municipal Parking Lot

be and is hereby rezoned from RA (Single Family Residential District) to RU (Recreation Unit Districts).

Section 2. Amendment of Zoning Map.

The zoning Map of the City of Wyandotte be and is hereby amended in accordance with the provisions of this Ordinance as set forth in Zoning Map. No. 272.

Section 3. Severability.

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

Section 4. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

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

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

NAY: None

ABSENT: Councilperson DeSana

I hereby approve the adoption of the foregoing Ordinance this 20th day of December, 2010.

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 20th day of December, 2010.

Dated December 20, 2010

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

RESOLUTIONS

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

ROLL ATTACHED

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from Councilman DeSana relative to the request to rezone the property on the west wide of Biddle Avenue between Chestnut and Poplar from General Business to Planned Development is hereby referred to the Planning Commission for consideration of said request.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the Downtown Development Authority Director submitting the break down of expenses relative to the \$3,900 amendment to the DDA budget as it pertains to the Farmers Market is hereby received and placed on file.

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Sheri M. Fricke
 Supported by Councilperson Lawrence S. Stec
 ROLL ATTACHED

RESOLUTION AUTHORIZING EXECUTION
 OF ANNUAL MAINTENANCE PERMITS

RESOLUTION DATED: December 20, 2010

At a Regular Meeting of the City of Wyandotte, City Council on Monday, December 20, 2010, the following resolution was offered:

WHEREAS, the City of Wyandotte (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs and annual maintenance work on local and County reads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq, the County permits and regulates such activities and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such Permit, the Community agrees and resolves that:

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees to the extent of the City of Wyandotte's insurance coverage;

from any and all claims and losses occurring or resulting to any and all permits, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities; and

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this resolution as part of a Permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force for this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authored to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title
Mark A. Kowalewski		City Engineer

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Members Absent: Councilperson DeSana

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council or the City of Wyandotte, County of Wayne, Michigan on December 20, 2010.

William R. Griggs, City Clerk

RESOLUTION AUTHORIZING EXECUTION OF ANNUAL PAVEMENT RESTORATION PERMIT

RESOLUTION DATED: December 20, 2010

At a Regular Meeting of the City of Wyandotte, City Council on Monday, December 20, 2010, the following resolution was offered:

WHEREAS, the City of Wyandotte (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct permanent pavement repairs due to emergency repairs on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonable safe and convenient for public travel:

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq, the County permits and regulates such activities, banners and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such an Annual Permit, the Community agrees and resolves that:

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees to the extent of the City of Wyandotte's insurance coverage;

from any and all claims and losses occurring or resulting to any and all permits, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on over, and/or under the County right-of-way or any local road to the extent of the City of Wyandotte's insurance coverage except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities; and

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right of seek and obtain any necessary relief or remedy, including, but not by way of

limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force for this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authored to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title
Mark A. Kowalewski		City Engineer

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilpersons Browning, Fricke, Galeski, Sabuda, Stec
NAYS: None
Members Absent: Councilperson DeSana

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council or the City of Wyandotte, County of Wayne, Michigan on December 20, 2010.

William R. Griggs, City Clerk

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the City Engineer, Mark A. Kowalewski, Melanie McCoy, General Manager Municipal Service and Daniel J. Grant, Police Chief are hereby designated as representatives for the City of Wyandotte authorized to sign permit applications which allow the City of Wyandotte to perform proposed operations on the portion of the State Highway Right-of-Way in the City of Wyandotte during the 2011 calendar year.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Browning, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the City Engineer regarding the collection of Christmas Trees is hereby received and placed on file; AND BE IT FURTHER RESOLVED that Waste Management will collect Christmas Trees beginning January 3, 2011, until January 31, 2011. Trees will be collected on Tuesdays north of Vinewood and Thursdays south of Vinewood. Ornaments, decorations, tree stands and plastic bags MUST BE REMOVED to permit composting of trees. AND BE IT FURTHER RESOLVED that said information be posted on cable and the web-site.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
ROLL ATTACHED

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that

WHEREAS hearings have been held in the Office of the Engineer in the Department of Engineering and Building 3131 Biddle Avenue, Wyandotte, Michigan on January 20, 2010, May 20, 2010 and November 11, 2010 and WHEREAS the property or other interested parties, have been given opportunity to show cause, if any they had, why the dwelling and garage at 316 Chestnut Street has not been repaired or demolished in accordance with the City's Property Maintenance Ordinance, and WHEREAS the Engineer has filed a report of his findings with this Council; 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 January 24, 2011 at 7:00 p.m., at which time all interested parties shall show cause, if any they have why the City should not have the dwelling and garage demolished and removed at 316 Chestnut 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 the provisions of Section PM-107.4 of the Property Maintenance Ordinance.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the City Engineer dated December 14, 2010 regarding the property at 1141 McKinley, Wyandotte is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City shall relinquish their interest in said property for the amount of \$7,000.00, provided the closing takes place on or before December 30, 2010. AND FURTHER directs the Department of Legal Affairs to prepare the necessary documents for release back to Mr. Thornsberry; AND FURTHER that the Mayor and City Clerk are authorized to execute the necessary documents for release back to Mr. Thornsberry; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the necessary documents for said release of the City's interest.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 641-649 Vinewood and adjoining vacant property in the amount of \$455,399.00 to be appropriated from NSP2 Funds account number 101-440-925-754, AND BE IT RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and City Attorney, William R. Look, are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

YEAS: Councilmembers Browning, Fricke, Sabuda, Stec

NAYS: Councilman Galeski

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer regarding File # 4532-Rehabilitation of 1158 Biddle Avenue and 1111-1st Street and accepts the proposal from Baird & Lowler Building Company, 8142 Macomb, Grosse Ile, MI. 48138 in the amount of \$60,989.00 said cost will be from account # 492-200-850-519; 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 Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 2334-2nd/2338-2nd Street, Wyandotte in the amount of \$79,563.85 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 Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

YEAS: Councilmembers Browning, Fricke, Sabuda, Stec

NAYS: Councilman Galeski

RESOLUTION FOR CONTINUATION OF DOWRIVER WASTEWATER TREATMENT SYSTEM JOINT MANAGEMENT COMMITTEE

Minutes of a Regular Meeting of the City Council of the City of Wyandotte, County of Wayne, Michigan, held in the City, on the 20th day of December, 2010, at 7 o'clock p.m.

PRESENT: Councilpersons Browning, Fricke, Galeski, Sabuda, Stec
 ABSENT: Councilperson DeSana

On Motion of Councilperson Sheri M. Fricke, supported by Councilperson Lawrence S. Stec

WHEREAS, effective March 1, 1962, a contract was entered by and between the City of Belleville, City of Ecorse, City of Lincoln Park, City of River Rouge, City of Southgate, City of Wyandotte, City of Allen Park, City of Taylor, City of Dearborn Heights, City of Romulus, City of Riverview, Charter Township of Van Buren and Charter Township of Brownstown, (hereafter collectively called "the Municipalities," individually, "the Municipality"), being Cities and Townships located in the County of Wayne, Michigan and the County of Wayne, a Charter County, (hereafter called "The County") for the purposes of establishing the Downriver Sewage Disposal System, (hereafter "the System"), for the treatment and disposal of sanitary sewage emanating from the Municipalities, and

WHEREAS, that contract, as amended, provided for the operation of said System by the County, which contract has an expiration date of March 1, 2012, and

WHEREAS, the System has undergone a major expansion and renovation as a result of U.S. EPA and Michigan Department of Environmental Quality mandates which were set forth in a Consent Decree dated May 24, 1994 in the matter of United States of America, et al vs. Wayne a Consent Decree dated May 24, 1994 in the matter of United States of America, et al vs. Wayne County Michigan, et al, Civil Action No. 87-70992, filed in the U.S. District Court, Eastern District of Michigan, Southern Division, and

WHEREAS, as a result of said Consent Decree, including the amendments thereto, the System has undergone a major renovation and expansion, the parties have issued bonds in the aggregate amount of approximately \$350 million pursuant to a Financing Plan and Final Judgment entered in the above referenced matter on March 14, 1994, and

WHEREAS, as a result of said expansion and renovation, and the resulting issuance of bond obligations, all of which have substantially changed the System from that originally designed or contemplated at the execution of the original contract, the parties desire to properly reflect the rights and obligations of the parties as their interest presently appear, and

WHEREAS, the contract and past practices establish the County as the entity responsible for operating, managing and controlling the System, while the Municipalities are responsible for funding the operation, maintenance, expansion, renovation, rehabilitation and capital improvements to the System, and

WHEREAS, the County and Municipalities wish to adjust this relationship as to management, operation and control of the System, to allow the Municipalities more involvement in the operation, management and control of the System by forming a Joint Management Committee pursuant to the terms and conditions set forth in the Joint Management Committee Memorandum of Understanding, as revised (Exhibit 1), and

WHEREAS, the purpose of the Joint Management Committee Memorandum of Understanding is to set forth the composition, duties and responsibilities of a Joint Management Committee, which Committee was formed on a one year pilot/experimental basis on January 1, 2002, for the management and control of the System, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of two years, commencing January 1, 2003, upon the terms and conditions set forth in Section III, paragraph (1) of the Memorandum of Understanding, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of one year, commencing January 1, 2005, with an option to extend a second year commencing January 1, 2006 provided the option is exercised by the Municipalities and the County no later than 10 days prior to December 31, 2005, and

WHEREAS, the Municipalities and the County exercised their option and extended the term of the Memorandum of Understanding for a period of one year, commencing January 1, 2006; and

WHEREAS, the Municipalities and the County extended the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised, for a period of two (2) years commencing January 1, 2007; and

WHEREAS, the Municipalities and the County further extended the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised, for a period of two (2) years commencing January 1, 2009; and

WHEREAS, the County and Municipalities are in the process of negotiating a new Service Agreement to replace the one expiring on March 1, 2012 and the Municipalities desire to extend the existence and operation of the Joint Management Committee past the December 31, 2010 expiration date of the Memorandum of Understanding for an additional term of one (1) year commencing January 1, 2011 and concluding December 31, 2011 during the ongoing negotiations between the Downriver Utility Wastewater Authority and Wayne County.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City of Wyandotte hereby approves of and authorizes the full and necessary participation in the Joint Management Committee pursuant to terms and conditions set forth in Exhibit 1.

The City hereby designates Joseph R. Peterson as its JMC representative, and Mark A. Kowalewski as its alternate representative.

This Resolution shall take immediate effect.

AYES: Councilpersons Browning, Fricke, Galeski, Sabuda, Stec

NAYS: None

ABSENT: Councilperson DeSana

RESOLUTION DECLARED UNANIMOUSLY ADOPTED

CITY OF WYANDOTTE

By: JOSEPH R. PETERSON, Mayor

And: WILLIAM R. GRIGGS, Clerk

I, WILLIAM R. GRIGGS, City Clerk of the City of Wyandotte, County of Wayne, Michigan, do hereby certify that the foregoing is a true copy of a Resolution adopted by the City Council of the City of Wyandotte, at a Regular Meeting on December 20, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20th day of December, 2010.

WILLIAM R. GRIGGS, Clerk
 City of Wyandotte
 Wayne County, Michigan

Wyandotte, Michigan Date: December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

Supported 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

WHEREAS, this Council by resolution has deemed it advisable and necessary for the health, welfare, comfort and safety of the people of the City of Wyandotte, to vacate the hereinafter described land in the City of Wyandotte, County of Wayne, State of Michigan, as a public alley, 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,

WHEREAS, due notice has been given of the hearing of objections to said vacation; and

WHEREAS, said hearing having taken place in accordance with such notice, and no objections having been offered, and this Council still being of the opinion that said vacation is advisable; now, therefore,

BE IT RESOLVED that the above described alley shall be and the same is hereby declared VACATED as a public alley, reserving to the City of Wyandotte, a Municipal Corporation of the State of Michigan, its successors and assigns forever and in perpetuity from the date hereof, an easement on, over, under, across, and within the twelve and eight hundredths foot wide (12.08) right-of-way of the above described alley for the purpose of constructing, operating, maintaining and repairing existing and future public utilities, sewers and drains, and that said City of Wyandotte, its contractors, employees, agents successors, assigns and lessees shall at all times have free ingress to and egress from said alley right-of-way, to construct, operate, maintain and repair said existing and future utility lines of every nature, and sewers and drains.

BE IT FURTHER RESOLVED that there is hereby reserved to the Michigan Bell Telephone Company/AT&T, its successors and assigns, an easement on, over, under, across and within said twelve and eight hundredths foot wide (12.08) right-of-way for the purpose of constructing, erecting, operating, maintaining, and repairing its existing and future telephone communication system consisting of poles, lines, wires, cables and apparatus; and that said Michigan Bell Telephone Company/AT&T, its contractors, employees, agents, successors and assigns shall at all times have full ingress to and egress from said twelve and eight hundredths foot wide (12.08) right-of-way for said purpose.

BE IT FURTHER RESOLVED that no structures, or any article or thing whatsoever shall be constructed or maintained on, over, under, across, or within the twelve and eight hundredths foot wide (12.08) right-of-way of the above described alley by the abutting property owners and that in the exercise of the easement and ingress and egress rights heretofore reserved herein said City of Wyandotte shall not be liable for any injury or damage to, or disturbance of, nor shall it have any duty to pay for or replace, any animate or inanimate improvement on, over, under, across, or within said twelve and eight hundredths foot wide (12.08) right-of-way.

I move the adoption of the following resolution.

Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

ABSENT: Councilperson DeSana

Wyandotte, Michigan Date: December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

Supported 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

WHEREAS, this Council by resolution has deemed it advisable and necessary for the health, welfare, comfort and safety of the people of the City of Wyandotte, to vacate the hereinafter described land in the City of Wyandotte, County of Wayne, State of Michigan, as a public street, 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.

WHEREAS, due notice has been given of the hearing of objections to said vacation; and

WHEREAS, said hearing having taken place in accordance with such notice, and no objections having been offered, and this Council still being of the opinion that said vacation is advisable; now, therefore,

BE IT RESOLVED that the above described street shall be and the same is hereby declared VACATED as a public street, reserving to the City of Wyandotte, a Municipal Corporation of the State of Michigan, its successors and assigns forever and in perpetuity from the date hereof, an easement on, over, under, across, and within the fifty (50) foot right-of-way of the above described street for the purpose of constructing, operating, maintaining and repairing existing and future public utilities, sewers and drains, and that said City of Wyandotte, its contractors, employees, agents successors, assigns and lessees shall at all times have free ingress to and egress from said street right-of-way, to construct, operate, maintain and repair said existing and future utility lines of every nature, and sewers and drains.

BE IT FURTHER RESOLVED that there is hereby reserved to the Michigan Bell Telephone Company, its successors and assigns, an easement on, over, under, across and within said fifty (50) foot wide right-of-way for the purpose of constructing, erecting, operating, maintaining, and repairing its existing and future telephone communication system consisting of poles, lines, wires, cables and apparatus, and that said Michigan Bell Telephone Company, its contractors, employees, agents, successors and assigns shall at all times have full ingress to and egress from said street right-of-way for said purpose.

BE IT FURTHER RESOLVED that no structures, or any article or thing whatsoever shall be constructed or maintained on, over, under, across, or within the fifty (50) foot wide right-of-way of the above described street except the construction or reconstruction of pavement for parking lots and access ways and appurtenances by the abutting property owners, and that in the exercise of the easement and ingress and egress rights heretofore reserved herein, said City of Wyandotte shall not be liable for any injury or damage to, or disturbance of, nor shall it have any duty to pay for or replace, any animate or inanimate improvement on, over, under, across, or within said fifty (50) foot right-of-way.

I move the adoption of the following resolution.

Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

ABSENT: Councilperson DeSana

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that WHEREAS a hearing was held on the 20th day of December 2010, where all parties were given an opportunity to show cause, if any they had, why the building at 3421-13th Street, Wyandotte should not be demolished, removed or otherwise made safe, AND BE IT FURTHER RESOLVED that the Council considered all reports and recommendations of the Hearing Officer and the City Engineer's Office and all other facts and considerations were brought to their attention at said hearing; AND BE IT FURTHER RESOLVED that the City Council hereby directs that said building located at 3421-13th Street, Wyandotte should be DEMOLISHED and that the cost be assessed against the property in question as a lien. BE IT FURTHER RESOLVED that the parties of interest shall be forwarded a copy of this resolution forthwith so that they may appeal this decision to the Circuit Court within twenty-one (21) days of the date of this resolution if they so desire.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

Wyandotte, Michigan December 20, 2010

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the Council Meetings of Monday, December 27, 2010 and Monday, January 3, 2011 are hereby CANCELLED due to the Christmas and New Year Holidays.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

That we adjourn.

Carried unanimously.

Adjourned at 8:25 PM

December 20, 2010

William R. Griggs, City Clerk