

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION
MONDAY, NOVEMBER 19, 2012 , 7: 00 PM
PRESIDING: THE HONORABLE JOSEPH R. PETERSON, MAYOR
CHAIRPERSON OF THE EVENING: THE HONORABLE SHERI M. FRICKE

ROLL CALL: BROWNING, DESANA, FRICKE, GALESKI, SABUDA, STEC

PERSONS IN THE AUDIENCE

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

1. Communication from Mayor Peterson regarding ordered demolition of dangerous buildings and Wayne County's action selling some of these properties for delinquent taxes.
2. Communication from the City Clerk regarding a transfer of stock as it pertains to a liquor license.
3. Communication from the Department of Legal Affairs responding to the request for summary of duties of the City Treasurer as set forth in the City Charter.
4. Communication from the Assistant to the General Manager of Municipal Service submitting a Cable Deficit Plan update.

5. Communication from the Director of Power Supply of Municipal Service authorizing the Boiler 4 Asset Recovery Agreement with Greenworks Recovery Solutions. .

6. Communication from the Deputy Treasurer/assistant Finance Director submitting the 2012 second and third quarter Quarterly Investment reports.

7.. Communication from the City Engineer submitting a continuation and extension of the Joint Management Committee (JCM) Memorandum of Understanding (MOU) for the Downriver Sewage Disposal System.

8. Communication from the City Engineer regarding revisions to the Master Deed for the Vinewood Village Condominium.

9. Communication from the City Engineer submitting various sales agreements for NPS2 Homes.

10. Communication from the City Engineer and Superintendent of Recreation submitting an acceptance of an ornamental fence bid.

CITIZENS PARTICIPATION:

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts
Zoning Board of Appeals

\$39,920.47 November 9-13, 2012
November 7, 2012

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



COUNCIL
Todd M. Browning
James R. DeSana
Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

JOSEPH R. PETERSON
MAYOR

November 14, 2012

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

Gentlemen and Madam:

As you may be aware, the City has discovered that after it has conducted show cause hearings and ordered demolition of said dangerous buildings, the County of Wayne has sold some of these properties for delinquent taxes.

Attached is a copy of a letter I have sent to Wayne County Commissioner Joseph Palamara, requesting his assistance in coordinating a meeting with representatives from the appropriate department at Wayne County to avoid the above-referenced situation from occurring in the future. I am requesting that my letter be read in its entirety at the Monday, November 19, 2012 City Council meeting.

Thanking you in advance for your consideration, I remain

Sincerely,

A handwritten signature in black ink that reads "Joseph R. Peterson".

Joseph R. Peterson
Mayor

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



JOSEPH R. PETERSON
MAYOR

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Leonard T. Sabuda
Lawrence S. Stec

November 13, 2012

The Honorable Joseph Palamara
Wayne County Commissioner
500 Griswold, 7th Floor
Detroit MI 48226

Dear Commissioner Palamara:

The City of Wyandotte actively enforces its property maintenance code for properties that are vacant, abandoned, or in dangerous condition. Under our ordinance, the City Engineer's Office conducts a show cause hearing and if it determines the property to be dangerous, refers the property to the City Council to conduct a final show cause hearing to determine whether the structure should be demolished.

The City does a title search and sends notice to all interested parties, including the County of Wayne tax forfeiture division if there are delinquent taxes. The City has recently discovered that after it has conducted the show cause hearing and ordered the property demolished, that the County of Wayne has sold some of these properties for delinquent taxes. The City does not know whether the show cause notice from the City is passed along to the department conducting the tax sales.

We are requesting your assistance in arranging a meeting or conference call with the necessary official in Wayne County so we can avoid the above referenced situation from occurring in the future. We want to make sure that once a show cause hearing is scheduled with the City Council for possible demolition, that the property will not be sold at a tax auction. Perhaps there is a specific office the City can notify. Also,

if the City receives an updated list of tax auction properties on a regular basis, the City can check the list to be sure the property will not be sold at auction if it is slated for demolition.

Your assistance in this matter would be greatly appreciated since it is in the best interest of the City and County to remove dangerous structures so a new structure may be built when necessary.

Sincerely,

A handwritten signature in cursive script that reads "Joseph R. Peterson".

Joseph R. Peterson, Mayor
City of Wyandotte

cc: Robert Ficano, Wayne County Executive
✓ Wyandotte City Council

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



JOSEPH R. PETERSON
MAYOR



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Lawrence S. Stec

November 14, 2012

Mayor Joseph Peterson and City Councilmembers
3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Portofino Restaurant Inc.
3455 Biddle Avenue

Dear Mayor Peterson and Councilmembers:

The attached was received by the Wyandotte City Clerk's Office; request from Portofino Restaurant Inc., to transfer stock interest in 2011 Water Craft licensed business with Dance-Entertainment Permit, located at 3455 Biddle Avenue, Portofino's Restaurant Dock, Wyandotte, MI. 48192, Wayne County through issuance of 333.33 shares of stock to new stockholder, Jerry Beasley, from the Corporation. Said request has been forwarded to Engineering, Municipal Service, Fire, Police, Treasurer and Legal Departments.

In view of the above, said application is being forwarded to you for your consideration.

Sincerely yours,

William R. Griggs
William R. Griggs
City Clerk

CC: Attachments

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



JOSEPH R. PETERSON
MAYOR

COUNCIL

Todd M. Browning
James R. DeSana
Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

October 2, 2012

Jeffery Carley, Fire Chief
Mark Kowalewski, City Engineer
Robert J. Szczechowski, Assistant Finance Director/Deputy City Treasurer
Melanie McCoy, General Manager Municipal Service
William R. Look, Department of Legal Affairs
Chief Daniel J. Grant, Police Chief

Regarding THE TRANSFER OF STOCK INTEREST IN 2011 RESORT CLASS C (Portofino Restaurant, 3455 Biddle Avenue) *Request I.D. # 626935*

The Clerk's Office has received a request from the Michigan Liquor Control Commission for the following:

Request from Portofino Restaurant, Inc., to transfer stock interest in 2011 Resort Class C, issued under MCL 436.1531(3) licensed business with Dance-Entertainment Permit, located at 3455 Biddle Avenue, Wyandotte, Michigan 48192, Wayne County, through issuance of 333.33 shares of stock to new stockholder, Jerry Beasley, from the Corporation.

Please review said request as it pertains to your department..


Maria Johnson
Deputy City Clerk



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
Request ID # 626935
Business ID # 215730

LOCAL APPROVAL NOTICE
[Authorized by MCL 436.1501]

December 8, 2011

TO: Wyandotte City Council
Attn: Clerk
3131 Biddle Street
Wyandotte, MI 48192-5935

WYANDOTTE CITY CLERK
WYANDOTTE CITY CLERK
2011 DEC 14 A 9:43

APPLICANT: Portofino Restaurant, Inc.

Home Address and Telephone No. or Contact Address and Telephone No.:

Jerry Beasley, 426 S. Main Street, Milford, MI 48381, H (734) 732-2648 / B (734) 281-6700

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

rlb

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request from Portofino Restaurant, Inc., to transfer stock interest in 2011 Resort Class C, issued under MCL 436.1531(3), licensed business with Dance-Entertainment Permit, located at 3455 Biddle, Wyandotte, MI 48192, Wayne County, through issuance of 333.33 shares of stock to new stockholder, Jerry Beasley, from the Corporation

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended) **(recommended above all others)**

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

OFFICIALS

WILLIAM R. GRIGGS
CITY CLERK

ANDREW A. SWIECKI
CITY TREASURER

COLLEEN A. KEEHN
CITY ASSESSOR



MAYOR

JOSEPH R. PETERSON

CITY COUNCIL

TODD M. BROWNING
JAMES R. DESANA
SHERI M. SUTHERBY-FRICKE
DANIEL E. GALESKI
LEONARD T. SABUDA
LAWRENCE S. STEC

November 14, 2012

William R. Griggs, City Clerk
City of Wyandotte
3131 Biddle, Avenue
Wyandotte, Michigan 48192

RE: 3455 Biddle Avenue (Portofino Restaurant).

Dear Mr. Griggs,

The undersigned has reviewed the request regarding the transfer of stock interest in a 2011 Resort Class C business locted at 3455 Biddle Avenue, Wyandotte Michigan. I have no objection to the granting of this request.

If you should have any other questions regarding this matter, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery Carley". The signature is written in a cursive style and is positioned above a horizontal line.

Jeffery Carley, Fire Chief

LOOK, MAKOWSKI AND LOOK
PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

2241 OAK STREET
WYANDOTTE, MICHIGAN 48192

(734) 285-6500
Fax (734) 285-4160

WILLIAM R. LOOK
STEVEN R. MAKOWSKI

RICHARD W. LOOK
(1921 - 1993)

November 14, 2012

To: Honorable Mayor and City Council

From: Department of Legal Affairs

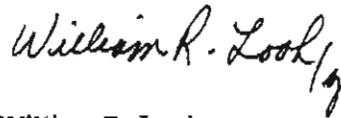
Re: Portofino Restaurant, 3455 Biddle Avenue

Dear Mayor and City Council:

I am in receipt of the communication from the City Clerk concerning the transfer of stock interest in a 2011 Class C Water Craft Licensed Business with Dance and Entertainment Permit located at 3455 Biddle Avenue, Wyandotte, Michigan, Wayne County Michigan.

My department is not aware of any legal issues that would prohibit said request provided the applicant has signed the city agreement concerning Dance and Entertainment Permits.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK
Professional Corporation



William R. Look

WRL:mag

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

COUNCIL
Todd M. Browning
James R. DeSana
Sheri Sutherby Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

October 8, 2012

Mr. William R. Griggs
City Clerk
City Hall
Wyandotte, Michigan

Dear Mr. Griggs:

In response to the request for a transfer of stock interest in 2011 Resort Class C and in a Water Craft licensed business with Dance-Entertainment Permit at 3455 Biddle Avenue, Wyandotte the following applies. The operator/owner of 3455 Biddle Avenue complied with Section 7-63(a)(2) of the Code of Ordinances of the City of Wyandotte except the exterior enclosed deck which requires painting. This work will begin in the Spring of 2013 and completed by May 15, 2013.

Since the license transfer includes an Entertainment Permit a new Certificate of Occupancy has been issued by the Engineering Department limiting the occupancy to **NOT** include a "Cabaret". Although the liquor license with Entertainment Permit would allow a cabaret the Wyandotte Zoning Ordinance regulates a "Cabaret", in Section 2202AA, Conditional Uses Authorized by Special License. This Special License has not been applied for or approved.

Therefore, the undersigned has no objections to this request.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mark A. Kowalewski".

Mark A. Kowalewski
City Engineer

MAK:kr

MAYOR
Joseph R. Peterson

CITY CLERK
William R. Griggs

CITY ASSESSOR
Colleen A. Keehn



CITY COUNCIL

Todd M. Browning

James R. DeSana

Sheri Sutherby Fricke

Daniel E. Galeski

Leonard T. Sabuda

Lawrence S. Stec

DANIEL J. GRANT
CHIEF OF POLICE

November 14, 2012

William R. Griggs, City Clerk
City of Wyandotte
3131 Biddle Avenue
Wyandotte, MI 48192

Dear Mr. Griggs:

SUBJECT: LCC REQUEST – Portofino Restaurant, Inc., 3455 Biddle Ave.

The Police Department has reviewed the Portofino Restaurant, Inc. request to transfer stock interest in 2011 Water Craft licensed business with Dance-Entertainment Permit, located at 3455 Biddle, Portofino's Restaurant Dock, Wyandotte, MI 48192, Wayne County, through issuance of 333.33 shares of stock to new stockholder, Jerry Beasley, from the Corporation. Concluding a review of the proposed request, the police portion of the request is recommended for approval.

The Police Department's final recommendation to the Liquor Control Commission is subject to the applicant meeting all laws and ordinances as required by the Fire and Engineering Departments, and approval of the Mayor and City Council through Resolution. If the City Council resolution is approved, the "Law Enforcement Recommendation" will be forwarded to the Liquor Control Commission.

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

Sincerely,

A handwritten signature in blue ink that reads 'Dan Grant'.

Daniel J. Grant
Chief of Police

Municipal Service Commission
Gerald P. Cole
Frederick C. DeLisle
James S. Figurski
Leslie G. Lupo
Michael Sadowski



Electric, Steam, Water
Cable Television and High Speed Internet
Service since 1889

Melanie L. McCoy
General Manager and Secretary
3005 Biddle Avenue, P.O. Box 658
Wyandotte, MI. 48192-0658
Telephone: (734) 324-7100
Fax: (734) 324-7119

November 14, 2012

Mr. William R. Griggs
City Clerk
City of Wyandotte
3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Request ID # 626934
Request ID # 626935
3455 Biddle Ave (Portofino Restaurant)

Dear Mr. Griggs,

In response to your office's inquiry, the above referenced account is current in their utility accounts.

If you require further information, do not hesitate to contact the undersigned.

Yours truly,

City of Wyandotte
DEPARTMENT OF MUNICIPAL SERVICE

A handwritten signature in blue ink, appearing to read "Melanie L. McCoy". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Melanie L McCoy
General Manager

WYANDOTTE CITY CLERK
P 4: 36

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



MAYOR
Joseph R. Peterson

COUNCIL
Todd M. Browning
James R. DeSana
Sheri M. Sutherby Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

November 14, 2012

William R. Griggs, City Clerk
3131 Biddle Avenue
Wyandotte, Michigan 48192

RE: 3455 Biddle Avenue

Dear Mr. Griggs,

The Treasurer's Department has reviewed the tax files for the property located at 3455 Biddle Avenue. According to the file, there are no delinquent personal property taxes due to the City of Wyandotte.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Szczechowski".

Robert J. Szczechowski
Deputy Treasurer/Assistant Finance Director

AGREEMENT CONCERNING DANCE AND ENTERTAINMENT PERMITS

- 1.) The undersigned has submitted an application with the MLLC seeking approval of a dance and entertainment permit.
- 2.) A dance and entertainment permit issued by the state may authorize the following activities:

Topless dancers, and/or bottomless dancers, partially nude or seminude dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers, or topless and/or bottomless and/or partially nude or seminude waitpersons or employees or any other form of nude or partially nude or seminude service or entertainment.

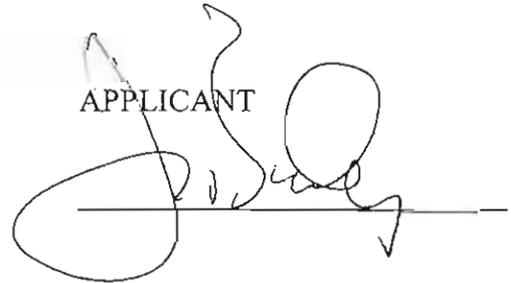
Applicant represents that it does not intend to feature or allow any of these uses.

- 3.) The application filed with the MLLC requires approval of the Wyandotte City Council.
- 4.) The City of Wyandotte zoning ordinance regulates adult entertainment facilities (cabaret) in Sec. 2202AA "Conditional Uses Authorized by Special License".
- 5.) MLLC policy does not permit the City of Wyandotte to attach conditions to any resolution approving a dance and entertainment permit and therefore this agreement is necessary if the City of Wyandotte is going to approve the dance and entertainment permit since applicant has represented to the city that it will not feature any of the conditional uses which require a special license by the city.
- 6.) The City of Wyandotte has an ordinance prohibiting public nudity in any establishment licensed by the MLLC in Sec. 21-291.
- 7.) The undersigned has not sought any special approval from the city for an adult entertainment facility (cabaret) because the undersigned represents it will not feature or allow such a use.
- 8.) The definition of an adult entertainment facility in Sec. 2202AA is as follows:

"Adult cabaret An establishment which features topless dancers, and/or bottomless dancers, partially nude or seminude dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers, or topless and/or bottomless and/or partially nude or seminude waitpersons or employees or any other form of nude or partially nude or seminude service or entertainment."

- 9.) The undersigned represents and warrants that the applicant does not intend to feature any of the activities described in Paragraph 8 above and further represents and warrants that applicant does not intend to feature any public nudity as prohibited by Sec. 21-291 of the City Code of Ordinances.
- 10.) The undersigned makes these material representations to the City of Wyandotte to induce the city to approve applicant's request for a dance and entertainment permit.
- 11.) The undersigned agrees and understands that if the City of Wyandotte approves the dance and entertainment permit with the MLCC, that such approval is not a waiver of the city's ordinances set forth above.
- 12.) The undersigned acknowledges and agrees that if the applicant fails to comply with the aforementioned ordinances, the City of Wyandotte shall revoke the Certificate of Occupancy for applicant's premises and the city will request the MLLC to revoke applicant's liquor license and permits.
- 13.) The parties agree that this agreement is binding on their heirs and assigns. Applicant agrees that if it receives approval of the liquor license and/or requested permits, it will provide this agreement to any party in the future who may seek to acquire said license from applicant.
- 14.) The undersigned agrees and acknowledges that if the City of Wyandotte approves applicant's request for the liquor license and dance and entertainment permits, said approval does not authorize applicant to feature or allow adult entertainment as defined by the city's ordinance.
- 15.) The undersigned agrees and acknowledges that if the City of Wyandotte approves applicant's request for the liquor license and dance and entertainment permits, said approval does not authorize applicant to feature or allow public nudity (as defined in the city's ordinance) in applicant's premises.
- 16.) The undersigned agrees that if it violates any provision of this agreement and it becomes necessary to commence any legal or administrative procedures to enforce the terms of this agreement, applicant represents it shall be responsible to reimburse the city for all city costs including reasonable attorney fees associated with said proceedings.

Dated: 11-15-18

APPLICANT


LOOK, MAKOWSKI AND LOOK
PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
2241 OAK STREET
WYANDOTTE, MICHIGAN 48192
(734) 285-6500
FAX (734) 285-4160



WILLIAM R. LOOK
STEVEN R. MAKOWSKI

RICHARD W. LOOK
(1912 - 1993)

November 13, 2012

To: Honorable Mayor and City Council

From: Department of Legal Affairs

Re: Duties of the City Treasurer

Dear Mayor and City Council:

Attached for your information are a summary of the duties of the city treasurer as set forth in the city charter and as prescribed by state law. I was also requested to render an opinion on who has authority to remove the deputy treasurer.

Paragraph 58 of the charter, section 14, states that the deputy treasurer is appointed by the treasurer, subject to the approval of the city council. The city council sets the compensation for the deputy. Once appointed, the deputy is subject to the control of the treasurer and may be removed at the will of the treasurer. The treasurer shall be liable for the acts and defaults of the deputy and that is probably the reason it states the treasurer may remove the deputy. The state law for treasurers in a township and a fourth class city also have the same provision permitting the treasurer to remove the deputy.

Respectfully submitted,
Department of Legal Affairs
LOOK, MAKOWSKI and LOOK, P.C.


William R. Look

WRL:mag

Attachments

DUTIES OF CITY TREASURER

- 1) Collector of all state, county and city taxes and assessments within the city.
- 2) Other duties as the council may prescribe.
- 3) Have custody of all monies, bonds and other evidences of value belonging to the city.
- 4) Receive all monies and receivables by the city.
- 5) Pay every warrant out of the particular fund.
- 6) Deposit all monies belonging to the city.
- 7) Render to the city council a report of the amounts received by the treasurer to each fund.
- 8) Render to the city council an account of receipts and disbursements of the treasury on an annual basis.
- 9) Shall serve on the city's Board of Review.
- 10) Enforce the payment of delinquent taxes.
- 11) Pay to the county treasurer taxes collected and report delinquent taxes to the county treasurer.
- 12) File a bond for the due performance of his or her duties of office.
- 13) Supervises and exercises control over the deputy treasurer

Backup info.

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



COUNCIL

Todd M. Browning
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Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

November 13, 2012

JOSEPH R. PETERSON
MAYOR
RESOLUTION

Thomas R. Woodruff
433 Biddle Avenue
Wyandotte, Michigan 48192

By Councilman James R. DeSana
Supported by Councilwoman Sheri M. Fricke

RESOLVED by the City Council that the communication from Thomas R. Woodruff, 433 Biddle Avenue, Wyandotte requesting an in-depth list of expectations and responsibilities related to the Treasurers position is hereby referred to the Mayor, Council, Department of Legal Affairs and City Administrator for a review and report back in one (1) week.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda
NAYS: None

RESOLUTION DECLARED ADOPTED

I, William R. Griggs, City Clerk for the City of Wyandotte, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Mayor and Council of the City of Wyandotte, at the regular meeting held on November 12, 2012.

William R. Griggs
William R. Griggs
City Clerk

CC: Mayor , Councilmembers, Department of Legal Affairs, City Administrator

Thomas R. Woodruff
433 Biddle Avenue
Wyandotte, Michigan 48192
734-282-6030



2012 NOV -8 A 11: 59

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

Reference: Wyandotte City Treasurer Duties

Dear Mayor Peterson and City Council Members,

First and foremost, I would like to take a moment to thank all of you for your dedicated public service to the City of Wyandotte. I realize that being an elected official can be difficult and it is always a challenge to make the best decisions for the city and it's citizens. That being said, the purpose of this letter is to request necessary clarifications related to the duties and responsibilities of the elected Treasurer position.

As you all know, I ran for this position four (4) years ago against the honorable Andy Swiecki. Mr. Swiecki is not only a friend, but he is also a great Treasurer. He has served this city well for many years. It was no surprise to me that I was unsuccessful in my first bid for this elected office. My experience of running for office was, all in all, very rewarding and informative.

The position of Treasurer has changed much over the last number of years, where now it seems to be more of a ceremonial position. I say this with no disrespect nor malice; however, the last time I ran I was troubled with this approach regarding this important position. I reviewed the Charter and found that the requirements prescribed by the City Charter to be quite different from the way the job is performed by the office holder.

Therefore, I am asking this body and the City Administration as a whole, for an in-depth list of your expectations and responsibilities related to the Treasurer position, so that I, and others who may be considering running for this office, could make an informed decision. The filing date deadline of December 4, 2012, to run for public office is fast approaching and I have much to consider before filing my declaration of candidacy to run for the Treasurer position.

Your timely response is appreciated and I thank you in advance for the time it may take to answer my questions and concerns.

I remain a constant supporter of the City of Wyandotte,

Tom Woodruff

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

4

MEETING DATE: November 19, 2012

AGENDA ITEM # _____

ITEM: Cable Deficit Plan Update

PRESENTER: Paul LaManes, Assistant to the General Manager

INDIVIDUALS IN ATTENDANCE: Steve Timcoe, Supt. of Cable

BACKGROUND: A 5 year deficit reduction plan was filed and accepted by the State of Michigan Department of Treasury in May 2012 for the City of Wyandotte – Department of Municipal Services Cable TV Department. Council requested that an update on progress be provided at 6 month intervals for the approved plan.

STRATEGIC PLAN/GOALS: Fiscal responsibility for Cable TV Department

ACTION REQUESTED: Receive and place on file. Update is in response to Council request in May 2012 to receive an update every 6 months.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Fiscal 2013 budget and subsequent year budgets will reflect goals of deficit plan

IMPLEMENTATION PLAN: Update of deficit plan does not have to be filed with the Department of Treasury, Treasury reviews audited financials to determine if plan is on track. Treasury will review change in Unrestricted Net Assets to determine if plan is on track, attached update notes that this goal will be met based on preliminary/unaudited results.

COMMISSION RECOMMENDATION: Municipal Services Commission reviewed and received document as part of agenda at November 13, 2012 regular meeting.

CITY ADMINISTRATOR'S RECOMMENDATION: N/A

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: N/A

LIST OF ATTACHMENTS

- Summary spreadsheet noting original deficit plan for fiscal 2012 and preliminary/unaudited 12 month results for fiscal 2012

MODEL RESOLUTION: None requested or necessary for this matter at this time.

**CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION**

MEETING DATE: November 19, 2012

AGENDA ITEM #

5

ITEM: Resolution Authorizing the Boiler 4 Asset Recovery Agreement with Greenworks Recovery Solutions

PRESENTER: James French, Wyandotte Municipal Service, Director of Power Supply

INDIVIDUALS IN ATTENDANCE: Paul LaManes, Wyandotte Municipal Services, Assistant to the General Manager,

BACKGROUND: Boiler #4 was decommissioned and has been idle since 1990. Greenworks Recovery Solutions is a company that works with Utilities to remove and recycle obsolete equipment and share the revenue recovered. By removing Boiler #4, WMS plans to remove the abandoned equipment without any added expense, and open up space in the Power Plant. All other options investigated to remove the equipment required payments by WMS.

STRATEGIC PLAN/GOALS: To provide services in an efficient, reliable, economically and environmentally responsible manner.

ACTION REQUESTED: Adopt the resolution authorizing the Boiler #4 Asset Recovery Agreement with Greenworks Recovery Solutions.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Revenue to be credited to Sundry Sales.

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to Greenworks Recovery Solutions.

COMMISSION RECOMMENDATION: Approved

FINANCE DIRECTOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

MODEL RESOLUTION: BE IT RESOLVED by the City Council that Council Concurs with the Wyandotte Municipal Service Commission in the following resolution.

A Resolution authorizing the Boiler #4 Asset Recovery Agreement with Greenworks Recovery Solutions..

RESOLUTION 11-2012-05

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE
BOILER 4 ASSET RECOVERY AGREEMENT WITH GREENWORKS RECOVERY
SOLUTIONS**

WHEREAS, Wyandotte Municipal Services, owns a piece of equipment known as Boiler 4, which is inoperable and is in need of removal; and

WHEREAS, Wyandotte Municipal Services, has negotiated for the disassembly, demolition, and asset recovery of Boiler 4 with Greenworks Recovery Solutions; and

WHEREAS, Wyandotte Municipal Services (WMS) and Greenworks Recovery Solutions (GRS) will share, 40% WMS and 60% GRS, the net proceeds for the sale of all recovered material from Boiler 4; and

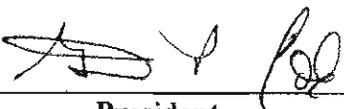
WHEREAS, the Boiler 4 Asset Recovery Project Agreement from Greenworks Recovery Solutions to provide for the disassembly, demolition, and asset recovery of Boiler 4 appears to be the best negotiated price and other benefits; now therefore,

BE IT RESOLVED by the Wyandotte Municipal Service Commission, a majority of its members thereto concurring, that the General Manager be and hereby is authorized to execute the Boiler 4 Asset Recovery Project Agreement from Greenworks Recovery Solutions, and that Wyandotte Municipal Services (WMS) and Greenworks Recovery Solutions (GRS) will share, 40% WMS and 60% GRS, the net proceeds for the sale of all recovered material from Boiler 4.

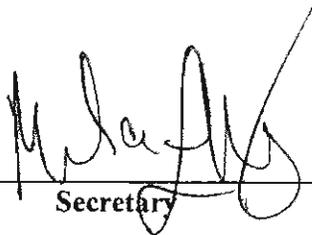
ADOPTED this 13th day of November 2012.

ATTEST:

WYANDOTTE MUNICIPAL SERVICE COMMISSION

By: 

President

By: 

Secretary

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



MAYOR
Joseph R. Peterson

COUNCIL
Todd M. Browning
James R. DeSana
Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

ANDREW A. SWIECKI
CITY TREASURER

November 15, 2012

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

Dear Mayor Peterson and City Council Members,

Attached for your review are the 2012 second and third quarter Quarterly Investment Reports. The attached reports keep the City in compliance with Public Act 213 of 2007, an amendment to Public Act 20 of 1943.

All investments during the quarters are in accordance with the City's Investment Policy and State statutes along with the City's three investment objectives: Preservation of Capital, Liquidity and lastly Yield. In addition, the report is in line with the commitment in the Mission Statement of the City of Wyandotte's Strategic Plan 2010-2015 that states we will comply with all the requirements of our laws and regulations.

If you should have any questions, comments or concerns, please do not hesitate to contact me.

Sincerely,

Robert J. Szczechowski
Deputy Treasurer/Assistant Finance Director

Attachments

RESOLUTION

RESOLVED BY CITY COUNCIL that Council hereby receives and places on file the 2012 1st and 2nd quarter Quarterly Investment Reports as outlined in the November 15, 2012 communication from the Deputy Treasurer/Assistant Finance Director.

City of Wyandotte
Attachment A
2nd Quarter Investment Report
Certificates of Deposit
November 14, 2012

Fund	Financial Institution	C of D Amount	Interest Rate	Maturity Date
General Fund	Monroe Bank & Trust	601,237.46	0.70%	06/26/13
General Fund	Monroe Bank & Trust	603,539.07	0.70%	06/26/13
Drug Forfeiture Fund	Monroe Bank & Trust	21,684.05	0.25%	07/17/12
Drug Forfeiture Fund	Monroe Bank & Trust	22,094.06	0.35%	09/04/12
Drug Forfeiture Fund	Monroe Bank & Trust	44,140.00	0.35%	12/05/12
Drain #5 Fund	Monroe Bank & Trust	83,985.08	0.25%	07/17/12
Drain #5 Fund	Monroe Bank & Trust	85,148.44	0.35%	09/04/12
Drain #5 Fund	Monroe Bank & Trust	170,350.00	0.35%	12/05/12
DDA-TIF Fund	Monroe Bank & Trust	117,424.05	0.25%	07/17/12
DDA-TIF Fund	Monroe Bank & Trust	119,628.18	0.35%	09/04/12
DDA-TIF Fund	Monroe Bank & Trust	238,510.00	0.35%	12/05/12

30-Day CD Index, average for the quarter	0.18%
30-Day CP Index, average for the quarter	0.12%
4-Week T-Bill, average for the quarter	0.06%
3-Month T-Bill, average for the quarter	0.09%
6-Month T-Bill, average for the quarter	0.15%

Source: Federal Reserve

City of Wyandotte
Attachment B
2nd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 14, 2012

Fund	Financial Institution	Account Type	Balance @6/30/12	Average Quarterly Interest Rate
General Fund	JP Morgan Chase	Checking	2,122,709.93	0.02%
	JP Morgan Chase	Savings	<u>5,135,430.42</u>	0.21%
			<u><u>7,258,140.35</u></u>	
Major Street Fund	JP Morgan Chase	Checking	69,093.94	0.02%
	JP Morgan Chase	Savings	<u>0.00</u>	0.21%
			<u><u>69,093.94</u></u>	
Local Street Fund	JP Morgan Chase	Checking	188,392.64	0.02%
	JP Morgan Chase	Savings	<u>34,614.16</u>	0.21%
			<u><u>223,006.80</u></u>	
Brownfield Redevelopment Authority Fund	JP Morgan Chase	Checking	49,175.24	0.02%
	JP Morgan Chase	Savings	<u>0.00</u>	0.21%
			<u><u>49,175.24</u></u>	
Sidewalk & Alley Fund	JP Morgan Chase	Checking	1,148,616.14	0.02%
	JP Morgan Chase	Savings	<u>358,664.81</u>	0.21%
			<u><u>1,507,280.95</u></u>	
Drug Forfeiture Fund	JP Morgan Chase	Checking	31,121.60	0.02%
	JP Morgan Chase	Savings	23,714.92	0.21%
	Monroe Bank & Trust	Money Market	<u>28.63</u>	0.17%
		<u><u>54,865.15</u></u>		
Housing Rehab Fund	JP Morgan Chase	Checking	<u>25,882.81</u>	0.02%
			<u><u>25,882.81</u></u>	
CDBG Fund	JP Morgan Chase	Checking	<u>175,938.42</u>	0.02%
			<u><u>175,938.42</u></u>	
Urban Development Action Grant Fund	JP Morgan Chase	Checking	1,302,200.60	0.02%
	JP Morgan Chase	Savings	<u>369,335.98</u>	0.21%
			<u><u>1,671,536.58</u></u>	

City of Wyandotte
Attachment B
2nd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 14, 2012

Fund	Financial Institution	Account Type	Balance @6/30/12	Average Quarterly Interest Rate
Special Events Fund	JP Morgan Chase	Checking	132,105.99	0.02%
	JP Morgan Chase	Savings	0.00	0.21%
			<u>132,105.99</u>	
EPA Fund	JP Morgan Chase	Checking	293,224.24	0.02%
	JP Morgan Chase	Savings	40,717.69	0.21%
			<u>333,941.93</u>	
Solid Waste Disposal Fund	JP Morgan Chase	Checking	1,145,776.09	0.02%
	JP Morgan Chase	Savings	426,786.55	0.21%
			<u>1,572,562.64</u>	
Building Authority Improvement Fund	JP Morgan Chase	Checking	536,314.06	0.02%
	JP Morgan Chase	Savings	314,513.51	0.21%
			<u>850,827.57</u>	
Debt Service Fund	JP Morgan Chase	Checking	0.00	0.02%
	JP Morgan Chase	Savings	0.00	0.21%
			<u>0.00</u>	
Capital Projects Fund	JP Morgan Chase	Checking	271,821.52	0.02%
	JP Morgan Chase	Savings	36,172.92	0.21%
			<u>307,994.44</u>	
Public Improvement Fund	JP Morgan Chase	Checking	51,500.55	0.02%
	JP Morgan Chase	Savings	32,622.92	0.21%
			<u>84,123.47</u>	
Capital Equipment Fund	JP Morgan Chase	Checking	384,041.90	0.02%
	JP Morgan Chase	Savings	16,866.09	0.21%
			<u>400,907.99</u>	
Drain Number Five Fund	JP Morgan Chase	Checking	1,154,307.49	0.02%
	JP Morgan Chase	Savings	86,084.14	0.21%
	Monroe Bank & Trust	Money Market	75.62	0.16%
			<u>1,240,467.25</u>	

City of Wyandotte
Attachment B
2nd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 14, 2012

Fund	Financial Institution	Account Type	Balance @6/30/12	Average Quarterly Interest Rate
TIFA Consolidated Fund	JP Morgan Chase	Checking	361,078.35	0.02%
	JP Morgan Chase	Savings	820,171.76	0.21%
			<u>1,181,250.11</u>	
DDA (Two Mill Levy) Fund	JP Morgan Chase	Checking	964.08	0.02%
	JP Morgan Chase	Savings	607.26	0.21%
			<u>1,571.34</u>	
DDA TIFA Fund	JP Morgan Chase	Checking	380,187.80	0.02%
	JP Morgan Chase	Savings	0.00	0.21%
	Monroe Bank & Trust	Money Market	78.82	0.16%
		<u>380,266.62</u>		
Municipal Golf Course Fund	JP Morgan Chase	Checking	41,314.32	0.02%
	JP Morgan Chase	Savings	0.00	0.21%
			<u>41,314.32</u>	
Building Rental Fund	JP Morgan Chase	Checking	15,162.66	0.02%
	JP Morgan Chase	Savings	842.30	0.21%
			<u>16,004.96</u>	
Sewage Fund	JP Morgan Chase	Checking	5,185,662.12	0.02%
	JP Morgan Chase	Savings	324,946.65	0.21%
	JP Morgan Chase	Trust	787,500.12	0.09%
		<u>6,298,108.89</u>		
Self Insurance Fund	JP Morgan Chase	Checking	2,270,913.21	0.02%
	JP Morgan Chase	Savings	426,216.30	0.21%
			<u>2,697,129.51</u>	
Trust Fund	JP Morgan Chase	Checking	469,349.45	0.02%
	JP Morgan Chase	Savings	189,368.04	0.21%
			<u>658,717.49</u>	

30-Day CD Index, average for the quarter	0.18%
30-Day CP Index, average for the quarter	0.12%
4-Week T-Bill, average for the quarter	0.06%
3-Month T-Bill, average for the quarter	0.09%
6-Month T-Bill, average for the quarter	0.15%

Source: Federal Reserve

**City of Wyandotte
Attachment A
3rd Quarter Investment Report
Certificates of Deposit
November 15, 2012**

Fund	Financial Institution	C of D Amount	Interest Rate	Maturity Date
General Fund	Monroe Bank & Trust	601,237.46	0.70%	06/26/13
General Fund	Monroe Bank & Trust	603,539.07	0.70%	06/26/13
General Fund	Flagstar Bank	1,000,000.00	0.55%	03/27/13
Sidewalk/Alley Fund	Flagstar Bank	81,096.59	0.55%	03/27/13
Drug Forfeiture Fund	Monroe Bank & Trust	21,659.20	0.25%	10/16/12
Drug Forfeiture Fund	Monroe Bank & Trust	44,178.52	0.35%	12/05/12
Drug Forfeiture Fund	Monroe Bank & Trust	22,115.00	0.30%	03/05/13
UDAG Fund	Flagstar Bank	25,051.05	0.55%	03/27/13
Solid Waste Fund	Flagstar Bank	156,211.86	0.55%	03/27/13
Drain #5 Fund	Monroe Bank & Trust	83,860.60	0.25%	10/16/12
Drain #5 Fund	Monroe Bank & Trust	170,498.69	0.35%	12/05/12
Drain #5 Fund	Monroe Bank & Trust	85,200.00	0.30%	03/05/13
Drain #5 Fund	Flagstar Bank	189,759.80	0.55%	03/27/13
TIFA Consolidated Fund	Flagstar Bank	104,919.85	0.55%	03/27/13
DDA-TIF Fund	Monroe Bank & Trust	117,249.77	0.25%	10/16/12
DDA-TIF Fund	Monroe Bank & Trust	238,718.19	0.35%	12/05/12
DDA-TIF Fund	Monroe Bank & Trust	119,700.00	0.30%	03/05/13
Sewage Disposal Fund	Flagstar Bank	260,507.77	0.55%	03/27/13
Self-Insurance Fund	Flagstar Bank	182,453.08	0.55%	03/27/13

30-Day CD Index, average for the quarter	0.19%
30-Day CP Index, average for the quarter	0.13%
4-Week T-Bill, average for the quarter	0.08%
3-Month T-Bill, average for the quarter	0.10%
6-Month T-Bill, average for the quarter	0.14%
Source: Federal Reserve	

City of Wyandotte
Attachment B
3rd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 15, 2012

Fund	Financial Institution	Account Type	Balance @9/30/12	Average Quarterly Interest Rate
General Fund	JP Morgan Chase	Checking	3,028,334.90	0.02%
	JP Morgan Chase	Savings	<u>12,137,746.39</u>	0.20%
			<u>15,166,081.29</u>	
Major Street Fund	JP Morgan Chase	Checking	109,108.76	0.02%
	JP Morgan Chase	Savings	<u>0.00</u>	0.20%
			<u>109,108.76</u>	
Local Street Fund	JP Morgan Chase	Checking	191,224.50	0.02%
	JP Morgan Chase	Savings	<u>34,632.19</u>	0.20%
			<u>225,856.69</u>	
Brownfield Redevelopment Authority Fund	JP Morgan Chase	Checking	209,434.11	0.02%
	JP Morgan Chase	Savings	<u>23,727.27</u>	0.20%
			<u>233,161.38</u>	
Sidewalk & Alley Fund	JP Morgan Chase	Checking	909,745.78	0.02%
	JP Morgan Chase	Savings	<u>358,851.66</u>	0.20%
			<u>1,268,597.44</u>	
Drug Forfeiture Fund	JP Morgan Chase	Checking	7,253.71	0.02%
	JP Morgan Chase	Savings	0.00	0.20%
	Monroe Bank & Trust	Money Market	<u>10.84</u>	0.18%
		<u>7,264.55</u>		
Housing Rehab Fund	JP Morgan Chase	Checking	<u>882.81</u>	0.02%
			<u>882.81</u>	
CDBG Fund	JP Morgan Chase	Checking	<u>208,090.74</u>	0.02%
			<u>208,090.74</u>	
Urban Development Action Grant Fund	JP Morgan Chase	Checking	281,024.05	0.02%
	JP Morgan Chase	Savings	<u>369,528.39</u>	0.20%
			<u>650,552.44</u>	

City of Wyandotte
Attachment B
3rd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 15, 2012

Fund	Financial Institution	Account Type	Balance @9/30/12	Average Quarterly Interest Rate
Special Events Fund	JP Morgan Chase	Checking	151,331.53	0.02%
	JP Morgan Chase	Savings	<u>0.00</u>	0.20%
			<u>151,331.53</u>	
EPA Fund	JP Morgan Chase	Checking	293,224.96	0.02%
	JP Morgan Chase	Savings	<u>40,738.91</u>	0.20%
			<u>333,963.87</u>	
Solid Waste Disposal Fund	JP Morgan Chase	Checking	1,752,407.88	0.02%
	JP Morgan Chase	Savings	<u>427,008.88</u>	0.20%
			<u>2,179,416.76</u>	
Building Authority Improvement Fund	JP Morgan Chase	Checking	365,320.80	0.02%
	JP Morgan Chase	Savings	<u>314,677.35</u>	0.20%
			<u>679,998.15</u>	
Debt Service Fund	JP Morgan Chase	Checking	0.00	0.02%
	JP Morgan Chase	Savings	<u>0.00</u>	0.20%
			<u>0.00</u>	
Capital Projects Fund	JP Morgan Chase	Checking	271,822.17	0.02%
	JP Morgan Chase	Savings	<u>36,191.76</u>	0.20%
			<u>308,013.93</u>	
Public Improvement Fund	JP Morgan Chase	Checking	56,320.20	0.02%
	JP Morgan Chase	Savings	<u>32,639.91</u>	0.20%
			<u>88,960.11</u>	
Capital Equipment Fund	JP Morgan Chase	Checking	385,177.27	0.02%
	JP Morgan Chase	Savings	<u>16,874.87</u>	0.20%
			<u>402,052.14</u>	
Drain Number Five Fund	JP Morgan Chase	Checking	2,128,735.31	0.02%
	JP Morgan Chase	Savings	86,128.99	0.20%
	Monroe Bank & Trust	Money Market	<u>64.77</u>	0.15%
			<u>2,214,929.07</u>	

City of Wyandotte
Attachment B
3rd Quarter Investment Report
Checking/Savings/Money Market/Other Accounts
November 15, 2012

Fund	Financial Institution	Account Type	Balance @9/30/12	Average Quarterly Interest Rate
TIFA Consolidated Fund	JP Morgan Chase	Checking	1,176,996.40	0.02%
	JP Morgan Chase	Savings	820,599.03	0.20%
			<u>1,997,595.43</u>	
DDA (Two Mill Levy) Fund	JP Morgan Chase	Checking	976.94	0.02%
	JP Morgan Chase	Savings	607.58	0.20%
			<u>1,584.52</u>	
DDA TIFA Fund	JP Morgan Chase	Checking	373,777.34	0.02%
	JP Morgan Chase	Savings	0.00	0.20%
	Monroe Bank & Trust	Money Market	64.10	0.16%
		<u>373,841.44</u>		
Municipal Golf Course Fund	JP Morgan Chase	Checking	40,350.59	0.02%
	JP Morgan Chase	Savings	0.00	0.20%
			<u>40,350.59</u>	
Building Rental Fund	JP Morgan Chase	Checking	14,263.10	0.02%
	JP Morgan Chase	Savings	842.74	0.20%
			<u>15,105.84</u>	
Sewage Fund	JP Morgan Chase	Checking	2,922,389.70	0.02%
	JP Morgan Chase	Savings	325,115.93	0.20%
	JP Morgan Chase	Trust	787,157.18	0.04%
		<u>4,034,662.81</u>		
Self Insurance Fund	JP Morgan Chase	Checking	2,046,768.24	0.02%
	JP Morgan Chase	Savings	426,438.34	0.20%
			<u>2,473,206.58</u>	
Trust Fund	JP Morgan Chase	Checking	145,813.98	0.02%
	JP Morgan Chase	Savings	189,462.36	0.20%
			<u>335,276.34</u>	

30-Day CD Index, average for the quarter	0.19%
30-Day CP Index, average for the quarter	0.13%
4-Week T-Bill, average for the quarter	0.08%
3-Month T-Bill, average for the quarter	0.10%
6-Month T-Bill, average for the quarter	0.14%

Source: Federal Reserve

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM # 7

ITEM: Continuation and Extension of the Joint Management Committee (JCM) Memorandum of Understanding (MOU) for the Downriver Sewage Disposal System

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski, 11-14-12

BACKGROUND: The Thirteen (13) communities have an agreement with Wayne County regarding running the Wastewater Treatment System. The Cities are requesting the County use its best efforts and prioritize the process of concluding negotiations on a New Contract by March 1, 2013. Therefore the attached Resolution will need to be adopted by each City.

STRATEGIC PLAN/GOALS: We are committed to protect and manage our natural resources vigorously by improving our water distribution facilities to ensure that they continue to meet or exceed all state and federal regulatory and legal requirements THE CITY OF WYANDOTTE, MICHIGAN Strategic Plan 2010-2015 Page 21 of 36. Improving our power generation and distribution facilities, both current and future, to ensure they continue to meet or exceed all state and federal regulatory and legal requirements

ACTION REQUESTED: Adopt the attached Resolution

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Adopt the attached Resolution

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: *WRL*

MAYOR'S RECOMMENDATION: *[Signature]*

LIST OF ATTACHMENTS: Resolution for Continuation of Downriver Wastewater Treatment System.

RESOLUTION FOR CONTINUATION OF DOWNRIVER
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 19th day of November, 2013,
at _____ a.m./p.m.

PRESENT _____

ABSENT _____

On Motion of _____, supported
by _____;

WHEREAS, effective March 1, 1962, a contract (the "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 United States of America 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 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 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 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 one (1) year commencing on January 1, 2011; and

WHEREAS, the Contract expired on March 1, 2012 and the County pursuant to a letter dated April 2, 2012, confirmed that "The County will also continue to adhere to the most recent

Memorandum of Understanding with the Joint Management Committee so long as the parties continue to work in good faith toward adoption of a new sewer disposal contract"; and

WHEREAS, the Municipalities are extremely disappointed and frustrated at the unreasonable delays and lack of progress to date in the negotiation and finalization of a new Downriver Sewage Disposal System Contract ("New Contract") with the County; and

WHEREAS, the Municipalities are insistent that the County use its best efforts and prioritize the process of concluding negotiations on a New Contract with the Municipalities by March 1, 2013 (the one-year anniversary of the expiration of the Contract); and

WHEREAS, while the negotiation of a New Contract is ongoing the Municipalities desire to retroactively extend the existence and operation of the Joint Management Committee past the December 31, 2011 expiration date of the Memorandum of Understanding for an additional term of two (2) years commencing January 1, 2012 and concluding December 31, 2013.

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 as extended through December 31, 2013 pursuant to terms and conditions set forth in Exhibit 1.

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

BE IT FURTHER RESOLVED THAT:

The Municipalities and the County use their best efforts and prioritize the process of concluding negotiations, finalizing and executing a new Downriver Sewage Disposal System Contract on or before Friday, March 1, 2013.

This Resolution shall take immediate effect.

AYES: _____

NAYS: _____

RESOLUTION DECLARED UNANIMOUSLY ADOPTED.

CITY OF WYANDOTTE

By _____
Mayor Joseph R. Peterson

and _____

Clerk William R. Griggs

I, William R. Griggs, City Clerk of the City of Wyandotte, County

of Wayne 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 Novem-ber 19, ~~2013~~ 2012

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of

_____, 2013.

Clerk William R. Griggs

City of Wyandotte

Wayne County, Michigan

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM # 8

ITEM: Revisions to the Master Deed for the Vinewood Village Condominium

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 11-14-12

BACKGROUND: City purchased the development with NSP2 Funds. A Master Deed was recorded for the 1st building and now is ready to include the remainder of the site into the Master Deed.

STRATEGIC PLAN/GOALS: Provide the finest services and quality of life to its residents by:
1. Fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas. 2. Ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods.

ACTION REQUESTED: Approve the First Amendment to the Amended and Restated Master Deed of Vinewood Village Condominium which is prepared by the Attorney for the Vinewood Village Development and authorize the Mayor and City Clerk to execute said document.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Mayor and City Clerk to execute the First Amendment to the Amended and Restated Master Deed of Vinewood Village Condominium and record same with Wayne County Registered of Deeds.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: *WRK*

MAYOR'S RECOMMENDATION: *JP*

LIST OF ATTACHMENTS: First Amendment to the Amended and Restated Master Deed of Vinewood Village Condominium

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 19, 2012

RESOLUTION by Councilperson _____

BE IT RESOLVED that the communication from the City Engineer regarding the amendment to the Master Deed of the Vinewood Village Condominium is hereby received and placed on file;
AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the First Amendment to the Amended and Restated Master Deed of Vinewood Village Condominium as presented to the City Council.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Browning
DeSana
Fricke
Galeski
Sabuda
Stec

Wyandotte City
Wyandotte, MI

**FIRST AMENDMENT TO THE AMENDED AND RESTATED MASTER DEED OF
VINEWOOD VILLAGE CONDOMINIUM**

The City of Wyandotte, a Michigan municipal corporation, whose address is 3131 Biddle Avenue, Wyandotte, Michigan 48192, being the Developer of Vinewood Village Condominium, a Condominium Project established pursuant to the Amended and Restated Master Deed for Vinewood Village Condominium ("Master Deed") thereof, recorded in Liber _____, Page _____, Wayne County Records, and known as Wayne County Condominium Subdivision Plan No. 877, hereby amends the Master Deed of Vinewood Village Condominium pursuant to the authority reserved in Article VI thereof for the purposes of enlarging the Condominium Project from 4 to 14 Units by the addition of the land described in paragraph 1 to Article II of the Master Deed. Upon recordation in the Office of the Wayne County Register of Deeds of this Amendment, said Master Deed and Exhibit B shall be amended in the following manner:

1. The following land shall be added to Article II of the Master Deed of Vinewood Village Condominium by this Amendment:

PART OF LOTS 39 THROUGH 46 & VACATED PUBLIC ALLEYS ADJOINING AND ALSO PART OF VACATED SUPERIOR BLVD. 60 FT. WIDE, WYANDOTTE LAND CO. SUB. NO.1, CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 40, PAGE 36 OF PLATS, WAYNE COUNTY RECORDS, DESCRIBED AS HAVING A POINT OF BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 46; THENCE ALONG THE NORTH LINE OF A VACATED ALLEY AND THE SOUTH LINE OF LOT 47 N90°0'00"E 15.67 FEET; THENCE S00°08'05"E 20.04 FEET TO A POINT ON THE SOUTH LINE OF SAID VACATED ALLEY (20 FEET WIDE); THENCE ALONG SAID SOUTH LINE OF VACATED ALLEY N90°0'00"E 15.67 FEET TO THE NORTHEAST CORNER OF LOT 39; THENCE ALONG THE EAST LINE OF SAID LOT 39 S00°08'05"E 150.00 FEET TO A POINT ON THE NORTH LINE OF VACATED SUPERIOR BLVD. (60 FEET WIDE); THENCE CONTINUING S00°08'05"E 60.00 FEET TO A POINT ON THE SOUTH LINE OF SAID VACATED SUPERIOR BLVD; THENCE ALONG THE SOUTH LINE OF SAID VACATED SUPERIOR BLVD N90°00'00"W 227.14 FEET TO A POINT ON THE EAST LINE OF THE DT&I RAILROAD; THENCE ALONG SAID EAST LINE OF THE DT&I RAILROAD N01°54'30"E 60.03 FEET TO THE NORTH LINE OF SAID VACATED SUPERIOR BLVD.; THENCE CONTINUING ALONG THE EAST LINE OF SAID DT&I RAILROAD N07°55'20"E 161.56 FEET; THENCE CONTINUING ALONG THE EAST LINE OF SAID DT&I RAILROAD N12°36'00"E 47.15 FEET TO A POINT; THENCE N90°0'00"E 160.66 FEET TO A POINT ON THE EAST LINE OF SAID LOT 46; THENCE ALONG THE EAST LINE OF SAID LOT 46 S00°05'22"E 36.00 FEET TO

THE POINT OF BEGINNING CONTAINING 1.26 ACRES OF LAND AND BEING SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

2. Article V, Section 2, of the Master Deed of Vinewood Village Condominium, as set forth below shall replace and supersede Article V, Section 2, as originally recorded, and Article V, Section 2, as originally recorded shall be of no further force or effect.

Amended Article V, Section 2, of the Master Deed:

Section 2. **Percentage of Valuc.** The percentage of value assigned to each Unit is equal. There are 14 Units in the Condominium which are numbered 1 through 14. The percentages of value were computed on the basis of comparative characteristics of the Units and concluding that there are not material differences among them insofar as the allocatable expenses of maintenance for each Units with respect to the General Common Elements. The total value of the Project is precisely 100%. The percentage of value assigned to each Unit shall be determinative of each Co-owner's respective share of the Common Elements of the Condominium Project, the proportionate share of each respective Co-owner in the proceeds and expenses of the administration and the value of such Co-owner's vote at meetings of the Association of Co-owners.

3. Amended Sheets 1, 2, 3, 4, 5 and 6, of the Condominium Subdivision Plan of Vinewood Village Condominium as attached hereto, shall replace and supersede Sheets 1, 2, 3, 4, 5 and 6, of the Condominium Subdivision Plan of Vinewood Village Condominium as originally recorded, and originally recorded sheets 1, 2, 3, 4, 5 and 6, shall be of no further force or effect. The legal description of the Condominium Premises contained on said Amended Sheet 1 shall replace and supersede the description of said Premises contained in Article II of the originally recorded Master Deed.

4. Sheets 7, 8, 9 and 10 are New Sheets added to the Condominium Subdivision Plan of Vinewood Village Condominium.

In all respects, other than as hereinabove indicated, the original Master Deed of Vinewood Village Condominium, including the Bylaws and Condominium Subdivision Plan respectively attached thereto as Exhibits A and B, recorded as aforesaid, is hereby ratified, confirmed and redeclared.

Dated this _____, day of _____, 2012.

CITY OF WYANDOTTE, a Michigan municipal corporation

By: _____
Joseph R. Peterson, Mayor

By: _____
William R. Griggs, Clerk

STATE OF MICHIGAN)
) SS.
COUNTY OF)

On this ____ day of _____, 2012, the foregoing instrument was acknowledged before me by Joseph R. Peterson, the Mayor, and by William R. Griggs, the Clerk, of the City of Wyandotte, a Michigan municipal corporation, on behalf of it.

Notary Public
Acting in _____ County, Michigan
My Commission Expires: _____

Amended Master Deed drafted by:
Mark J. Abdo, Attorney at Law
43928 Mound Road, Suite 100
Sterling Heights, Michigan 48314
When recorded, return to drafter

DISCLOSURE STATEMENT

VINEWOOD VILLAGE CONDOMINIUM

DEVELOPER

Wyandotte, a Michigan municipal corporation
3131 Biddle Avenue, Wyandotte, Michigan 48192

Telephone: _____

Vinewood Village is a 14-unit residential condominium which may be reduced in size to a minimum of 2 units within a period ending no later than 6 years from the recording of the Amended and Restated Master Deed.

THIS DISCLOSURE STATEMENT IS NOT A SUBSTITUTE FOR THE MASTER DEED, THE CONDOMINIUM BUYER'S HANDBOOK OR OTHER APPLICABLE LEGAL DOCUMENTS AND BUYERS SHOULD READ ALL SUCH DOCUMENTS TO FULLY ACQUAINT THEMSELVES WITH THE PROJECT AND THEIR RIGHTS AND RESPONSIBILITIES RELATING THERETO.

IT IS RECOMMENDED THAT PROFESSIONAL ASSISTANCE BE SOUGHT PRIOR TO PURCHASING A CONDOMINIUM UNIT.

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EXHIBIT A

DOCUMENTS FURNISHED WITH
RECEIPT AND INSTRUCTION SHEET

Amended and Restated Master Deed

First Amendment to the Amended and Restated Master Deed

Condominium Bylaws

Condominium Subdivision Plan

Association Articles of Incorporation

Purchase Agreement

Escrow Agreement

Limited Warranty

Condominium Buyer's Handbook

Disclosure Statement

DISCLOSURE STATEMENT VINEWOOD VILLAGE CONDOMINIUM

I. Introduction

Condominium development in Michigan is governed by Act 59 of the Michigan Public Acts of 1978, as amended (the "Condominium Act").

This Disclosure Statement, together with copies of the legal documents required for the creation and operation of the project, are furnished to each purchaser pursuant to the requirement of Michigan law that the Developer of a condominium project disclose to prospective purchasers the characteristics of the condominium units which are offered for sale.

II. The Condominium Concept

Condominium is a form of real property. A condominium unit has the same legal attributes as any other form of real property under Michigan law and may be sold, mortgaged or leased, subject only to such restrictions as are contained in the condominium documents or as otherwise may be applicable to property.

Each owner receives a deed to his individual condominium unit. Each owner owns, in addition to his unit, an undivided interest in the common facilities ("common elements") which comprise the project. Title to the common elements is included as part of, and is inseparable from, title to the individual condominium units. Each owner's proportionate share of the common elements is determined by the percentage of value assigned to his unit in the Amended and Restated Master Deed ("Master Deed") described in Section IV of this Disclosure Statement.

All portions of the project not included within the units constitute the common elements. Limited common elements are those common elements which are set aside for use by less than all unit owners. General common elements are all common elements other than limited common elements.

The project is administered generally by a non-profit corporation of which all owners are members (the "Association"). The nature and duties of the Association are described more fully in Section VI of this Disclosure Statement.

Except for the year in which the project is established, (or, in the case of units added to an expanding project by subsequent amendment to the Master Deed, the year in which such amendment is recorded), real property taxes and assessments are levied individually against each unit in the project. The separate taxes and assessments cover the unit and its proportionate share of the common elements. No taxes or assessments are levied independently against the common elements. In the year in which the project is established or in which an expansion amendment is recorded, the taxes and assessments for the units covered by the Master Deed or expansion amendment are billed to the Association and are paid by the owners of such units in proportion to the percentages of value

assigned to the units owned by them.

Although the foregoing is generally accurate as applied to most residential condominium developments, the details of each development may vary substantially. Accordingly, each purchaser is urged to carefully review the Master Deed, Condominium Bylaws and Condominium Subdivision Plans as well as any other documents that have been delivered to the purchaser in connection with this development. Any purchaser having questions pertaining to the legal aspects of the project is advised to consult his own lawyer or other professional advisor.

III. Description of the Condominium Project

A. **General.** Vinewood Village is a 14-unit residential condominium which may be reduced in size to a minimum of 2 units within a period ending no later than 6 years from the recording of the Amended and Restated Master Deed.

B. **Utilities.** Vinewood Village Condominium is served by water, sanitary sewer, gas, electric and telephone service.

C. **Roads.** The interior roads in Vinewood Village Condominium are private and will be maintained by the Association. Replacement, repair and resurfacing of all roads, drives and parking areas within the project will be necessary from time to time as circumstances dictate. It is impossible to estimate with any degree of accuracy future roadway repair or replacement costs. It shall be the responsibility of the Association to inspect and perform preventive maintenance of condominium roadways on a regular basis in order to maximize the life of project roadways and to minimize repair and replacement costs.

D. Reserved Rights of Developer.

(1) **Conduct of Commercial Activities.** The Developer has reserved the right to maintain on the condominium premises an office for conduct of commercial activities as it may elect together with a sales office, a business office, model units, storage areas, reasonable parking incident to the use of such areas, and such access to, from and over the condominium premises, as may be reasonable to enable development, sale and operation.

(2) **Right to Amend.** The Developer has reserved the right to amend the Master Deed without approval from owners and mortgagees for the purpose of correcting errors and for any other purpose so long as the amendment would not materially alter or change the rights of an owner or mortgagee. Further, certain provisions of the Master Deed cannot be amended without Developer approval.

(3) **Easements.** The Developer has reserved such easements over the condominium project (including all units and common elements) as may be required to perform any of the Developer's or the Association's maintenance, repair, decoration or replacement obligations.

(4) **Easements for Use of Roads Utilities.** The Developer has reserved easements to over the project roads and to utilize, tap, tie into, extend and enlarge all utility mains in the condominium project.

(5) **Convertible Areas.** The Developer has reserved in Article VII of the Master Deed the right to expand and/or reduce the size of individual units and to construct and/or relocate limited common elements within the Convertible Areas designated therein. The Developer must exercise this right within 6 years from the date of recording of the Master Deed.

(6) **General.** In the condominium documents and in the Condominium Act, certain rights and powers are granted or reserved to the Developer to facilitate the development and sale of the project as a condominium, including the power to approve or disapprove a variety of proposed acts and uses and the power to secure representation on the Association Board of Directors.

IV. Legal Documentation

A. **General.** Vinewood Village Condominium was established as a condominium project pursuant to a Master Deed recorded in the Wayne County Records. The Master Deed includes the Condominium Bylaws as Exhibit A and the Condominium Subdivision Plan as Exhibit B.

B. **Master Deed.** The Master Deed contains the definitions of certain terms used in connection with the project, the percentage of value assigned to each unit in the project, a general description of the units and common elements included in the project and a statement regarding the relative responsibilities for maintaining the common elements.

C. **Condominium Bylaws.** The Condominium Bylaws contain provisions relating to the operation, management and fiscal affairs of the condominium and, in particular, set forth the provisions relating to assessments of Association members for the purpose of paying the costs of operation of the condominium project. Article VI contains certain restrictions upon the ownership, occupancy and use of the condominium project. Article VI also contains provisions permitting the adoption of rules and regulations governing the common elements. At the present time, no rules and regulations have been adopted by the Board of Directors of the Association.

D. **Condominium Subdivision Plan.** The Condominium Subdivision Plan is a three-dimensional survey depicting the physical location and boundaries of each of the units and all of the common elements in the project.

V. The Developer

A. **Developer.** The Developer of Vinewood Village Condominium is the City of Wyandotte, a Michigan Municipal corporation, which has no previous experience as condominium developer.

B. Legal Proceedings Involving the Condominium Project or the Developer. The Developer is not presently aware of any material pending judicial or administrative proceedings involving the condominium project.

VI. Operation and Management of the Condominium Project

A. The Condominium Association. The responsibility for management and maintenance of the project is vested in Vinewood Village Condominium Association, which has been incorporated as a non-profit corporation under Michigan law. The Bylaws include provisions that govern the procedural operations of the Association. The Association is governed by its Board of Directors whose initial members are designees of the Developer.

Within 120 days after conveyance of legal or equitable title to non-developer co-owners of 25% in number of the units that may be created, 1 of the 5 directors will be selected by non-developer co-owners of units; within 120 days after conveyance of legal or equitable title to non-developer co-owners of 50% in number of the units that may be created, not less than 2 of the 5 directors will be selected by non-developer co-owners of units; and 120 days after conveyance of legal or equitable title to non-developer co-owners of 75% in number of the units that may be created, the non-developer co-owners shall elect all directors, except that the Developer shall have the right to designate at least 1 director as long as it owns at least 1 unit in the project. Regardless of the number of units conveyed, 54 months after the first conveyance, non-developer co-owners may elect directors in proportion to the number of units which they own.

Within 120 days after 1/3 of the total number of units that may be created have been conveyed or 1 year from the date of the first conveyance, whichever first occurs, the Developer shall establish an advisory committee to serve as liaison between the non-developer co-owners and the Developer.

The First Annual Meeting must be held on or before the expiration of 120 days after the conveyance of legal or equitable title to non-developer co-owners of 75% in number of all units that may be created or within 54 months after conveyance of the first unit, whichever first occurs. At the First Annual Meeting, the co-owner members of the Association will elect directors, and the directors in turn shall elect officers for the Association. The Developer's voting rights are set forth in Article VIII, Section 2 of the Bylaws.

B. Percentages of Value. The percentages of value for Vinewood Village Condominium were computed on the basis of comparative characteristics of various units. The percentage of value for each unit is equal. Total value for the entire project is precisely 100. In Vinewood Village Condominium, the percentage of value assigned to each unit determines, among other things, the value of each co-owner's vote and his proportionate share of regular and special Association assessments and of the proceeds of administration of the project.

C. Project Finances.

(1) **Budget.** Article II of the Condominium Bylaws requires the Board of Directors to adopt an annual budget for the operation of the project. The initial budget for the project was formulated by the Developer and is intended to provide for the normal and reasonably predictable expenses of administration of the project, and includes a reserve for replacement of major structural and other components of the project in the future. Inasmuch as the budget necessarily must be prepared in advance, it reflects the estimates of expenses made by the Developer. To the extent that estimates prove inaccurate during actual operations and to the extent that the goods and services necessary to service the condominium project change in cost in the future, the budget and the expenses of the Association also will require revision. The current budget of the Association has been attached to this Disclosure Statement.

(2) **Assessments.** Each co-owner of a unit included within the project must contribute to the Association in proportion to the percentage of value assigned to the unit(s) owned by him to defray expenses of administration. The Board of Directors may also levy special assessments in accordance with the provisions of Article II, Section 3 of the Condominium Bylaws.

The Developer shall only be responsible for payment of the full monthly Association assessment with respect to completed units and occupied units that it owns. The Developer shall not be responsible whatsoever to the Association for any payments in connection with incomplete units. The Developer shall independently pay all direct costs of maintaining incomplete units for which it is not responsible to pay the regular maintenance assessments.

(3) **Possible Additional Liability.** Each purchaser is advised of the following possible liability of each co-owner under Section 58 of the Condominium Act:

If the holder of the first mortgage or other purchaser of a condominium unit obtains title to that unit by foreclosing that mortgage, the holder of the first mortgage or other purchaser is not liable for unpaid assessments which are chargeable against that unit and which had become due prior to foreclosure. These unpaid assessments are common expenses which are collectible from all unit owners including the holder of the first mortgage who has obtained title to the unit through foreclosure.

D. Condominium Association Management Contract. The Condominium Bylaws do not require that the Association employ a professional management agent to manage the affairs of the condominium. The Association may enter into a contract with a professional management company. The Association may terminate the agreement on the "transitional control date" or at any time within 90 days thereafter. The "transitional control date" means the date on which a Board of Directors for the Association takes office pursuant to an election in which the votes which may be cast by eligible co-owners unaffiliated with the Developer exceed the votes which may be cast by the Developer.

E. Insurance.

(1) **Title Insurance.** The Purchase Agreement provides that the Developer shall furnish each purchaser with a commitment for an owner's title insurance policy at or prior to closing, and that the policy itself shall be provided within a reasonable time after closing. The cost of the commitment and policy is to be borne by the Developer. Each purchaser should review the title insurance commitment with a qualified advisor of his choice prior to closing to make certain that it conforms to the requirements of the Purchase Agreement.

(2) **Other Insurance.** The condominium documents require that the Association carry fire and extended coverage, vandalism and malicious mischief and liability insurance and workmen's compensation insurance, if applicable, with respect to all of the common elements of the project. The insurance policies have deductible clauses and, to the extent thereof, losses will be borne by the Association. The Board of Directors is responsible for obtaining insurance coverage for the Association. Each co-owner's pro rata share of the annual Association insurance premiums is included in the monthly assessment. The Association insurance policies are available for inspection during normal working hours. A copy of the Certificate of Insurance with respect to the condominium project will be furnished to each co-owner upon closing the sale of his unit. Each co-owner is responsible for obtaining insurance coverage with respect to the interior and contents of his unit to the extent indicated in Article IV of the Condominium Bylaws, as well as for liability for injury within his unit and upon limited common elements assigned to his unit, and for alternative living expense in the event of fire. The Association should periodically review all insurance coverage to be assured of its continued adequacy and co-owners should each do the same with respect to their personal insurance.

F. Restrictions on Ownership, Occupancy and Use. Article VI of the Condominium Bylaws contains comprehensive restrictions on the use of the condominium units and the common elements. It is impossible to paraphrase these restrictions without risking the omission of some portion that may be of significance to a purchaser. Consequently, each purchaser should examine the restrictions with care to be sure that they do not infringe upon an important intended use.

The following is a list of certain of the most significant restrictions:

(1) Units are to be used for single-family residential purposes only.

(2) With certain exceptions, no co-owner may lease less than his entire unit, nor lease his unit for less than an initial term of 6 months without the approval of the Association. Although it is the Developer's intention to sell all of the units that it owns in the project, it will necessarily require some time for the Developer to achieve this goal. Further, market conditions and other factors beyond the Developer's control may impede the Developer's efforts to complete its sales program and may necessitate the suspension of the sales program from time to time. Accordingly, the Developer may lease all unsold units in the project for such terms as may be most compatible

with achievement of the Developer's sales program in an effort to keep the project fully occupied throughout the duration of such program.

(3) No animal, including household pets, except 1 dog or 1 cat which shall not exceed 40 pounds in weight, shall be kept without the prior written consent of the Board of Directors, which consent, if given, shall be revocable at any time by the Board for failure by pets or their owners to observe provisions of the Bylaws or rules and regulations of the Association pertaining to pets.

(4) There are substantial limitations upon physical changes which may be made to the units and common elements in the project, and upon the uses to which the common elements and units may be put.

(5) Reasonable regulations may be adopted by the Board of Directors of the Association concerning the use of common elements, without vote of the co-owners.

None of the restrictions apply to the commercial activities or signs of the Developer.

VII. Rights and Obligations as Between Developer and Co-owners

A. Before Closing. The respective obligations of the Developer and the purchaser of a condominium unit in the project prior to closing are set forth in the purchase agreement and the accompanying escrow agreement. Those documents should be closely examined by all purchasers in order to ascertain disposition of earnest money deposits advanced by the purchaser at the time of closing, anticipated closing adjustments, and the obligation of both parties with respect to modifications to the standard unit and extra installations. The Escrow Agreement provides, pursuant to Section 103b of the Condominium Act, that the escrow agent shall maintain sufficient funds or other security to complete improvements shown as "must be built" on the Condominium Subdivision Plan until such improvements are substantially complete. Funds retained in escrow are not to be released to Developer until issuance of a certificate of occupancy, if applicable, conveyance of title to a purchaser and confirmation by the escrow agent that all improvements labeled "must be built" are substantially complete. Please refer to the Condominium Subdivision Plan for the designation of which units are **Amust be built@** and which are **Aneed not be built@**.

B. At Closing. Each purchaser (except a purchaser under land contract) will receive by warranty deed fee simple title to his unit subject to no liens or encumbrances other than the condominium documents and those other easements and restrictions as are specifically set forth in the condominium documents and title insurance commitment.

C. After Closing.

(1) **General.** Subsequent to the purchase of the unit, relations between the Developer and the co-owner are governed by the Master Deed, except to the extent that any contractual provi-

sions of the Purchase Agreement are intended to survive the closing.

(2) **Condominium Project Warranties.** The Developer is warranting each of the units against defects in workmanship and materials for a period of 1 year from the date of closing the sale of the pertinent unit, as more particularly set forth in the Limited Warranty which accompanied the Purchase Agreement. Except for emergencies or in other extraordinary circumstances, all warranty claims must be submitted in writing to the Developer at its address appearing on the cover sheet of this Disclosure Statement within the applicable 1-year warranty period. In the case of emergencies or in other extraordinary circumstances where written communications would be inappropriate, purchasers should contact the Developer by telephone at the number shown on the cover of this Disclosure Statement. This warranty is extended only to the first purchaser of each unit and is not transferable. The terms of the Developer's warranty are completely set forth in the Limited Warranty which accompanied the Purchase Agreement, and it is recommended that you examine the Limited Warranty and review it with advisors of your choice prior to the execution of the Purchase Agreement and the closing on the purchase of your condominium unit. LIMITED WARRANTIES ARE PROVIDED AS STATED. EXPRESS WARRANTIES ARE NOT PROVIDED UNLESS SPECIFICALLY STATED.

VIII. Purpose of Disclosure Statement

The Developer has prepared this Disclosure Statement in good faith, in reliance upon sources of information believed to be accurate and in an effort to disclose material facts about the project. Each purchaser is urged to engage a competent lawyer or other advisor in connection with his or her decision to purchase a unit. In accepting title to the unit in the condominium project, each purchaser shall be deemed to have waived any claim or right arising out of or relating to any immaterial defect, omission or misstatement in this Disclosure Statement.

The Michigan Department of Commerce publishes The Condominium Buyer's Handbook which the Developer has delivered to you. The Developer assumes no obligation, liability, or responsibility as to the statements contained therein or omitted from The Condominium Buyer's Handbook.

RECEIPT AND INSTRUCTION SHEET

VINEWOOD VILLAGE CONDOMINIUM

Dear Co-owner:

At this time we are furnishing you with the Vinewood Village Condominium disclosure documents which include the Vinewood Village Condominium Purchase Agreement, Recorded Master Deed, Condominium Buyer's Handbook, Disclosure Statement, and all of the other documents as listed on "Exhibit A" attached hereto.

As provided in Sections 84 and 84a of the Michigan Condominium Act, unless you waive the right of withdrawal, your purchase agreement shall not become binding on you and you may withdraw from your purchase agreement without cause and without penalty before conveyance of the unit and within 9 business days after receipt of the following documents:

- (a) Recorded Master Deed.
- (b) Copy of the Purchase Agreement.
- (c) Condominium Buyer's Handbook.
- (d) Disclosure Statement.

"Business day" means a day of the year excluding a Saturday, Sunday, or legal holiday. The calculation of the 9 business-day period shall include the day on which the documents listed above are received if that day is a business day. During that time, you should be sure to carefully read the accompanying documents which control the operation of the Condominium and are of extreme importance to you in understanding the nature of the interest which you are purchasing and your relationship with the Condominium Project, its Co-owners and the Developer.

The signature of the purchaser upon this Receipt and Instruction Sheet is a prima facie evidence that the documents listed on Exhibit A attached hereto were received and understood by the Purchaser.

Very truly yours,

CITY OF WYANDOTTE

By: _____

Receipt of described Documents acknowledged:

By: _____

(If more than one Purchaser, all must sign)

Unit No.: _____

Dated: _____

EXHIBIT A

DOCUMENTS FURNISHED WITH
RECEIPT AND INSTRUCTION SHEET

Amended and Restated Master Deed

First Amendment to the Amended and Restated Master Deed

Condominium Bylaws

Condominium Subdivision Plan

Association Articles of Incorporation

Purchase Agreement

Escrow Agreement

Limited Warranty

Condominium Buyer's Handbook

Disclosure Statement

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM # _____

9

ITEM: Sales Agreements for NPS2 Homes – 649 Vinewood thru 659 Vinewood, 616 Superior thru 622 Superior, 316 Chestnut, 1322 Oxford, 2064 5th Street, 2351 9th Street

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski - 11-15-12

BACKGROUND: Constructed new homes or purchased and rehabilitated homes with NSP2 Funds. Council approved listing price of homes on October 29, 2012. Placed in MLS on October 30, 2012, and held Lottery Drawing on November 12, 2012. The City received offers on all properties except 655 and 659 Vinewood. The following are the offers were selected in the Lottery Drawing:

649 Vinewood – Paul and Jocelyne DeLadurantaye, 12642 Elaine Dr., Southgate, Michigan in the amount of \$88,500.00 were selected in the Lottery Drawing. Mr. and Mrs. DeLadurantaye are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$15,487.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is is \$73,012.50.

651 Vinewood – Michael Shampaigne, 3367 22nd Street, Wyandotte, Michigan in the amount of \$83,500.00 00 was selected in the Lottery Drawing. Mr. Shampaigne is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$14,612.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$68,887.50.

653 Vinewood – Jeffrey March, 16792 Anderson Dr., Southgate, Michigan in the amount of \$88,500.00 was selected in the Lottery Drawing. Mr. March is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$15,487.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$73,012.50.

657 Vinewood – Donald and Melanie Brown, 23351 Fairway Drive East, Woodhaven, Michigan in the amount of \$88,500.00 were selected in the Lottery Drawing. Mr. and Mrs. Brown are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$26,500.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$62,000.

616 Superior – Diane Welsh, 4227 15th Street, Wyandotte, Michigan in the amount of \$97,500.00 was selected in the Lottery Drawing. Ms. Welsh is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$17,062.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner

occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$80,437.50.

618 Superior – Todd Laurin, 16201 Oceana Avenue, Allen Park, Michigan in the amount of \$97,500.00 was selected in the Lottery Drawing. Mr. Laurin is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$41,533.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for fifteen (15) years this lien will not have to be repaid. Since the housing subsidy exceeds \$30,000 the City's approval is contingent upon approval by Michigan State Housing Development Authority (MSHDA)). The final mortgage amount is \$55,967.

620 Superior – Joseph and Delphine Elden, 7829 Kingsley Dr., Onsted, Michigan in the amount of \$97,500.00 were selected in the Lottery Drawing. Mr. and Mrs. Elden are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$17,062.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$80,437.50.

622 Superior – Jason Motorojescu, 13902 Kingswood, Riverview, Michigan in the amount of \$97,500.00 was selected in the Lottery Drawing. Mr. Motorojescu is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$22,500.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$75,000.

316 Chestnut – Katelyn Davis, 1278 Oxford Court, Wyandotte, Michigan in the amount of \$102,500.00 was selected in the Lottery Drawing. Ms. Davis is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$17,937.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$84,562.50.

1322 Oxford Court – Mary Stevens, 1113 Superior Apt 1, Wyandotte, Michigan in the amount of \$98,000.00 were selected in the Lottery Drawing. Ms. Stevens is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$17,150.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$80,850.

2064 5th Street – Thomas and Valerie Lybrand, 1871 Lindbergh, Wyandotte, Michigan in the amount of \$91,500.00 were selected in the Lottery Drawing. Mr. and Mrs. Lybrand are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$16,012.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$75,487.50.

2351 9th Street – Jose Luis Salinas II and Jessica Vazquez, 42774 Saltz, Canton, Michigan in the amount of \$118,000.00 were selected in the Lottery Drawing. Mr. Salinas II and Ms. Vazquez are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$48,000.00 (which will be a lien with Michigan State Housing Development

Authority (MSHDA)). If the home is maintained as owner occupied for fifteen (15) years this lien will not have to be repaid. Since the housing subsidy exceeds \$30,000 the City's approval is contingent upon approval by Michigan State Housing Development Authority (MSHDA)). The final mortgage amount is \$70,000.

STRATEGIC PLAN/GOALS: By fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas. Ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods. Also, by promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Approve Sales Agreements for the homes at 649, 651, 653, 657 Vinewood, 616, 618, 620, 622 Superior and 316 Chestnut, 1322 Oxford Ct., 2064 5th Street, 2351 9th Street. The properties at 655 and 659 Vinewood will remain on the open market and available to any approved NSP2 Purchaser.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on properties.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: N/A

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS: Sales Agreements

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: November 19, 2012

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND COUNCIL that Council concurs with the recommendation of the City Engineer regarding the sale of the NSP2 homes at 649 Vinewood, 651 Vinewood, 653 Vinewood, 657 Vinewood, 659 Vinewood, 616 Superior, 618 Superior, 620 Superior, 622 Superior 316 Chestnut, 1322 Oxford Ct., 2064 5th Street, and 2351 9th Street; AND hereby accepts the following offers:

649 Vinewood – Paul and Jocelcynne DeLadurantaye, 12642 Elaine Dr., Southgate, Michigan in the amount of \$88,500.00 were selected in the Lottery Drawing. Mr. and Mrs. DeLadurantaye are 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$15,487.50 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is \$73,012.50.

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BE IT RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents;

AND

BE IT RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and the City Attorney are hereby authorized to sign said documents;

AND BE IT FURTHER RESOLVED that the properties at 655 and 659 Vinewood will remain on the open market and available to any approved NSP2 Purchaser

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Browning
DeSana
Fricke
Galeski
Sabuda
Stec

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM # 10

ITEM: Wyandotte Lion's Club Park – Ornamental fence installation

PRESENTER: Mark Kowalewski, City Engineer & James R. Knopp, Superintendent of Recreation
Mark Kowalewski 11-12-15-12

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: This is the expanded park at Vinewood & 9th streets. On November 12th, 2012, proposals were opened and read aloud in the Council Chambers for the installation of 165 feet of Ornamental fence at Wyandotte Lion's Club Park. Three (3) contractors attended the mandatory pre-bid meeting and all three (3) contractors submitted bids.

- | | |
|--|------------|
| 1. American Fence – 21200 Schoenherr, Warren MI | \$5,878.90 |
| 2. Future Fence Company - 23450 Regency Drive, Warren MI | \$5,181.00 |
| 3. Industrial Fence – 12030 Pleasant Street, Detroit MI | \$7,425.00 |

STRATEGIC PLAN/GOALS: By fostering the revitalization and preservation of older areas of the City as well as developing new areas. Ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods. Also, by promoting the finest in design, amenities and associated infra-structure improvements in all new developments.

ACTION REQUESTED: The undersigned recommends the proposal submitted by Future Fence Company, Warren MI in the Lump Sum amount of \$5,181.00 for the Ornamental fence installation at Wyandotte Lion's Club Park.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Recreation TIFA-Parks 492-200-850-860-524

IMPLEMENTATION PLAN: Execute contracts and install fence.

COMMISSION RECOMMENDATION: Approved by Recreation commission 11-13-12

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: *JK*

LIST OF ATTACHMENTS: E mail response of Parks & Rec Commission approval for Ornamental Fence installation

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 19, 2012

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council Concurs with the Wyandotte City Engineer and Superintendent of Recreation in the following resolution.

To award the contract for ornamental fence installation at Lion's Club Park to Future fence Company, Warren in the amount of \$5,181.00 from account # 492-200-850-860-524.

I move the adoption of the foregoing resolution.

MOTION by
Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

Browning
DeSana
Fricke
Galeski
Sabuda
Stec

David Fuller

From: Ralph Hope <rhope@wyan.org>
Sent: Thursday, November 15, 2012 4:06 PM
To: 'David Fuller'
Subject: FW: Lion's Park Fence

From: James Knopp [<mailto:jknopp@wyan.org>]
Sent: Thursday, November 15, 2012 12:23 PM
To: 'Ralph Hope'
Subject: RE: Lion's Park Fence

Ralph

The Rec. Commission at their meeting on Tuesday night (Nov. 13) approved my recommendation to accept that Future Fence bid if it met all the qualifications set by the Eng. Dept. and met all other project specifications.

Jin

From: Ralph Hope [<mailto:rhope@wyan.org>]
Sent: Thursday, November 15, 2012 8:32 AM
To: 'James Knopp'
Cc: 'Mark Kowalewski'
Subject: Lion's Park Fence

Hi Jim, fence bids were opened on Monday 11-12-12 and the low bidder was Future Fence Company at \$5,181.00. I spoke to cost estimator Jason Gautz from Future Fence yesterday requesting some background info as well as any local projects that we can take a look at. I do know that the company was established in 1979 and are located in Warren, Michigan. I'm currently in process of drafting a letter to MAYOR AND COUNCIL recommending to award Future Fence Company the work. If you have any concerns regarding this selection please let me know, thanks.

Bid List:

1. American Fence \$5,878.90
2. **Future Fence Company \$5,181.00**
3. Industrial Fence \$7,425.00

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



JOSEPH R. PETERSON
MAYOR

COUNCIL

Todd M. Browning
James R. DeSana
Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

Reports
+
minutes

Wyandotte, Michigan November 12, 2012

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

ROLL CALL

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

Absent: Councilperson Stec

COMMUNICATIONS MISCELLANEOUS

November 7th, 2012

Mayor and Council, 3131 Biddle Avenue
Wyandotte, MI 48192

Dear Mayor and Council:

The Tatas Task Force has completed our work. For this year. In wrapping up, we thank Mayor and Council for your cooperation and interest in helping to clear the path, seeing us through. We also thank Municipal Service, DPS, Parks and Recreation, the Fire department and the DDA for everything they did to help this broad-based effort succeed. We are proud of what we made happen in our first year, and it would not have been anything close to this good without the participation of our city government. We hope EVERYONE is proud of their efforts.

Many businesses participated, many were SO actively engaged. There are too many to name, and they wouldn't want to be named anyway. Many individuals gave of their time and energy - -- they seemed to be motivated from a place far bigger than simply helping us. This effort was a total collaboration, and all of us need to step back and recognize just how good it can be when it all comes together like this.

Many ran with us at our 3K Walk & Run & Roll, filled out their passports at participating stores, decorated bras for Bras for the Cause, tasted Michigan wines as 6 wineries from Southeastern Michigan's Pioneer Wine Trail came to help us wrap it all up. Miss Michigan came to town! Education was done. Awareness was raised. We celebrated survivors, we remembered so many lost. National is great, but in Wyandotte, the pinkness had real connectivity to real people.

The Jaycees were phenomenal. What an extraordinary level of commitment for the cause as we staged our first wine tasting event. We can't say enough about the friendly, engaged & energetic partnership with the Wyandotte Jaycees. At the tasting, they were shorthanded and tapped friends to help (including the Exiled Saints), and help they did. We wish it could be much more, but we are grateful to be able to thank them with a check for \$1,500 from The Tatas Task Force, and we look forward to being able to do more for them in the future - - - they need it and certainly more than deserve it.

Yes Ma'am is the recipient of these efforts to raise awareness, and money. The awareness part is huge, but the money part is more measurable: \$300 from Belicoso Café. \$190 from the Bras for the Cause campaign. \$1,230 from Salon Mon Ami's fundraiser. The Tatas Task Force will be giving \$1,500 to Yes Ma'am as well. The Fire Department raised money for them as well, and Stars Shining Through (with the pink football jerseys) also generated more for both Yes Ma'am and Roosevelt High School. Meanwhile, Yes Ma'am was eagerly and happily engaged in all of our activities all month - - - enthusiastically partnering with us, above and beyond. What a pleasure to help a cause, through people that are so insistent on pitching in themselves to help make as much difference as they can. We don't know the total amount raised, and it almost doesn't matter; Paint the Town Pink was all about Education of early detection, Remembrance of those lost, and Celebration of those that survived their battle. Money for the cause is a great bonus.

As we wrapped up the nearly month-long series, the launch of the lanterns was amazingly moving. A little frustrating, too, thanks to high winds on our cold day! But another success - - - no trees burned down! Hooray! Thanks to the man who climbed that tree three times to free the lanterns!

Thank You to all that put up lights, baked cakes, spread Survivor art around town, installed pink fountain lights, chalked store-fronts and building -fronts, turned Bears pink in a football game, programmed Fort Street signs, tied ribbons on (Downtown and not), erected fencing, donated services, created awesome celebrations of survivors, hosted breakfasts, painted sidewalks, took photos and videos, wrote nice articles, collected insane and creative bras, sold ads and static clings, loaned tents, collected donations for Passport prize-winners, set up and took down chairs and tables at the tasting, staged events with entertainment, shared enthusiasm and "the love" for all - - - the list is so long and so impressive, and it's bound to be incomplete, too. Our sincere apologies for any contributions not mentioned - - - we're grateful to all participants, and so proud to have worked with all of you.

To all that help women fight this fight against breast cancer on an on-going, year-round basis, we salute you and say thank you for that selfless work. To those that have lost loved ones, thank you so much for sharing with us, and being a part of the effort to help others - - right along with breast cancer survivors that also gave so much of themselves. Thank you to ALL of you. This whole affair was nothing short of AWESOME. We DID it.

We sincerely hope that all that participated in any way, shape or form feel really, really good that they did. This was a great start, a fun and rewarding and demanding first effort that had an impact. Start thinking now about how the lights and energy can spread throughout the entire town. Ideas have already been floated that will elevate us further. Stay tuned for next year; we're unaware of anything like this anywhere else, and we have set the stage for future efforts to raise the bar higher. Wyandotte Rules, after all.

With Gratitude, Pete Rose

The Tatas Task Force

November 8, 2012

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

Reference: Wyandotte City Treasurer Duties

Dear Mayor Peterson and City Council Members,

First and foremost, I would like to take a moment to thank all of you for your dedicated public service to the City of Wyandotte. I realize that being an elected official can be difficult and it is always a challenge to make the best decisions for the city and its citizens. That being said, the purpose of this letter is to request necessary clarifications related to the duties and responsibilities of the elected Treasurer position.

As you all know, I ran for this position four (4) years ago against the honorable Andy Swiecki. Mr. Swiecki is not only a friend, but he is also a great Treasurer. He has served this city well for many years. It was no surprise to me that I was unsuccessful in my first bid for this elected office. My experience of running for office was, all in all, very rewarding and informative.

The position of Treasurer has changed much over the last number of years, where now it seems to be more of a ceremonial position. I say this with no disrespect nor malice; however, the last time I ran I was troubled with this approach regarding this important position. I reviewed the Charter and found that the requirements prescribed by the City Charter to be quite different from the way the job is performed by the office holder.

Therefore, I am asking this body and the City Administration as a whole, for an in-depth list of your expectations and responsibilities related to the Treasurer position, so that I, and others who may be considering running for this office, could make an informed decision. The filing date deadline of December 4, 2012, to run for public office is fast approaching and I have much to consider before filing my declaration of candidacy to run for the Treasurer position.

Your timely response is appreciated and I thank you in advance for the time it may take to answer my questions and concerns.

I remain a constant supporter of the City of Wyandotte,

Thomas R. Woodruff, 433 Biddle Avenue, Wyandotte, Michigan 48192
734-282-6030

11/08/12

Mayor Peterson and esteemed City Councilpersons:

We, the Wyandotte Jaycees, would like to open discussions for our Santa House project. The Wyandotte Jaycees is working with the Downtown Development Authority as well as several local business and property owners. We have become unsuccessful in our search for either lack of space or financial stipulations that would make the Santa House economical unsatisfactory.

The Wyandotte Jaycees would like to have the ability to use City Hall lobby, 3131 Biddle, as a potential opportunity for this project. It would be a great location as there is ample parking, centrally located within the downtown shopping district, and near Santa's Mailbox.

If you are willing, the Wyandotte Jaycees would like to gain access to the building as soon as possible and would be working weeknights from 6 pm till 10 pm and on the weekends from Noon to 10 pm to construct a suitable location for Saint Nicholas to see all of his adoring fans. The deconstruction will occur through January 12th during same time frame.

With St. Nicholas busy schedule, we would be open from November 24th through December 22nd. It will be only on the Fridays from 4 pm through 8 pm and on Saturdays 1 pm through 5 pm. The Wyandotte Jaycees, with assistance from the Downtown Development Authority have agreed on these times. As always, the Wyandotte Jaycees would take great pride in the use of the building.

This project is not intended to be a financial gain for the Wyandotte Jaycees nor the Downtown Development Authority. The Wyandotte Jaycees is planning on having the opportunity to have pictures taken for a fee which will cover film/paper for processing. Any donations will cover the cost of transportation of Saint Nicholas to be away from the North Pole prior to Christmas. The Wyandotte Jaycees is also looking into a partnership with the Masons to do a child ID project that will allow the parents to have the ability to obtain fingerprints, dental impressions, DNA, and voice recognition if their child becomes missing.

Thank you for your consideration into this great opportunity and allowing the 2012 Holiday season to be one of the greatest that Wyandotte has to offer.

Thanks again in advance,
Jon Dehring
37th President of the Wyandotte Jaycees 734-625-1619
P O Box 276, Wyandotte, MI 48192

PERSON IN THE AUDIENCE

Kevin VanBoxell, 1271 – 12th, regarding the welcoming of the return of veterans by placement of name on marquee at Fort & Eureka and 3rd & Eureka. Need to change guidelines in Recreation Department currently on file to welcome home veterans.

Richard Miller, 1202 – 2nd, "got your 6.com", veteran's organization, provides non medical assistance. Requests names of veterans be placed on marquee for seven days.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

November 8, 2012

Honorable Mayor Joseph R. Peterson and City Councilmembers: 3131 Biddle Avenue
Wyandotte, Michigan 48192

Dear Mayor and City Councilmembers

The enclosed communication from the Wayne County Treasurer, Raymond J. Wojtowicz, sets forth a property to be transferred to the City of Wyandotte due to 2012 Tax foreclosure, unless the City objects to same no later than November 15, 2012.

Please advise the undersigned of your decision relative to said property.

Sincerely yours,

William R. Griggs, City Clerk

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #5

ITEM: Electronic Recycling

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: Information for the community regarding a Free Electronics Recycling to be held at Flat Rock Community Field, 28341 Evergreen Road, Flat Rock, MI 48134 on November 17, 2012 from 9:00 a.m. to 1 p.m.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: No actions required

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Post notice on City's website

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: n/a

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Flyer with information regarding event

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #6

ITEM: Neighborhood Enterprise Zone (NEZ) Certificate for 751-761-771-781 2nd Street

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: Council approved the MJC Labadie Park Development for an NEZ #5 in 2007. MJC Labadie is now ready to secure the Building Permit for a four (4) unit building. Once the units are completed, the units must be owner occupied to be eligible for the NEZ.

STRATEGIC PLAN/GOALS: This recommendation is consistent with the Goals and Objective identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to historic preservation, the establishment of a long-term vision and strategy for preservation planning, and the importance of pursuing external funding of historical and legacy initiatives from federal, state, and private sources.

ACTION REQUESTED: Adopt a resolution concurring with recommendation

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute application and submit same to the State of Michigan.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION.

LIST OF ATTACHMENTS: Application for Neighborhood Enterprise Zone

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #7

ITEM: Sale of the former 4285 17th Street (15' x 103')

PRESENTER: Mark A. Kowalewski, City Engineer and Colleen A. Keehn, City Assessor

BACKGROUND: City purchased property is now selling 15 feet to the adjacent property owner at 4275 17th Street for the amount of \$750.00. With the purchase of this property their new lot size would be 45' x 103'. The remaining property has already been sold to the adjacent property owner at 4289 17th Street.

STRATEGIC PLAN/GOALS: Committed to maintaining and developing excellent neighborhoods by; matching tools and efforts to the conditions in city neighborhoods and continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas.

ACTION REQUESTED: Approve Purchase Agreement to sell property to the adjacent property owner at 4275 17th Street.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Once approved, will schedule closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Sales Agreement

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #8

ITEM: Slip-Lining of Sewer by LiquiForce

PRESENTER: Mark A. Kowalewski, City Engineer /-7 -7

BACKGROUND: In accordance with the EPA Consent Decree for the Sewage Treatment Plant in Wyandotte the City's Operation & Maintenance (O & M) Work Plan was approved January 18, 2006. The O & M Work Plan requires the cleaning, televising and repair of all sewers in the City. The Engineering Department has identified eight (8) sewer lines that need sewer repair via slip-lining. The City has a contract with LiquiForce to perform slip-lining of sanitary sewers.

STRATEGIC PLAN/GOALS: Committed to maintaining and developing excellent neighborhoods by: Matching tools and efforts to the conditions in city neighborhoods; tracking infrastructure conditions in all neighborhoods. The city will work to establish and sustain the quality of street lighting, sidewalks, curbs, gutters and pavement. Continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas.

ACTION REQUESTED: Approval additional work to the contract for LiquiForce in the amount of \$137,800.30.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Account No. 590-200-926-310. This work is included in the 2012-2013 budget.

IMPLEMENTATION PLAN: Once approved, LiquiForce will perform work.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION.

LIST OF ATTACHMENTS: Summary of repair/locations and costs

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #9

ITEM: Sales Agreement for NSP2 Home at 2632 9th Street, Wyandotte, Michigan

PRESENTER: Mark A. Kowalewski, City Engineer 11-7-12

BACKGROUND: Purchased and rehabilitated home with NSP2 Funds. Council approved listing price of \$97,000 on October 15, 2012. Placed in MLS on October 22, 2012, and held Lottery Drawing on November 5, 2012. There were two (2) offers in the Lottery Drawing. The offer from Michelle Fletcher, 3131 Lafayette, Trenton, Michigan in the amount of \$97,000.00 was selected in the Lottery Drawing. Ms. Fletcher is 50% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$16,975.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). if the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid.

STRATEGIC PLAN/GOALS: By fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas. Ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods. Also, by promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Approve Sales Agreement

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreement and closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION

MAYOR'S RECOMMENDATION

LIST OF ATTACHMENTS: Sales Agreement

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION

MEETING DATE: November 12, 2012

AGENDA ITEM #10

ITEM: Roof Restoration at the Marx Home

PRESENTER: Mark A. Kowalewski, City Engineer 11-7-12 Jody Egen – Museum Director

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The roof of the Marx Home located at 2630 Biddle is leaking and in need of replacement. Bids were solicited by the Engineering Department and opened on October 22, 2012 These bids were received, reviewed and Great Lakes Roofing was determined to be the most qualified bid. See attached bids.

STRATEGIC PLAN/GOALS: NA

ACTION REQUESTED: Adopt a resolution concurring with the City Engineer selecting Great Lakes Roofing, Inc. as the contractor of record.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The cost of the work will be deducted from Museum Reserve Account No. 101-000-257-250-071A

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to Great Lakes Roofing directing them to entry into a contract and begin the roof replacement and repairs.

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: WRL

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS Summary of bid from Great Lakes Roofing, Inc.

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts \$788,739.36

CITIZEN PARTICIPATION

Richard Miller, 1202 – 2nd, first floor is still being worked on and Municipal Service drop box is at 3200 Biddle. Regarding Item #3, amend charter section regarding Treasurer to remove the section regarding the removal of the Deputy Treasurer by the Treasurer.

RECESS

RECONVENING

ROLL CALL

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

Absent: Councilperson Stec

HEARING

SHOW CAUSE HEARING RELATIVE TO
WHY THE STRUCTURE AT 2251-10TH STREET
HAS NOT BEEN DEMOLISHED, REMOVED OR OTHERWISE MADE SAFE
IN ACCORDANCE WITH THE CITY'S
PROPERTY MAINTENANCE
ORDINANCE

Ray Schodellar, Attorney, Randall Miller & Associates, property will be secured for resale soon.

Held in abeyance for three weeks.

FINAL READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XXIV-GENERAL PROVISIONS; SECTION 2403
PARKING REQUIREMENTS;
SUBSECTION P-CBD PARKING

CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN ORDAINS:

Section 1.

The following Section of the City of Wyandotte Zoning Ordinance entitled "Article XXIV General Provisions, "Section 2403 Parking Requirements; Subsection P- CBD parking; subsection 1 (c) shall be amended to revise existing requirements and regulations for parking within the central business district (CBD). The amended section shall read as follows:

ARTICLE XXIV GENERAL PROVISIONS

Sec.2403 Parking Requirements, Subsection P. CBD Parking 1.

(c) Hotels and Motels with thirty-four (34) or more rooms

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 along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. 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 and inspected.

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

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

NAYS: None

I hereby approve the adoption of the foregoing Ordinance this 12th day of November, 2012.

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, 12TH day of November, 2012.

William R. Griggs, City Clerk

Joseph R. Peterson, Mayor

RESOLUTIONS

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana

Supported by Councilperson Sheri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from Peter Rose, Paint the Town Pink, committee member thanking various City Departments, Businesses and The Jaycees for their contribution to a successful Paint The Town Pink Program is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana

Supported by Councilperson Sheri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from Thomas R. Woodruff, 433 Biddle Avenue, Wyandotte requesting an in-depth list of expectations and responsibilities related to the Treasurers position is hereby referred to the Mayor, Council, Department of Legal Affairs and City Administrator for a review and report back in one (1) week.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from Jon Dehring, President of the Wyandotte Jaycees is requesting to utilize the lobby of City Hall, 3131 Biddle Avenue, Wyandotte for their Santa House project is hereby received and placed on file. AND BE IT FURTHER RESOLVED that Council GRANTS permission for the use of the City Hall lobby located at 3131 Biddle Avenue for the Jaycees Santa House commencing on November 24th through December 22, 2012 on Fridays from 4:00 p.m. through 8:00 p.m. and on Saturdays 1:00 p.m. through 5:00 p.m. provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from the City Clerk relative to foreclosed property offered by Wayne County is hereby referred to the City Engineer, Department of Legal Affairs and City Assessor for immediately action.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the communication from the City Engineer regarding the Free Electronic Recycling Day to be held on Saturday, November 17, 2012 at the Flat Rock Community Field, 28341 Evergreen Road, Flat Rock, Michigan 48134 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that said notice be posted on Municipal Cable.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the Application for a Neighborhood Enterprise Zone Certificate for the four (4) unit condos/townhouses known as 751-761-771-781-2nd Street; AND BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to execute said application for a 12 year Neighborhood Enterprise Zone Certificate.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the communication from the City Engineer and City Assessor regarding the sale of part of the former 4285-17th Street, Wyandotte, AND BE IT FURTHER RESOLVED that Council accepts the offer from Denise and Michael Baughman to acquire 15 feet of the former 4285-17th Street in the amount of \$750.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding extending the contract with LiquiForce in the amount of \$137,800.30 to perform slip lining of eight (8) sewers from account # 590-200-926-310.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the sale of the NSP2 homes at 2632-9th Street and hereby accepts the offer from Michelle Fletcher in the amount of \$97,000, receiving a subsidy of \$16,975.00 with a mortgage of \$80,025.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and the City Attorney are hereby authorized to sign said documents.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that Council CONCURS with the City Engineer and the Museum Director to accept the Bid of Great Lakes Roofing in the amount of \$16,800. for the roof restoration of the Marx Home at 2630 Biddle Avenue funds to be derived from the Museum Reserve Account # 101-000-257-250-071.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that a hearing was held on the 12th of November 2012, where all parties were given an opportunity to show cause, if any they had, why the structure at 2251-10th Street, Wyandotte should not be DEMOLISHED, removed or otherwise made safe, AND BE IT FURTHER RESOLVED that the hearing is hereby HELD IN ABEYANCE FOR THREE WEEKS (Monday, December 3, 2012).

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the City Council directs the Mayor to work with the Recreation Commission concerning the Third Street and Eureka Sign and with the DDA and the City of Southgate concerning the Fort and Eureka sign to recognize and display the names of returning Veterans on said signs.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

Wyandotte, Michigan November 12, 2012

RESOLUTION by Councilperson James R. DeSana

RESOLVED by the City Council that the total bills and accounts in the amount of \$1,462,929.77 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri M. Fricke
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda
NAYS: None

ADJOURNMENT

MOTION by Councilperson James R. DeSana
Supported by Councilperson Sheri Fricke
That we adjourn.
Carried unanimously
Adjourned at 8:55 PM
November 12, 2012



William R. Griggs, City Clerk

FINANCIAL SERVICES DAILY CASH RECEIPTS

DATE 11-13-12

BEGINNING DATE 11-9-12 AND ENDING DATE 11-13-12

SALES RECEIPT # 353172 THRU 353179

DESCRIPTION	ACCOUNT NUMBER	KEY CODE	AMOUNT
ACCTS. RECEIVABLE ^{WAYNE CTY DISBURANCE FEE} _{DAILY PARKING LOT}	101-000-041-010	AR	<u>35,165.59</u>
MIDWESTERN AUDIT A/R -RESCUE	101-000-041-021	XT	
MISCELLANEOUS RECEIPTS	101-000-655-040	RE	<u>83.80</u>
LIQUOR LICENSE	101-000-600-030	S2	
FINES DIST COURT WYANDOTTE	101-000-650-010	M1	
DIST COURT RIVERVIEW CASES	101-000-650-012	M3	
WORK FORCE WYANDOTTE	101-000-650-011	M2	
WORK FORCE RIVERVIEW	101-000-650-017	M6	
COURT TECHNOLOGY WYANDOTTE	101-000-650-018	M7	
COURT DRUG TESTING FEES	101-000-650-020	M9	
COURT SCREENING ASSESSMENTS	101-000-650-021	AS	
CHEMICAL AWARENESS	101-000-650-024	AW	
STATE DRUNK DRIV/DRUG CASE MGT	101-000-650-013	M4	
PRISONER BILLING	101-000-650-015	M5	
LAND CONTRACT REC. - UDAG	284-000-041-050	AR	
PARKING LOT LOANS	284-000-060-030	AR	
CINGULAR WIRELESS CELLSITE RENT	492-000-655-020	BB	
LAND CONTRACT/TIFA CONSOL.	492-000-041-050	AR	
LAND CONTRACT - TIFA DOWNTOWN	499-000-041-050	AR	
MUNICIPAL SERVICE SEWAGE	590-000-068-010	5A	
SELF INSURANCE REIMBURSEMENT	677-000-670-010	7A	
HEALTH INS. REIMB. - RETIREE	731-000-231-020	3R	
QUARTERLY HEALTH M.S. RETIREE	731-000-670-010	7R	
PD EMPLOYEE PENSION CONTRIB	731-000-392-040	EP	<u>1920.43</u>
DESANA TRUST	701-000-391-034	DT	<u>90.72</u>
HEALTH INS REIMB- WALKER	101-000-231-020	MZ	<u>639.93</u>
ANIMAL LICENSES	101-000-451-020	LB	<u>20.00</u>
TOTAL MONIES RECEIVED			<u><u>37,920.47</u></u>

TODD A. DRYSDALE
DIRECTOR OF FINANCIAL SERVICES

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF November 7, 2012
ZONING BOARD OF APPEALS AND ADJUSTMENT**

A meeting of the Zoning Board of Appeals and Adjustment of the City of Wyandotte was **called to order** by Chairperson Duran at **6:30 p.m.**, in the Council Chambers of the City Hall, 3131 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Alderman
DiSanto
Duran
Flachsmann
Nevin
Trupiano

MEMBERS ABSENT: Cusson, Gillon, Olsen

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Flachsmann, supported by Member Nevin to approve the minutes of the October 3, 2012, meeting.

Yes: Alderman, Duran, Flachsmann, Nevin, Trupiano

No: none

Abstain: DiSanto

Absent: Cusson, Gillon, Olsen

Motion passed

#3162 - GRANTED

Supreme Deck, 26221 Grand River, Redford (appellant) and Collette Zack, 502 Elm, Wyandotte (owner)

for a variance **to obtain a building permit for stairway at 502 Elm** (Lot 11, Block 147), in a RT zoning district, where the proposed conflicts with Section 2500.F of the Wyandotte Zoning Ordinance.

Section 2500.F:

Projecting into required open spaces. Outside stairways, fire escapes, vestibules, balconies and similar projections from a wall of a building shall not extend into a required yard open space. A landing required for exit from a building of a maximum 10' square feet is allowed.

Existing stairway to be removed and rebuilt from second floor apartment would be located 1'-8" from the property line with a landing area of 33.32 square feet and a total sideyard of 6.5'. A minimum of a 4' sideyard, a total of 12' sideyard and a maximum landing area of 10 sq. ft. is allowed to encroach into a sideyard.

Proposed replacement of existing stairway will not hinder or discourage appropriate development and use of adjacent land and buildings, or impair the value thereof.

A motion was made by Member Trupiano, supported by Member Flachsmann to grant this appeal.

Yes: Alderman, DiSanto, Duran, Flachsmann, Nevin, Trupiano

No: none

Abstain: none

Absent: Alderman, Cusson, DiSanto

Motion passed

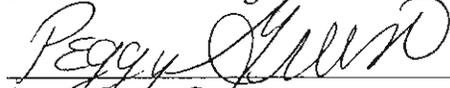
COMMUNICATIONS:

No communications were received.

OTHER BUSINESS:

A motion was made by Member DiSanto, supported by Member Alderman, to approve 2013 Schedule. Motion carried.

There being no further business to discuss, the meeting adjourned at 6:40 p.m. **The next scheduled meeting of the Board will be held on December 5, 2012**


Peggy Green, Secretary

Appeal #3162

Chairperson Duran read the appeal and asked that it be explained.

Collette Zack, owner, present.

Chairperson Duran asked Ms. Zack how long she has owned the property. Ms. Zack replied since April 2011.

Chairperson Duran asked Ms. Zack if she was replacing the existing stairway. Ms. Zack replied yes, the existing is in bad shape.

Chairperson Duran asked if this was an income home. Ms. Zack replied yes.

Member Nevin asked if the upper unit was occupied. Ms. Zack replied not currently, she is co-owner with her brother, and he will be moving in upstairs.

Ms. Zack explained that it was on the inspection checklist to be painted, but the wood is rotting, and she did not want to paint over rotted wood.

asked that it b

Member Flachsmann asked if there was another entrance to the upstairs. Ms. Zack replied no.

Member Trupiano confirmed that that the owner will be living in the lower unit. Ms. Zack stated that was correct.

Zoning Board of Appeals and Adjustment 2013 Schedule

Deadline		Meeting at 6:30 p.m.	
January	11	February	6
February	8	March	6
March	8	April	3
April	5	May	1
May	10	June	5
June	21	July	17
July	12	August	7
August	9	September	4
September	6	October	2
October	11	November	6
November	8	December	4
December	6	January	8, 2014

Meetings of the Zoning Board of Appeals and Adjustment are held in the Council Chambers of the City Hall, 3200 Biddle, Avenue, Wyandotte, Michigan