

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION
MONDAY, DECEMBER 3rd, 2012 , 7: 00 PM
PRESIDING: THE HONORABLE JOSEPH R. PETERSON, MAYOR
CHAIRPERSON OF THE EVENING: THE HONORABLE DANIEL E. GALESKI

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

COMMUNICATIONS MISCELLANEOUS:

1. Communication from Dena Leginski, Regional Manager Volunteer Energy regarding obtaining a solicitors license for door-to-door sales relative to a natural gas savings for residents through June 2013.

PERSONS IN THE AUDIENCE

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

2. Communication from the Chief of Police submitting Traffic Control Order 2012-11.

3. Communication from the Chief of Police submitting Traffic Control Order 2012-12.

4. Communication from the City Engineer regarding a vacation of an alley within the City of Wyandotte.

5. Communication from the City Engineer relative to the amendment to the approved PD Plan for Labadie Park Project..

6. Communication from the City Engineer regarding the rejection of a Bid.

7. Communication from the City Engineer regarding File # 4442-Tree Cutting & Stump Removal.

8. Communication from the Special Events Coordinator regarding the Zapplication Renewal Agreement.

9. Communication from the City Administrator regarding Attorney Fee Agreement-Zoo Millage Litigation .

10.. Communication from the Vice Chairperson Planning Commission regarding a Zoning Ordinance Amendment-Article Xxi Schedule of Regulations.

11. Communication from the Department of Legal Affairs regarding a First Reading of an Ordinance as it pertains to the Fire Code.

CITIZENS PARTICIPATION:

HEARINGS:

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

FIRST READING OF AN ORDINANCE:

AN ORDINANCE ENTITLED
"AN ORDINANCE TO AMEND ARTICLE II
ENTITLED "FIRE PREVENTION CODE" BY AMENDING
SECTION 11-26
OF THE CODE OF ORDINANCES
OF THE CITY OF
WYANDOTTE

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XXI-Schedule of Regulations SECTION 2100 Limiting Height, Bulk
Density and area By Land Use; Notes to Section 2100

FIRST AND FINAL READING OF ORDINANCES:

AN ORDINANCE ENTITLED
"AN ORDINANCE DETERMINING THE SALARY, AUTOMOBILE
ALLOWANCE AND FRINGE BENEFITS FOR THE
CITY ASSESSOR"

AN ORDINANCE ENTITLED
"AN ORDINANCE DETERMINING THE SALARY, AUTOMOBILE
ALLOWANCE AND FRINGE BENEFITS FOR THE CITY CLERK"

AN ORDINANCE ENTITLED
"AN ORDINANCE DETERMINING THE SALARY FOR
THE CITY TREASURER"

REPORTS AND MINUTES:

Cultural & Historical Commission	October 18, 2012
Beautification Commission	November 14, 2012
Beautification Commission	October 17, 2012
Municipal Service Commission	November 13, 2012
Building Code Board of Appeals	November 12, 2012
Design Review Committee	November 20, 2012
Retirement Commission	November 21, 2012
Recreation Commission	November 13, 2012
Police Commission	October 23, 2012
Fire Commission	November 27, 2012
Special Fire Commission Meeting	November 16, 2012
Fire Commission Meeting	October 23, 2012
Police Commission Meeting	November 27, 2012
Planning Commission Meeting	November 15, 2012

1



November 5, 2012

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

Mayor Peterson and City Council,

Volunteer Energy serves as your natural gas supplier under Michigan's Customer Choice Program. We have provided substantial savings to the City of Wyandotte municipal buildings since your enrollment with us in June 2011. With your permission, we would like to offer a savings program to your residents.

In time for this winter's heating season, we are offering the residents a 5% guaranteed savings – our rate will be 5% below DTE's rate through June 2013. It is important to note, that we do not require a restrictive contract and customers can cancel with us at anytime without penalty. We are an accredited BBB business with an A+ rating.

Volunteer Energy representatives would like to visit door-to-door with the following assurances:

- Representatives have all passed criminal background checks
- They are in Volunteer Energy uniforms and have picture ID badges
- They will visit between the hours of 10:00 AM – 7:00 PM

We are very proud to be your supplier and excited about bringing winter heating savings to your residents as well. If you have any other suggestions for a successful campaign, we welcome your input and ideas. And as always, thank you for your business.

Regards,

A handwritten signature in cursive script that reads "Dena Leginski".

Dena Leginski
Regional Manager

709 W. Ellsworth Suite 101
Ann Arbor, MI. 48108
734-548-8106

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 13, 2012

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

Dear Honorable Mayor and City Council Members:

SUBJECT: TRAFFIC CONTROL ORDER 2012-11

After review, the Traffic Bureau recommends the installation of "Handicap Parking" signs at 1605 16th St., Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Inspector Pouliot, this letter serves as a recommendation for Council support of Traffic Control Order 2012-11 as specified on said order.

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

Sincerely,

Daniel J. Grant
Chief of Police

City of Wyandotte Traffic Control Order

TRAFFIC CONTROL ORDER # **2012-11**

Parking
Speed
Signs to be installed
Other

Traffic Code

ORDER TO PLACE SIGNS REGULATING TRAFFIC

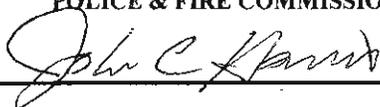
The Police and Fire Commission, after having caused an engineering and traffic investigation to be conducted, do hereby direct pursuant to the City of Wyandotte Michigan Code of Ordinance, Chapter 35, Article II, and in conformance with the Michigan Uniform Traffic Code, as amended and adopted by the City of Wyandotte, Michigan,:

The installation of:

- “Handicap Parking Signs” at 1605 16th Street

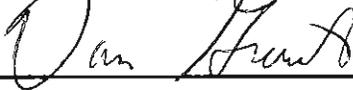
This Traffic Control Order shall be filed in the Office of the City Clerk, City of Wyandotte, Michigan.

POLICE & FIRE COMMISSION APPROVAL, CITY OF WYANDOTTE, MICHIGAN



DATE: 11/27/2012

FILED WITH CITY CLERK, BY CHIEF OF POLICE DANIEL GRANT, CITY OF WYANDOTTE, MICHIGAN



DATE: 11/28/12

CITY COUNCIL APPROVAL, CITY OF WYANDOTTE, MICHIGAN

DATE: _____

CHANGE TO OR AMENDMENT TO ORDER

Date: «Sign_Removal»

Reason: «Note»

Amendment Approved by the Police & Fire Commission

Date: _____

Signature

Copy Forwarded To: Wyandotte City Clerk and Department of Public Works

Wyandotte Police Department

APPLICATION FOR HANDICAP PARKING SIGNS

Date of Request:

Oct. 24, ~~2012~~

Applicant Name:

Doris E. Kars

Address:

1605-16th St, Wyandotte, mi 48192

Telephone Number:

~~734-324-4427~~

A doctors slip indicating your disability and the need for handicap parking, and the following information and requested documentation is required to be submitted upon completion of application to the Wyandotte Police Department, Traffic Bureau (telephone number {734} 324-4427), 2015 Biddle Avenue, Wyandotte, Michigan 48192: (please print):

1. Do you possess a valid State of Michigan Handicap Parking Permit? Yes No

Attach a copy of the permit with the application.

2. Do you rent or own the home? Own Rent. If the home is rented, please indicate the landlord's name and telephone number below:

Name: _____ Telephone Number (____) _____

3. Is a vehicle registered to you or to your address? Yes, License Plate # _____ No

4. Is there a driveway at your address? Yes No

5. Is the driveway suitable for handicap use? Yes No, if no, please indicate why?

DRIVEWAY IS ADJACENT TO GARAGE AND ACCESS IS FROM

CLARK ST. PARKING IN THE DRIVEWAY OBSTRUCTS THE SIDEWALK.

Do not write below this line. For Police Department use only.

Date:

10/24/12

Investigating Officer:

B. ZALEWSKI

REPORT # 12-04537

Verification of State Handicap Parking permit:

Yes No

Verification of vehicle registered to applicant address:

Yes No

Receipt of doctor's slip indicating disability:

Yes No

Presence of driveway:

Yes No

If yes, is the driveway suitable for handicap use.

Yes No, if no explain: _____

DRIVEWAY IS OFF OF CLARK ST. IT IS ONLY A 10FT APPROACH AND PARKING IN THE DRIVEWAY OBSTRUCTS THE SIDEWALK.

Recommendation for approval:

Recommendation for denial:

Notification of applicant of denial: Date: _____

Submitted by:

B ZALEWSKI

Traffic Division

Traffic Control Order: _____

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 13, 2012

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

Dear Honorable Mayor and City Council Members:

SUBJECT: TRAFFIC CONTROL ORDER 2012-12

After review, the Traffic Bureau recommends the installation of "No Left Turn" signs on 13th Street at Goddard and on newly constructed Harrison Bridge at Goddard, Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Inspector Pouliot, this letter serves as a recommendation for Council support of Traffic Control Order 2012-12 as specified on said order.

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

Sincerely,

Daniel J. Grant
Chief of Police

City of Wyandotte Traffic Control Order

TRAFFIC CONTROL ORDER # **2012-12**

Parking
Speed
Signs to be installed
Other

Traffic Code

ORDER TO PLACE SIGNS REGULATING TRAFFIC

The Police and Fire Commission, after having caused an engineering and traffic investigation to be conducted, do hereby direct pursuant to the City of Wyandotte Michigan Code of Ordinance, Chapter 35, Article II, and in conformance with the Michigan Uniform Traffic Code, as amended and adopted by the City of Wyandotte, Michigan,:

The installation of:

- “No Left Turn” Signs, on 13th at Goddard, and on newly constructed Harrison Bridge at Goddard

This Traffic Control Order shall be filed in the Office of the City Clerk, City of Wyandotte, Michigan.

POLICE & FIRE COMMISSION APPROVAL, CITY OF WYANDOTTE, MICHIGAN

John C. Harris

DATE: 11/27/2012

FILED WITH CITY CLERK, BY CHIEF OF POLICE DANIEL GRANT, CITY OF WYANDOTTE, MICHIGAN

Dan Grant

DATE: 11/28/12

CITY COUNCIL APPROVAL, CITY OF WYANDOTTE, MICHIGAN

DATE: _____

CHANGE TO OR AMENDMENT TO ORDER

Date: «Sign Removal»

Reason: «Note»

Amendment Approved by the Police & Fire Commission

Date: _____

Signature

Copy Forwarded To: Wyandotte City Clerk and Department of Public Works

City of Wyandotte

POLICE DEPARTMENT

Inter-Departmental Communication

Date: October 25th, 2012
From: Inspector Pouliot
To: Chief Grant
Subject: Prohibited Turn Signs

Dan,

After numerous complts and having the Traffic Bureau monitor the area, I would like to move upon the installation of "No Left Turn Signs" on 13th at Goddard and on the newly constructed Harrison Bridge at Goddard. This is a major problem which ties up traffic during school hours. The signs would indicate No Left Turn 7:30a-8:30a and 2:30p to 3:30p school days. Both Goddard and the bridge along with 13th has been a cluster. This should free up some of the congestion and reduce the hazardous movements which are blocking the intersection. If ok, I will have Laura type and prepare a TCO for the next meeting.

Inspector J. Pouliot



CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

④

MEETING DATE: December 3, 2012

AGENDA ITEM #

ITEM: Alley Vacation adjacent to 639 Vinewood

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: Engineering received a request from Coleen S. Hildritch, 639 Vinewood to vacate the alley behind her home to include obtaining a portion of the full width of 20 foot wide vacated alley to provided access to her rear yard. When an alley is vacated the adjacent owners retain half of the vacated alley. In this case, this would result in Ms. Hildritch retaining the north ½ of the vacated alley. Since the owner on the south half of the alley is currently the City, the Parties could agree to trade properties wherein Ms. Hildritch would own the property shown on the attached drawing.

Further, Ms. Hildritch has no access to the west side of her garage, due to the fence installed for the Vinewood Village Condominium. We have prepared an Easement Agreement which is three (3) feet along the east side of the Condominium Project to allow Ms. Hildritch access to her garage.

STRATEGIC PLAN/GOALS: We are committed to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas; insuring 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: There is a moratorium on alley vacations. However, vacations have been approved where access to utilities is not limited. In this case, access to utilities is not limited. The sewer main in the alley can be maintained from the exiting manholes, one (1) outside of the proposed vacated alley and the other in the proposed vacated alley. An unobstructed access must be maintained to this manhole through the retaining of a utility easement. Schedule the required hearing. Portion

Authorize the Mayor and City Clerk to execute the Easement Agreement between the City and Ms. Hildritch.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Schedule the required hearing. After approval of the vacation, the City would Quit Claim to Ms. Hilditch the east half of the south half of the vacated alley and Ms. Hilditch will Quit Claim to the City the west half of the north half of the vacated alley.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

Thompson

LEGAL COUNSEL'S RECOMMENDATION: WRL

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Map of the proposed vacated alley and Easement Agreement

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 3, 2012

RESOLUTION by Councilperson _____

BE IT RESOLVED COUNCIL concurs with the recommendation of the City Engineer to schedule the required hearing to vacate the alley adjacent to 639 Vinewood, Wyandotte; AND

BE IT FURTHER RESOLVED that Council authorizes the Mayor and City Clerk to execute the Easement Agreement between the City and Ms. Hilditch.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

- Browning
- DeSana
- Fricke
- Galeski
- Sabuda
- Stec

CONSTRUCT 35.2LF ± WHITE VINYL PRIVACY FENCE 3'± AWAY FROM GARAGE. EASEMENT WILL BE PROVIDED BY CITY AFTER FENCE IS CONSTRUCTED.

EX. GARAGE

REMOVE 4'± OF EXISTING FENCE
TIE INTO EXISTING FENCE

170.04'

639 VINEWOOD LOT #47
TIE INTO EXISTING FENCE
18.67 19.33

EX. GAR BUILDING

GARAGE GARAGE GARAGE



31.34' LOT #39

EX. HOUSE #614 FF 584.65

EXISTING SANITARY SEWER LEAD

PROPOSED BRICK PAVERS

43.46'

WEST

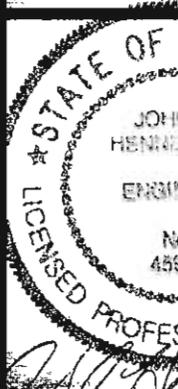
209.92'

PROPOSED 2 UNIT BUILDING WITH

PROPOSED 1.33'

S 00°08'00"

CITY
639 VINEWOOD



ENGINEERING THE FUTURE.

13500 REECK ROAD
SOUTHGATE MI 48195



EASEMENT

City of Wyandotte, ("Grantor") for valuable consideration, the receipt of which is hereby acknowledged hereby grant, bargain and convey to the Coleen S. Hilditch, property owner at 639 Vinewood, Wyandotte. (hereinafter referred to as the ("Grantee") and to it's successors and assigns, the perpetual easement and right to enter upon the following described property of the Grantors situated in the City of Wyandotte, County of Wayne, State of Michigan, and described as:

The east three (3) feet of Lot 46 Wyandotte Land Company Subdivision No. 1 as recorded in Liber 40 Page 36 Wayne County Records (Vinewood Village Condominium)

Said easement is over a part of the property commonly known as 641 Vinewood, Wyandotte, Michigan.

Said easement on, over under, across, and within the above described property for the purpose of maintaining the garage at 639 Vinewood and that said Grantee, it's contractors, employees, agents, successors, assigns and lessees shall at all times have free ingress to and egress from said described parcel, to construct, operate, maintain and repair said garage. Grantee agrees to repair any damage to the surface of said described property resulting from its construction, operating, maintenance and repairing the easement and to restore said described property to the same or better condition to that which existed prior to such work by Grantee.

Grantors further agree that no structures, trees or any other article or thing whatsoever shall be constructed or maintained on, over, under, across, or within the above described parcel and that in the exercise of the easements and ingress and egress rights heretofore reserved herein, said Grantee shall not be liable for any injury or damage to, or disturbance of, nor shall it have any duty to pay for or replace any animate or inanimate improvement on, over, under, across or within the property described herein.

Dated this _____ day of _____, 2012.

Signed, sealed and witnessed
In the presence of:

Signed and Sealed: CITY OF WYANDOTTE
A MICHIGAN MUNICIPAL

Joseph R. Peterson, Mayor

William R. Griggs, City Clerk

STATE OF MICHIGAN)
SS
COUNTY OF _____)

On this _____ day of May, A.D., 2012, before me, a Notary Public, in and for said County, personally appeared Joseph R. Peterson and William R. Griggs, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Wyandotte, a Michigan Municipal Corporation the corporation named in and which executed the within instrument, and the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

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

Drafted by and when recorded return to:
William R. Look, Attorney at Law, 2241 Oak Street, Wyandotte, Michigan 48192

RESOLUTION

Wyandotte, Michigan
December 3, 2012

RESOLUTION BY COUNCILPERSON _____

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

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

The north 1/2 of the twenty foot east-west alley west of Sixth Street south of Vinewood adjacent to Lot 47 and the south 1/2 abutting Lot 39 Block 69 of the Land Co. Subdivision #1 as recorded in Liber 40 Page 36 Wayne County Records

RESOLVED FURTHER, that this Council will meet on Monday, January 7, 2013, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3131 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

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

I move the adoption of the foregoing Resolution.

Councilperson _____

Supported by Councilperson _____

<u>YEAS</u>	<u>COUNCILPERSON</u>	<u>NAYS</u>
_____	Browning	_____
_____	DeSana	_____
_____	Fricke	_____
_____	Galeski	_____
_____	Sabuda	_____
_____	Stec	_____
	Absent _____	

NOTICE OF HEARING OF OBJECTIONS TO THE

PROPOSED VACATION OF AN ALLEY

IN THE CITY OF WYANDOTTE

NOTICE IS HEREBY GIVEN that the Council of the City of Wyandotte has heretofore determined that it is advisable and necessary to vacate the east/west Twenty (20) foot public alley east-west alley west of Sixth Street south of Vinewood in the City of Wyandotte, Wayne County, Michigan.

The north ½ of the twenty foot east-west alley west of Sixth Street south of Vinewood adjacent to Lot 47 and the south ½ abutting Lot 39 Block 69 of the Land Co. Subdivision #1 as recorded in Liber 40 Page 36 Wayne County Records

That said Council will meet on Monday, January 7, 2013, at 7:00 P.M., Local Time, in the Council Chambers in the City Hall of said City, 3131 Biddle Avenue, Wyandotte, Michigan, to hear objections to the proposed vacation of said described land as a public alley, in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

The north ½ of the twenty foot east-west alley west of Sixth Street south of Vinewood adjacent to Lot 47 and the south ½ abutting Lot 39 Block 69 of the Land Co. Subdivision #1 as recorded in Liber 40 Page 36 Wayne County Records

Dated at Wyandotte, Michigan, this 4th day of December, 2012.

WILLIAM R. GRIGGS
City Clerk
City of Wyandotte

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

5

MEETING DATE: December 3, 2012

AGENDA ITEM #

ITEM: Amendment to the approved PD Plan for Labadie Park Project

PRESENTER: Don Schultz, Vice Chairperson Planning Commission

BACKGROUND: Request from Anthony LoDuca, MJC Labadie Park to amend the approved plan by changing a six (6) unit building into a four (4) unit building on 2nd Street. The change is due to an underground utility duct adjacent to the building. Further, landscape the City Right-of-Way adjacent to Labadie Street and 3rd Street.

STRATEGIC PLAN/GOALS: Promoting the finest in design, amenities and associated infrastructure improvements in all new developments and establishing a unique historic, cultural and visual identity for Wyandotte as a destination city within the region

ACTION REQUESTED: Adopt a resolution receiving and placing the communication on file from the Planning Commission and approving the proposed changes.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Adopt Resolution approving the building to be a four (4) unit and approve the landscaping.

COMMISSION RECOMMENDATION: Approved by the Planning Commission November 15, 2012.

CITY ADMINISTRATOR'S RECOMMENDATION:

Shupdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

[Signature]

LIST OF ATTACHMENTS: Minutes from Planning Commission meeting on November 15, 2012.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 3, 2012

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission dated December 3, 2012, is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that Council concurs with the request and hereby approves the building located on 2nd Street to be changed to a four (4) unit and be it further resolved that Council concurs with the landscaping in the City Right-of-Way on Labadie Street and 3rd Street.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Browning

DeSana

Fricke

Galeski

Sabuda, C.O., N.W.

Stec, C.O., N.W.

PLANNING COMMISSION
NOVEMBER 15, 2012

MOTION BY COMMISSIONER SCHULTZ

SUPPORTED BY COMMISSIONER DURAN

BE IT HEREBY RESOLVED that

WHEREAS, the Planning Commission has received a recommendation from the City Engineer regarding the proposed changes to the previously approved PD Site Plan for the project known as Labadie Park, LLC dated October 25, 2012, wherein the Applicant is amending the Plan to remove a six (6) unit building and changing it to a four (4) unit building and landscaping along 3rd Street and Labadie; AND

NOW THEREFORE, BE IT RESOLVED that the Planning Commission concurs with the changes to the Plan and hereby approves the revised plans submitted by MJC Labadie Park which including the following plans:

Sheet A-6 dated 9/20/08 revised 4/404/09 regarding the 4 unit building
Preliminary Site Plan revised 10/11/12

Members Yeas: Duran, Hovis, Lupo, Parker, Schultz, Tavernier

Members Nays: None

Absent: Adamczyk, Krimmel

PUBLIC HEARING - Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use: Notes to Section 2100

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Mr. Leman clarified which districts these changes would apply to O-S, B-1, B-2 and I-1.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

Public Hearing: - Request from MJC Labadie Park, LLC, (Owner and Developer) to amend the approved PD Plan for the project known as Labadie Park. The Developer is requesting to change a six (6) unit building located on 2nd Street between Labadie Street and St. Johns to a four (4) unit building. The Developer is further requesting approval on landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Russ LoDuca, present.

Mr. LoDuca indicated that it was not possible to construct a six (6) unit building due to the electrical supply line between the buildings. Mr. LoDuca submitted a letter from Wyandotte Municipal Service indicating the six (6) unit building would extend into the utility easement adjacent to the building.

Vice-Chairperson Schultz asked if they built a six (6) unit building would they have to relocate the underground electrical.

Vice-Chairperson Schultz indicated that a communication was received from the City Engineer and read said communication into the file.

Mr. LoDuca indicated that you would have to relocate the underground electrical.

Mr. LoDuca further indicated that one (1) of the units has been presold.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

Municipal Service Commission
Gerald P. Cole
Frederick C. DeLisle
Leslie Lupo
James Figurski
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

May 1, 2012

Anthony Lo Duca
Project Manager - MJC Companies
46600 Romeo Plank
Macomb Tsp., Mi 48044

Subject: Labadie Development

Dear Mr. Lo Duca:

According to the drawing provided for the proposed 6 unit condominium project on the east side of the Labadie Development, the proposed building extends into the existing utility easement and over an existing pad mounted transformer location. The same easement is also the pathway for the electric, phone, and CATV primary feed conduits that supply the needs for the entire Labadie Development area. These utilities cannot be moved without disrupting service to the existing customers that have been established in the area for an extended period of time. Therefore the request to move the utilities is respectfully denied. If you have any other questions or concerns, please do not hesitate to contact me.

Respectfully,

Rod Lesko
Superintendent of Transmission & Distribution
Wyandotte Municipal Services
3005 Biddle Ave
Wyandotte, MI. 48192

Cc: Melanie McCoy, General Manager
Charlene Hudson, Electrical Engineer

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Kehn
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 24, 2012

Elizabeth Krimmel, Chairperson
Planning Commission
City of Wyandotte
3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Amended Site Plan
For Labadie Park
St. Johns to Bennett and 2nd to 3rd Street

Dear Mrs. Krimmel:

The Developer, MJC Labadie LLC, as requested to amend the approved plan for the project known as Labadie Park as follow:

1. Changing a six (6) unit building into a four (4) unit building located on 2nd Street between Labadie Street and St. Johns.
2. Landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

The Engineering and Building Department has performed a review of the Site Plan as submitted by MJC Labadie Park LLC and has no objection to said changes.

Very truly yours,

Mark A. Kowalewski
City Engineer

MAK:kr

cc: Anthony LoDuca, MJC Labadie Park LLC

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

6

MEETING DATE: December 3, 2012

AGENDA ITEM #

ITEM: TROLLEY RESTORATION – BID REJECTION

PRESENTER: Mark Kowalewski – City Engineer

Mark Kowalewski - 11-20-12

INDIVIDUALS IN ATTENDANCE: NA

BACKGROUND: The City of Wyandotte trolley is in need of repairs. Bids were solicited by the Engineering Department and opened on November 5, 2012. There was only one bid submitted by All Type Truck and Trailer Repair and no certified or cashier's check or bidders bond for five (5) percent of the amount bid was received. See attached bid.

STRATEGIC PLAN/GOALS: NA

ACTION REQUESTED: Adopt a resolution concurring with the City Engineer rejecting the bid from All Type Truck and Trailer Repair and directing the Engineering Department to re-bid the project.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to All Type Truck and Trailer Repair informing them of the decision of the City to reject the bid and to re-bid the project.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

S. Dupdal

LEGAL COUNSEL'S RECOMMENDATION:

WRL

MAYOR'S RECOMMENDATION:

JP

LIST OF ATTACHMENTS : Summary of bid from All Type Truck and Trailer Repair.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 6, 2012

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council concurs with the City Engineer in the and hereby rejects the bid for the Trolley Repairs; AND

BE IT FURTHER RESOLVED that the City Engineer is directed to re-bid the project.

I move the adoption of the foregoing resolution.

MOTION by Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

- Browning
- DeSana
- Fricke
- Galeski
- Sabuda
- Stec

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

7

MEETING DATE: December 3, 2012

AGENDA ITEM #

ITEM: File # 4442 - Tree Cutting & Stump Removal

PRESENTER: Mark Kowalewski – City Engineer

Mark Kowalewski 11-28-12

INDIVIDUALS IN ATTENDANCE: NA

BACKGROUND: The City of Wyandotte has trees that require removal and has had an existing contract with G's Trees Inc since 2009. G's Trees Inc is willing to maintain their current unit rates from last year. The contract provides for extensions with approval of the City Council. See attached contract extension and certificate of insurance.

STRATEGIC PLAN/GOALS: NA

ACTION REQUESTED: Adopt a resolution concurring with the City Engineer to extend G's Trees Inc contract for next year.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Account # 492-200-850-528 for \$40,000.00.

unp Removal

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to G's Trees Inc.informing them of the decision of the City to extend his contract for one more year.

COMMISION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

Support

LEGAL COUNSEL'S RECOMMENDATION:

WRI

MAYOR'S RECOMMENDATION:

AK

LIST OF ATTACHMENTS : Amendment to contract and certificate of insurance..

MODEL RESOLUTION:

REMOVED

unp Removal

RESOLUTION

Wyandotte, Michigan
Date: December 10, 2012

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council concurs with the City Engineer in the and hereby extends G's Trees Inc contract; AND

BE IT FURTHER RESOLVED that the City Clerk is directed to complete all the required documentation.

I move the adoption of the foregoing resolution.

MOTION by Councilmen _____

Supported by Councilman _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
	Browning	
	DeSana	
	Fricke	
	Galeski	
	Sabuda	
	Stec	

**AMENDMENT TO CONTRACT
FILE #4442 – TREE CUTTING & STUMP REMOVAL – CITY OF
WYANDOTTE**

ARTICLES OF AGREEMENT, made and entered into this ____ day of _____ 2012, by and between the CITY OF WYANDOTTE, party of the first part, and G's Trees, Inc, Lincoln Park, County of Wayne, State of Michigan, party of the second part, to-wit:

1. To this contract shall be added the following work:

TREE & STUMP REMOVAL 2 – 9 INCHES @ \$135.00/EA
TREE & STUMP REMOVAL 10 – 19 INCHES @ \$150.00/EA
TREE & STUMP REMOVAL 20 – 24 INCHES @ \$205.00/EA
TREE & STUMP REMOVAL 25 – 30 INCHES @ \$270.00/EA
TREE & STUMP REMOVAL 31 – 36 INCHES @ \$310.00/EA
TREE & STUMP REMOVAL 37 – 48 INCHES @ \$1,650.00/EA
TREE & STUMP REMOVAL 49 – 65 INCHES @ \$3,200.00/EA
TREE & STUMP REMOVAL 66 – 81 INCHES @ \$4,500.00/EA
TREE & STUMP REMOVAL 82 – 96 INCHES @ \$5,500.00/EA
GRIND STUMP ONLY @ \$125.00/EA
REMOVE ROOTS IN AREA OF SIDEWALK @ \$75.00/EA

2. This contract shall be increased by the estimated amount of \$40,000.00
3. Completion date for this additional work shall be September 30, 2013.
4. The unit prices and contract conditions will remain the same as in the original contract.
5. Insurance Policies and Certificates will be submitted by the party of the second part to cover the extended period of time.

IN WITNESS THEREOF, said parties have hereunto set their hands and seals, in duplicate, the day and year first above written.

PARTY OF THE FIRST PART CITY OF WYANDOTTE

Joseph Peterson, Mayor

William R. Griggs, City Clerk

PARTY OF THE SECOND PART G's Trees, Inc.

G's Trees, Inc.

W

WITNESS

William Griggs

G's Trees, Inc.

WITNESS



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/4/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Larsons Insurance Solutions Agency, Inc. 37625 Pembroke Livonia MI 48152	CONTACT NAME: Nancy Biernat PHONE (A/C No. Ext): (248) 478-4430 E-MAIL ADDRESS:	FAX (A/C No.): (734) 591-4805
	INSURER(S) AFFORDING COVERAGE	
INSURED G's Trees, Inc 23596 Stacey Dr Brownstown MI 48183	INSURER A: St. Paul Mercury Ins Co	
	INSURER B: Travelers Prop & Cas of America	
	INSURER C: Star Insurance Company	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 12/13 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY						EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	X	ZPP14R14550	4/10/2012	4/10/2013	MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Pesticide /Herbicide <input type="checkbox"/> Applicator Coverage						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER						GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ Included
B	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	X	X	BA5B220467	4/10/2012	4/10/2013	PROPERTY DAMAGE (Per accident) \$ 500
	UMBRELLA LIAB						Undennsured motorist BI single \$ 1,000,000
	EXCESS LIAB						EACH OCCURRENCE \$
	DED RETENTION \$						AGGREGATE \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		X				
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	AR0731167	4/17/2012	4/17/2013	E L EACH ACCIDENT \$ 100,000
							E L DISEASE - EA EMPLOYEE \$ -----
							E L DISEASE - POLICY LIMIT \$ 100,000 AGG

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The City of Wyandotte is included as additional insured. 30 days prior written notice of cancellation or reduction in coverage applies to the City of Wyandotte. Waiver of Subrogation for bodily injury, property damage & personal injury applies in favor of City of Wyandotte, its employees and agents arising from this contract.

CERTIFICATE HOLDER (734) 324-4535 City of Wyandotte 3131 Biddle Ave. Wyandotte, MI 48192	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Karen Larson/JOANNA
---	---

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 3, 2012

AGENDA ITEM # 8

ITEM: Zapplication Renewal Agreement

PRESENTER: Heather A. Thiede, Special Event Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Event Coordinator

BACKGROUND: As you are aware, the Special Event Office is in the process of organizing the 2013 Wyandotte Street Art Fair. Please find the attached contract renewal agreement for ZAPPLICAITON for the 2013 Wyandotte Street Art Fair. We had a major increase in artist applications for the 2011 and 2012 shows and feel that the online application process will absolutely develop and promote our show for the future. We have contracted with this company for the last three years.

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by brining our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: Please take this agreement into consideration, as your approval and subsequent signing will allow us to continue planning this celebratory event.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

\$1,000 – WSAF Expense Account – 285-225-925-730-860

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Mayor and City Clerk to sign then forwarded to the Special Events Coordinator.

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS

Zapplication Renewal Agreement

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 3rd 2012

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council Concurs with the Special Event Coordinator in the following resolution.

A Resolution authorizing the approval of the Zapplication Renewal Agreement and that the Mayor and City Clerk be and hereby are directed to indorse said agreement and forward to the Special Events Coordinator.

I move the adoption of the foregoing resolution.

MOTION by
Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

Browning
DeSana
Fricke
Galeski
Sabuda
Stec



**ZAPP® SOFTWARE SMALL SHOW LICENSE
RENEWAL AGREEMENT**

THIS RENEWAL AGREEMENT (“Agreement”) is made this __ day of _____, 2012, between Zapp Software, LLC, a Colorado limited liability company (“ZAPP”), and _____ (“Client”), for the renewal of Client’s ZAPP® Software license term under the Software License and Transaction Service Agreement/Small Show dated _____, 20__ between ZAPP and Client (the “Software License”), as follows:

1. Annual Renewal and Fees. ZAPP and Client agree that the Client remains eligible for ZAPP’s small show pricing structure. Client agrees to renew its annual license of the ZAPP® Software under the Software License for the following annual period and the license/use fees per show during that annual period, as follows:

Annual period: _____, 20__ to _____ 20__

Usage Fees:

1 to 150 applications received \$1000.00; and

151 or more applications received \$6.75 per application.

[check if applicable] Client elects to use a projected jury format for the annual period identified above and, accordingly, agrees to license from ZAPP and to pay the additional license and other fees to ZAPP for that annual period, as follows:

<u>Modules</u>	<u>Annual License Fee for Module</u>
Image Management Module	<u>\$1500.00</u>

2. Updated Terms and Information. ZAPP and Client agree that the following terms and conditions attached to this Agreement replace the terms and conditions of the Software License, as indicated (by a check mark):

____ There have been no changes to Attachment Nos. 1 through 5 to the current Software License and they remain in effect

____ Standard Terms and Conditions; if checked, then the Zapplication® Software Standard Terms and Conditions attached to this Agreement as Attachment No. 1 update and replace the Zapplication® Software Standard Terms and Conditions attached as Attachment No. 1 to the Software License

____ Security Features; if checked, then the Security Features sheet attached to this Agreement as Attachment No. 2 updates and replaces the Securities Features sheet attached as Attachment No. 2 to the Software License

____ Licensee/Show Information; if checked, then the Licensee/Show Information sheet attached to this Agreement as Attachment No. 3 replaces the Licensee/Show Information sheet attached as Attachment No. 3 to the Software License

____ ZAPP Standard Rate Schedule; if checked, then the ZAPP Standard Rate Schedule attached to this Agreement as Attachment No. 4 updates and replaces the ZAPP Standard Rate Schedule attached as Attachment No. 4 to the Software License

____ Payments/Fees for ZAPP® Licensees; if checked, then the Payments/Fees for ZAPP® Licensees sheet attached to this Agreement as Attachment No. 5 updates and replaces the Payments/Fees for ZAPP® Licensees sheet attached as Attachment No. 5 to the Software License

3. No Other Changes; Meaning of Terms. Client agrees that except for the changes made by this Agreement, all other terms and conditions of the Software License remain in full force and effect. Terms used in this Agreement have the same meaning as when they are used in the Software License.

THIS AGREEMENT IS EXECUTED by the parties on the dates indicated below each party's signature.

ZAPP:
ZAPP Software, LLC
a Colorado limited liability company

By: Western States Arts Federation
a Colorado nonprofit corporation

Name: _____

Title: _____

Date: _____

CLIENT:

Incorporated in: _____
(state)

Name: _____

Title: _____

Date: _____

Address for Notice:

ZAPApplication®
Attachment No.3
Client Information Form

Please complete this form to submit your information to our system. Please print legibly.
 Complete one form for each event you host.

EVENT INFORMATION

Event Title: Wyandotte Street Art Fair	
Accept Application Date: Nov. 19 2012	Application Deadline: Feb. 25 2013.
Jury dates: Feb. 26-28 2013.	Jury Location: 2624 Biddle Ave.
Application Fee: \$ 30	Application Fee Discount (if applicable):
How many applications did you collect last year? 80 +	

ORGANIZATION INFORMATION

Organization Name: City of Wyandotte	
Contact Name: Heather A. Thiede	
Email: hthiede@wyan.org	Phone: 734-324-4502.
Mailing Address: street, city, state, zip 2624 Biddle Ave, Wyandotte, MI. 48192.	
Remittance Address (if different): street, city, state, zip	

This section is for office use only

	<i>New / Renewal</i>	<i>Standard / Small</i>	
	<i>Online / Projected Jury</i>	<i>One / Multi (how many:)</i>	
Fee Type	Amount	Payment	Notes
Setup		received / auto / invoice / N/A	
Application		received / auto / invoice / N/A	
Image Mgmt.		received / auto / invoice / N/A	
Per app/image		received / auto / invoice / N/A	
Multiple		received / auto / invoice / N/A	
Equipment		received / auto / invoice / N/A	
Shipping		received / auto / invoice / N/A	
Tech Asst.		received / auto / invoice / N/A	
<i>Counter signed</i>	<i>Setup</i>	<i>Returned</i>	<i>Finance</i>
			<i>Filed</i>

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

9

MEETING DATE: December 3, 2012

AGENDA ITEM # _____

ITEM: Attorney Fee Agreement – Zoo Millage Litigation

PRESENTER: Todd A. Drysdale, City Administrator *T. Drysdale*

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The Wayne County Treasurer’s Office has informed the City that we will not be able to capture eligible tax increment revenues (TIF) from recently approved millages for the Zoological Authority and Detroit Institute of Arts. This action is contradictory to state law and would deprive the City’s TIF districts (TIFA Consolidated, DDA-TIF, Brownfield Redevelopment Authority (BRA)) of approximately \$48,000 annually (split 85% in TIFA Consolidated, 15% DDA-TIF, and less than 1% BRA). Moreover, this erroneous interpretation of state law, if allowed to proceed unchallenged, will certainly affect future revenue capture by our TIF districts as it is applied to new and renewed millages.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: 1 - Approve the engagement letter with Monaghan, P.C., to represent the City of Wyandotte and our TIF districts as co-plaintiffs asking for a declaratory judgment regarding the rights and obligations of the City Treasurer to collect the Zoo Millage and DIA Millage for the local TIF districts and to request the court to enjoin the Wayne County Treasurer from interfering with the legal obligations of the City Treasurer in capturing these millages. 2 – Approve the payment of the retainer (\$2,500) to Monaghan, PC. 3 – Request the TIFA Consolidated Fund, Downtown Development Authority, and BRA to pay the remaining cost of this litigation proportionally from their budget to defend these revenue sources.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: \$2,500 Retainer paid from 101-200-825-390 (Consultants) which has adequate budget remaining. Remaining costs should be approved by the TIFA Board, DDA Board, and BRA Board from the budget funded by these revenue sources.

IMPLEMENTATION PLAN: City Administrator will continue to work with legal counsel and participating communities to defend our position and state law.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR’S RECOMMENDATION: Concur

LEGAL COUNSEL’S RECOMMENDATION: Concur with recommendation

MAYOR'S RECOMMENDATION:

Concur with recommendation.



LIST OF ATTACHMENTS

1. Engagement Letter from Monaghan, PC dated November 13, 2012
2. Follow up letter from Monaghan, PC dated November 16, 2012 relative to allocation of attorney fees and costs
3. Letter from Wayne County Treasurer dated February 23, 2012 indicating that we will no longer be able to capture Zoo millage
4. Advisory letter from State Attorney General's Office dated February 25, 2009, relative to Zoo millage
5. Updated letter from State Attorney General's Office dated April 14, 2011
6. Legal opinion from Miller Canfield dated October 2, 2012, relative to the erroneous application of state law by the County Treasurer as it concerns the TIF capture of the Zoo millage
7. Letter from the Wayne County Treasurer dated November 27, 2012 regarding the new DIA millage
8. Schedule of taxes captured by the communities in Wayne County

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 3, 2012

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council Concur with recommendation of the City Administrator to engage Monaghan, PC to represent the City, Tax Increment Finance Authority, Downtown Development Authority, and Brownfield Redevelopment Authority in the legal action asking for a declaratory judgment regarding the rights and obligations of local treasurers in collecting the Zoo and Detroit Institute of Arts millage for their local TIF districts and to also enjoin the Wayne County Treasurer from interfering in legal obligations of the local treasurer in capturing these same millages and

Further, approves the payment of the necessary retainer fee of \$2,500 from account 101-200-825-390 and

Further, recommends and request the Tax Increment Finance Authority, Downtown Development Authority, and Brownfield Redevelopment Authority to appropriate an amount to pay the remaining legal fees associated with this action to protect their tax increment revenue sources.

I move the adoption of the foregoing resolution.

MOTION by
Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

Browning

DeSana

Fricke

Galeski

Sabuda

Stec

MONAGHAN, P.C.

ATTORNEYS AND COUNSELORS
GOVERNOR'S PLACE

33 BLOOMFIELD HILLS PKWY. STE. 260
BLOOMFIELD HILLS, MICHIGAN 48304-2946

TELEPHONE (248) 642-5770

FACSIMILE (248) 642-9460

www.monaghanpc.com

BORIS K. YAKIMA
JOHN E. GRENKE
THOMAS J. MCCARTHY
CHARLES C. LILLIE
RONALD J. ZADORA
THOMAS E. CALLOW
JOHN M. KIRK, JR.

PETER J. MONAGHAN
1101-10421

GEORGE F. MONAGHAN
11070-10201

JOSEPH N. MONAGHAN
11011-10701

PETER J. MONAGHAN, JR.
11000-10551

November 13, 2012

City of Wyandotte
Attn: Gregory Mayhew, Secretary
3131 Biddle Avenue
Wyandotte, Michigan 48192

City of Wyandotte
Downtown Development Authority
Attn: Natalie Rankine, Director
3200 Biddle Avenue, Suite 300
Wyandotte, Michigan 48192

***Re: Capture of Zoo Millage by Tax Increment Finance Authorities
Attorney Fee Agreement***

Dear Mr. Mayhew and Ms. Rankine:

This letter concerns the controversy that has recently arisen in regard to the capture of the zoo millage (the "Zoo Millage") levied by the Wayne County Zoological Authority by various tax increment financing ("TIF") entities in Wayne County. There are approximately 19 Wayne County communities with TIF entities that capture the Zoo Millage. The Wayne County Treasurer (the "Treasurer") has notified many of these communities that in his opinion Michigan law does not allow for the capture of the Zoo Millage.¹

Local treasurers are obliged to begin capturing the Zoo Millage funds for local community TIF entities with the December 1, 2012 winter tax bills. The Treasurer has indicated that they he will respond by unilaterally deducting any Zoo millage funds captured by local communities from their tax receipts in spring of 2013.

We have examined the legal issues relating to the Treasurer's position and, in consultation with Miller, Canfield, Paddock & Stone, PLC, it is our opinion that the Zoological Authority property taxes are subject to capture by various existing TIF entities in accordance with their specific authorizing statutes on the same basis as are other ad valorem property tax ledgers. We have been asked to serve as lead counsel on behalf of the City of Dearborn Heights Tax Increment Finance Authority, which we represent, in conjunction with the City of Dearborn

¹ The Treasurer's Chief Deputy has also indicated they do not believe TIF entities are allowed to capture the forthcoming millage for the Detroit Institute of Arts (the "DIA"). Presumably the DIA millage will also be subject to the same controversy as the Zoo Millage.

Corporation Counsel, in filing a lawsuit in Wayne County Circuit Court to seek a declaratory judgment to determine the rights and obligations of the parties. Specifically, we will ask the court to confirm that under existing Michigan law, the Zoological Authority property taxes are subject to capture by existing TIF authorities in accordance with their specific authorizing statutes on the same basis as are ad valorem property tax levies.

The purpose of this letter is to offer your community and your local TIF entity the opportunity to join as a co-plaintiff along with the cities of Dearborn, Dearborn Heights, and Romulus in the Wayne County action. We are also offering you the opportunity to have our office represent your city and its TIF entities in this action. Our legal services on a collective basis will result in significant savings of legal fees that would otherwise have to be incurred by the communities on an individual basis. Our services will include representing your community and its TIF entities in the preparation of pleadings and papers to be filed in Wayne County Circuit Court seeking a declaratory judgment regarding the rights and obligations of local treasurers in collecting the Zoo Millage for their local TIF entities. We also anticipate requesting the court to enjoin the Wayne County Treasurer from interfering with the legal obligations of the local treasurers in capturing the Zoo Millage.² This action, if successful, can result in obtaining significant tax revenue for your TIF entity.

We anticipate that our requested relief is in accordance with Michigan law but our judgment is a matter of opinion and should not be construed as a warranty or guarantee as to the outcome. We will require your assistance in regard to certain matters with respect to client contact and communication. Furthermore, by accepting the terms and conditions set forth in this letter, and based on my full and complete disclosure to you of all material facts, you specifically consent to my representation of multiple municipal clients in this matter and waive any conflict of interest.

The terms of our engagement will be that we will provide legal services on an hourly basis. We will invoice the municipality monthly. All invoices are due and payable upon receipt. I will offer a discounted government hourly rate in this matter of \$240 per hour. I will utilize other associates at a lower rate, when appropriate. In addition to the hourly fee, we charge clients for such client disbursements as print charges (copies), filing fees, mileage, deposition transcript charges, postage, courier fees and such other incidental charges that arise in litigation.

It is our firm's practice to require a retainer that will be held in our client trust account to secure payment of our fees and costs. In this matter, we will require a two thousand five hundred (\$2,500) dollar retainer. You can send us a check for the retainer, payable to "Monaghan, P.C."

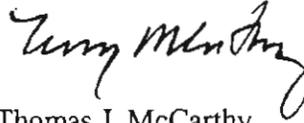
If the terms of this engagement meet with your approval, please sign your acknowledgement below and return an original signed agreement to my attention. We will prepare and file the legal action upon receipt of the retainer and the signed engagement letter. We look forward to working with you on this matter.

² If successful, we anticipate this precedent will also extend to the capture of the newly levied millage for the Detroit Institute of Arts.

Should you have any questions, please feel free to contact me.

Very truly yours,

MONAGHAN, P.C.



Thomas J. McCarthy

TJM/cas

Acknowledged and agreed to by:

CITY OF WYANDOTTE

By: _____

Its: _____

Dated: _____

CITY OF WYANDOTTE

Downtown Development Authority

By: _____

Its: _____

Dated: _____

BORIS K. YAKIMA
JOHN E. GRENE
THOMAS J. MCCARTHY
CHARLES C. LILLIE
RONALD J. ZADORA
THOMAS E. CALLOW
JOHN M. KIRK, JR.

MONAGHAN, P.C.
ATTORNEYS AND COUNSELORS
GOVERNOR'S PLACE
33 BLOOMFIELD HILLS PKWY., STE. 260
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PETER J. MONAGHAN
(1881 - 1942)

GEORGE F. MONAGHAN
(1876 - 1820)

JOSEPH N. MONAGHAN
(1911 - 1979)

PETER J. MONAGHAN, JR.
(1909 - 1882)

November 16, 2012

Interested Communities

Re: Allocation of Zoo Millage Litigation Attorney Fees and Costs

Dear Sir or Madam:

This letter is a follow-up to the proposed attorney fee agreement between Monaghan, P.C. and the communities in Wayne County that capture the Zoo Millage. Specifically, we will address the proposed allocation of litigation costs for the Wayne County Circuit Court lawsuit seeking a declaratory judgment regarding the statutory authority to capture the millage.

At the meeting on November 14, 2012, held at the Dearborn Heights Justice Center, there was a discussion regarding the allocation of the litigation costs among the communities. The issue is that some communities capture significantly more of the Zoo Millage than other communities. However, in all communities, the capture of the Zoo Millage (and presumably, the forthcoming Detroit Institute of Arts millage) puts the local treasurers in the precarious position of being pressured by the Wayne County Treasurer to not capture the millage, despite what we believe is a clear statutory obligation to do so. Therefore, we propose the following allocation of the litigation costs:

The \$2,500 retainer that each community is requested to contribute will be allocated so that \$1,500 is allocated equally to each community as the cost of participation in the litigation, based upon the fact that each community has a common obligation to defend the integrity of the actions of their treasurer in capturing the Zoo Millage. Thereafter, the fees and costs will be allocated among the plaintiff group based upon the percentage of the participating community's 2011 Zoo Millage capture among the participating group. Therefore, by way of example, if the communities that decide to participate as plaintiffs collectively capture \$50,000 in Zoo Millage funds, and the City of Dearborn Heights collects \$7,000 or 14% of the TIF funds among the plaintiff group, then Dearborn Heights will be responsible for that percentage of the legal fees and costs going forward.¹

¹ The City of Dearborn is excluded from the allocation of attorney fees because it will provide in house attorney services through its Law Department.

MONAGHAN, P.C.

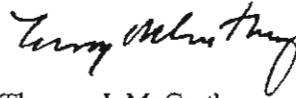
I will also note that our firm's retainer agreement states that the retainer will be held in our client trust account during the pendency of the litigation. Your community's participation fee of \$1,500, as well as the pro rata share of the fees and costs (as incurred), will be billed on the first invoice and thereafter the following invoices will reflect the pro rata share of your community's TIF collections.

We will require the \$2,500 retainer and a signed attorney fee agreement to confirm your participation in the lawsuit.

We look forward to your participation in this important matter. Should you have any questions, please contact me.

Very truly yours,

MONAGHAN, P.C.



Thomas J. McCarthy

TJM/cas



RAYMOND J. WOJTOWICZ
Wayne County Treasurer

DAVID J. SZYMANSKI
Chief Deputy

CHRISTA J. MCLELLAN
Deputy/Financial Services

ERIC R. SABREE
Deputy/Land Management

February 23, 2012

Andrew Swiecki, Treasurer
City of Wyandotte
3131 Biddle
Wyandotte, MI 48192

Dear Treasurer Swiecki:

It has come to my attention that certain taxing units within Wayne County have been capturing the 0.1 Mill levied by the Wayne County Zoological Authority, pursuant to its Board Resolution of September 11, 2008, a copy of which is attached. The tax revenue generated from the levy of a property tax mill by the Zoological Authority is not subject to capture by DDAs, LDFAs, TIFAs, or BRAs that existed prior to the creation of the subject zoological authority (see Attorney General Letters, attached).

Those taxing authorities that were in existence prior to the Zoological Authority do not have the authority to capture this millage levied by the Zoological Authority. Being aware that there might have been some dispute as to the process for capture of these mills until the Attorney General's communications, the Zoological Authority has indicated a willingness to give this interpretation only prospective effect. Should the mills to which they are entitled be captured for the Zoological Authority from the 2011 tax year forward they will not seek retroactive payments.

If the assessment and/or the legal basis for capture in this fashion is contested, it is anticipated that the Wayne County Zoological Authority will file an action before the appropriate court or tribunal. At that time it is likely the Authority would seek collection of payments retroactively.

Should you prefer to discuss this matter further, please contact my Chief Deputy Treasurer, David J. Szymanski at dszymans@co.wayne.mi.us or at 313.224-5951. Please do notify my Chief Deputy by March 1 if you disagree with this procedure.

I do appreciate your cooperation in this matter.

Sincerely,

RAYMOND J. WOJTOWICZ
Wayne County Treasurer

Enclosures

400 Monroe • 5th Floor • Detroit, Michigan 48226
www.treasurer.waynecounty.com



STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



MIKE COX
ATTORNEY GENERAL

February 25, 2009

P.O. Box 30212
LANSING, MICHIGAN 48909

FEB 27 2009

Honorable Gilda Z. Jacobs
State Senator
The Capitol
Lansing, MI

Dear Senator Jacobs:

Attorney General Cox has asked me to respond to your letter asking whether any of the funds raised through the levy of a property tax millage by a zoo authority under the provisions of 2008 PA 49, MCL 123.1161 *et seq.*, are subject to capture by Downtown Development Authorities, Local Development Finance Authorities, Tax Increment Finance Authorities, Corridor Improvement Authorities, or Brownfield Redevelopment Authorities that existed prior to the creation of the zoo authority. Due to the subject matter of your request, I asked staff in the Revenue and Collections Division to review your letter. The following represents their findings.

The Zoological Authorities Act (Act), 2008 PA 49, MCL 123.1161 *et seq.*, effective March 27, 2008, provides for the creation of a new taxing jurisdiction.¹ Section 7 of the Zoological Authorities Act provides that any county may form a zoological authority through the county board of commissioners adopting articles of incorporation establishing the zoological authority. MCL 123.1167. The Act designates a zoological authority as a constitutional authority under Const 1963, art 9, § 6.² MCL 123.1165. Once established, a zoological authority has the authority to contract for zoological services with an accredited zoological institution, levy a tax, enter into contracts to accomplish the Zoological Authorities Act's purposes, and contract for or retain professional services. MCL 123.1171. Section 13 of the Zoological Authorities Act, MCL 123.1173, provides that a zoological authority may, with the approval of the county electorate, levy a tax of not more than 0.1 mill, for a period not to exceed 20 years, on all taxable property within the county for the purpose of providing revenue to an accredited zoological institution. It is this 0.1 mill tax that gives rise to your inquiry.

¹ Article 7 of the Michigan Constitution relates to the creation of local units of government, particularly counties, cities, villages, and townships. Const 1963, art 7, § 27 authorizes the Legislature to "establish in metropolitan areas additional forms of government or authorities with powers, duties and jurisdictions as the legislature shall provide."

² The second paragraph of Const 1963, art 9, § 6 provides that, subject to the provisions of what is commonly known as the Headlee Amendment, Const 1963, art 9, §§ 25 to 34, the millage levied by an authority, such as a zoological authority, is not subject to the 15, 18, or 50 mill limitations contained in the first paragraph of art 9, § 6.

Honorable Gilda Z. Jacobs
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Specifically, you ask whether any of the revenue created by that 0.1 mill property tax levy is subject to capture by the various tax increment authorities previously authorized by the Michigan Legislature and established within the county prior to the establishment of a zoological authority under the Zoological Authorities Act. These tax increment authorities include those created under the Downtown Development Authority Act, 1975 PA 197, MCL 125.1651 *et seq.*; the Tax Increment Finance Authority Act, 1980 PA 450, MCL 125.1801 *et seq.*; the Local Development Financing Act, 1986 PA 281, MCL 125.2151 *et seq.*; the Brownfield Redevelopment Financing Act, 1996 PA 381, MCL 125.2651 *et seq.*; and the Corridor Improvement Authority Act, 2005 PA 280, MCL 125.2871 *et seq.*

Downtown Development Authorities, Tax Increment Finance Authorities, Local Development Finance Authorities, Brownfield Redevelopment Authorities, and Corridor Improvement Authorities all have the ability to finance their operations through the "capture" of all or a portion of the taxes generated by the increase in value of taxable property within their boundaries subsequent to their establishment. If this methodology of funding is used, this is accomplished by first determining an "initial assessed value" of property within the area in which the authority exists when the authority or tax increment plan is first established. Then, in subsequent years, a "captured assessed value" is determined, which equals the increase between the assessed or taxable value of property in those subsequent years over the "initial assessed value." Taxes collected through the millage levy of local taxing authorities on the "captured assessed value" may then be paid to the tax increment authority rather than the local taxing authority. This is what is known as "tax increment financing" and the entities that engage in it are known as tax increment authorities.

A common thread that is present in all the public acts that allow for the creation of the above-noted tax increment authorities is that, prior to their creation, local taxing authorities have the ability to attend a public hearing and comment upon the proposed establishment of the tax increment authority. See, e.g., section 3 of the Downtown Development Authority Act, MCL 125.1653; section 3 of the Tax Increment Finance Authority Act, MCL 125.1803; section 4 of the Local Development Financing Act, MCL 125.2154; section 4 of the Brownfield Redevelopment Financing Act, MCL 125.2654; and section 6 of the Corridor Improvement Authority Act, MCL 125.2876.

Additionally, in all the above-noted public acts, local taxing authorities have the ability, either through negotiation or their own legislative action, to influence the amount of tax revenue that may be captured by the tax increment authority. For example, with respect to Downtown Development Authorities, local taxing units have the ability to either exempt their revenues from capture completely through the passage of a resolution to that effect pursuant to section 3(3) of the Downtown Development Authority Act, MCL 125.1653(3), or, if a tax increment financing plan is established, the local taxing authority, the local municipality, and the tax increment authority may agree to share a portion of the captured value. Similarly, for Tax Increment Finance Authorities, section 13(3) of the Tax Increment Finance Authority Act, MCL 125.1813(3), provides that a tax increment financing plan may provide for the sharing of captured values if the local taxing authority, the local municipality, and the tax increment finance authority agree. For authorities established under the Local Development Financing Act, section

4(3) of that act, MCL 125.2154(3), provides that a taxing jurisdiction may exempt its revenues completely from capture through the passage of a timely resolution. Section 12(5) of that act, MCL 125.2162(5), provides that agreements between the taxing jurisdiction, the local municipality, and the tax increment authority may provide for a sharing of captured assessed value.

While section 13(14) of the Brownfield Redevelopment Financing Act, MCL 125.2663(14), specifically precludes any agreements between local municipalities, taxing jurisdictions, and brownfield authorities to share captured assessed value, section 4(6) of that act, MCL 125.2654(6), does provide that a taxing jurisdiction, through the passage of a timely resolution, may exempt its taxes from capture. Finally, regarding authorities created under the Corridor Improvement Authority Act, section 18(3), MCL 125.2888(3), provides that agreements between the local municipality, the authority, and local taxing jurisdictions to share captured value are allowed, and section 18(5) provides that in certain circumstances a local taxing jurisdiction can, through a timely resolution, exempt its taxes from capture. MCL 125.2888(5).

When interpreting the language of a statute, the primary goal is to give effect to the intent of the Legislature. *Wayne County v Hathcock*, 471 Mich 445, 456; 684 NW2d 765 (2004); *Halloran v Bhan*, 470 Mich 572, 576-578; 683 NW2d 129 (2004). This task begins by examining the language of the statute itself. The words of a statute provide the most reliable evidence of its intent. *Sun Valley Foods Co v Ward*, 460 Mich 230, 236; 596 NW2d 119 (1999). If the language of a statute is clear and unambiguous, the plain meaning of the statute reflects the legislative intent and judicial construction is not permitted. *Turner v Auto Club Ins Ass'n*, 448 Mich 22, 27; 528 NW2d 681 (1995). If the language of the statute is unambiguous, the Legislature must have intended the meaning clearly expressed, and the statute must be enforced as written. No further judicial construction is required or permitted. *Tryc v Michigan Veterans' Facility*, 451 Mich 129, 136; 545 NW2d 642 (1996).

The various statutes that authorize the above-noted tax increment authorities all clearly contemplate that local taxing authorities³ in existence at the time the tax increment authorities are created have the ability to influence the amount of the tax revenues that the tax increment authorities can capture. This influence can be exercised either through negotiations regarding what provisions the various plans will contain or by the actual exemption of their taxes through the passage of a resolution by the local taxing jurisdiction. Taxing jurisdictions established after the creation of these tax increment authorities, such as the zoological authority about which you inquire, are not mentioned. They did not previously exist and accordingly could not influence decisions to be made or exercise options available at the time earlier tax increment authorities were created.

The Legislature clearly – and consistently – acted to make an integral part of the above-noted legislation the ability of existing local taxing jurisdictions to assert influence over the

³ The use of the term "local taxing authorities" in this context means any local unit of government or authority with the power to levy *ad valorem* property taxes on taxable real and personal property within the unit's boundaries.

Honorable Giida Z. Jacobs
Page 4

amount of taxes they would ordinarily receive to be captured by tax increment authorities. No language in the tax increment authority acts evidences an intention to capture property taxes raised by local tax jurisdictions that might be created in the future. In the instant case, as the zoological authority would be created *after* the establishment of the tax increment authorities, to allow tax increment authorities to capture a portion of the taxes that would otherwise be paid to a zoological authority, when that zoological authority did not have the opportunity to either negotiate with the tax increment authority regarding the amount of taxes that would be captured or to pass a resolution exempting its taxes from capture, would be contrary to the clear intent of the Legislature and improper.⁴ In the absence of express language requiring such an aberrational result, no such intent should be ascribed to the Legislature.

In answer to your question, therefore, the funds raised through the levy of a property tax millage by a zoological authority under the provisions of 2008 PA 49, MCL 123.1161 *et seq.*, are not subject to capture by Downtown Development Authorities, Local Development Finance Authorities, Tax Increment Finance Authorities, Corridor Improvement Authorities, or Brownfield Redevelopment Authorities that existed prior to the creation of the zoological authority.

Sincerely yours,



Carol L. Isaacs
Chief Deputy Attorney General

⁴ This analysis relates only to new taxing jurisdictions established after the creation of a tax increment financing authority; in other words, a general law township that elects charter status would not be a "new" taxing jurisdiction nor would a township, charter or otherwise, that elects to become a city. Rather, these entities are merely successor manifestations of previously existing entities.

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



BILL SCHUKTTE
ATTORNEY GENERAL

P.O. Box 30212
LANSING, MICHIGAN 48909

April 14, 2011

Mr. Ron Kagan
Detroit Zoo
8450 W. 10 Mile Road
Royal Oak, MI 48933

Dear Mr. Kagan:

It is my understanding that you have inquired regarding the continuing validity of a February 25, 2009, Informational Letter issued to then Senator Gilda Z. Jacobs, during the prior administration.

Due to its subject matter, staff in the Revenue and Collections Division was asked to review the 2009 letter. Their review reveals that no intervening changes in the law have occurred. Thus, this office's conclusion remains the same as in the previous informational letter, which is attached for your convenience.

Thank you for bringing this matter to our attention. I hope this information is helpful to you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard A. Bandstra".

Richard A. Bandstra
Chief Legal Counsel

Att.
c: GCSI

Founded in 1852
by Sidney Davy Miller

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October 2, 2012

Mr. Timothy Keyes
Director of Economic Development
City of Romulus
11111 Wayne Road
Romulus, MI 48174-1485

Re: Capture of Zoo Millage by Tax Increment Finance Authorities

Dear Mr. Keyes:

You have asked us to respond to the information in the letter sent by the Wayne County Treasurer to the City of Romulus (the "City") and its City Treasurer, dated September 6, 2012 (the "County Treasurer Letter") relating to the capture of the zoo millage (the "Zoo Millage") levied by the Wayne County Zoological Authority (the "Zoo Authority") by various tax increment financing entities of the City. The County Treasurer Letter indicates that taxing units and local treasurers should not be capturing the Zoo Millage and transferring the funds to the TIF Authorities (as defined below).

There are several different types of municipal tax increment authorities that can capture taxes under Michigan law, each of which is governed by its own authorizing statute. For purposes of this letter, we are going to discuss the four main tax increment financing authorities which are those established under the Downtown Development Authority ("DDA") Act, Act 197, Public Acts of Michigan, 1975, as amended (the "DDA Act"); the Tax Increment Finance Authority ("TIFA") Act, Act 450, Public Acts of Michigan, 1980, as amended (the "TIFA Act"); the Local Development Financing ("LDFA") Act, Act 281, Public Acts of Michigan, 1986, as amended (the "LDFA Act"); and the Brownfield Redevelopment Financing ("BRA") Act, Act 381, Public Acts of Michigan, 1996, as amended (the "BRA Act"). A DDA, TIFA, LDFA and BRA are collectively referred to here as "TIF Authorities," and the DDA Act, TIFA Act, LDFA Act and BRA Act are collectively referred to here as the "TIF Acts."

Based on the analysis below, it is our opinion that the Zoological Authority property taxes are subject to capture by the various existing TIF Authorities in accordance with their specific authorizing statutes on the same basis as are other ad valorem property taxes levied. None of the TIF Acts nor the Zoological Authorities Act, Public Act 49 of 2008 (the "Zoo Authority Act"), provide an exemption from capture for the Zoo Millage and the Zoo Authority is not authorized to exempt the Zoo Millage from capture.

Informational Letters from Office of the Attorney General

The County Treasurer previously circulated two letters written by attorneys on the staff of the Michigan Attorney General that supported the County Treasurer's position. The first letter was dated February 29, 2009, addressed to State Senator Gilda Z. Jacobs and signed by Carol L. Isaacs, Chief Deputy to Attorney General Mike Cox (the "Isaacs Letter"). The Isaacs Letter states that the statutes that authorize the TIF Authorities "all clearly contemplate that local taxing authorities in existence at the time the tax increment authorities are created have the ability to influence the amount of the tax revenues that the tax increment authorities can capture" either through negotiation or the actual exemption of their taxes by the passage of a resolution. The Isaacs Letter concludes that the Zoo Millage is not subject to capture by TIF Authorities that existed prior to the creation of the Zoo Authority.

The second letter was dated April 14, 2011, addressed to Mr. Ron Kagan of the Detroit Zoo and signed by Richard Bandstra, Chief Legal Counsel to Attorney General Bill Schutte (the "Bandstra Letter"). The Bandstra Letter states that attorneys in the Revenue and Collection Division were asked to review the Isaacs Letter, which was referred to as an "Informational Letter," and since no intervening changes in the law have occurred, their conclusion remains the same as in the previous informational letter.

We respectfully disagree with the conclusions expressed in the Isaacs Letter and the Bandstra Letter. The assumptions and conclusions expressed in the Isaacs Letter and the Bandstra Letter are not consistent with the actual statutory language or with Michigan court decisions.

Furthermore, it should be noted that these letters are not formal opinions of the Michigan Attorney General. As the Bandstra Letter acknowledges, they are Informational Letters written by members of the staff of the Attorney General, which do not go through the same review and approval process as a formal opinion of the Attorney General. Even if they were formal opinion letters of the Attorney General, they would not be legally binding on units of local government, including Wayne County or any of the cities, townships or TIF Authorities.¹

Background on Tax Increment Financing

Tax increment financing is an economic development tool that has been available in Michigan since the enactment of the DDA Act in 1975. The source of revenue for most TIF Authorities is the capture of ad valorem property taxes levied on certain property by various taxing units. The constitutionality of tax increment financing and the capture by TIF Authorities of property taxes levied by other taxing units has been upheld by the Michigan courts, most notably by the Michigan Supreme Court in the *Advisory Opinion on 1986 PA 281*, 420 Mich. 93 (1988).

¹ See e.g. *School District of the City of East Grand Rapids v Kent County Tax Allocation Board*, 415 Mich. 381, 394 (1982).

For almost the first two decades of tax increment financing in Michigan, no taxing units were authorized to exempt their taxes from capture by a DDA, TIFA or LDFA. Until 1994, the language in the then-existing TIF Acts (DDA Act, TIFA Act, LDFA Act) stated that a TIF Authority was entitled to capture ad valorem property taxes attributable to the levy of all taxing units on the captured assessed value except for taxes that were the subject of a sharing agreement between the TIF Authority and the taxing unit or otherwise excluded from capture in the tax increment financing plan. It should be noted that each of the then-existing TIF Acts had provisions which authorized the TIF Authority to enter into sharing agreements with its parent municipality and another taxing unit to provide for the sharing of captured assessed value. The ability to voluntarily enter into sharing agreements still exists in the DDA Act, TIFA Act and LDFA today and the Zoo Authority has the ability to enter into a sharing agreement with a DDA, TIFA or LDFA.²

In 1994, the Legislature enacted various amendments to the then-existing TIF Acts in connection with the constitutional amendment and tax reform legislation commonly referred to as Proposal A. The 1994 amendments in each of the DDA Act, TIFA Act and LDFA Act added a limitation on the ability of a DDA, TIFA or LDFA to capture taxes levied by a local school district, intermediate school district, or the State under the State Education Tax, unless the school taxes were used to pay certain bonds and other obligations issued before 1995.³

The second major change implemented by the 1994 amendments was adding into two of the existing TIF Acts the so-called "opt-out provision" which allows a taxing unit to adopt a resolution to exempt its tax levies from capture under certain circumstances. The opt out language was added to the DDA Act in Section 3(3) and to the LDFA Act in Section 4(3), which are discussed in the section below.

The general rule regarding TIF Authority tax capture is that tax increment revenues generated by taxes levied on captured assessed value are subject to capture by the TIF Authority unless (1) a taxing jurisdiction has expressly exempted its taxes from capture pursuant to language allowing such an exemption under the relevant TIF statute, or (2) certain taxes have been expressly excluded from capture pursuant to statute. See *Village of Holly v. Holly Township*, 478 Mich. 518 (2007); 1991-1992 Mich. OAG No. 6687. Absent one of these exceptions, all tax increment revenues must be transmitted by local and county treasurers to the relevant TIF Authority.

² See MCL 125.1664(4) for the DDA Act; MCL 125.1813(3) for the TIFA Act; MCL 125.2162(5) for the LDFA Act. Sharing agreements are prohibited under the BRA Act in MCL 125.2663(14).

³ This limitation on the ability to capture certain school taxes was added to the definition of tax increment revenues in each of the TIF Acts, which may be found in the DDA Act at MCL 125.1651(bb)(ii), TIFA Act at MCL 125.1801(aa)(ii) and LDFA Act at MCL 125.2151(jj)(ii).

Opt Out Provisions in TIF Acts

As noted above, some, but not all, of the TIF Acts provide an opportunity for taxing jurisdictions levying taxes that would otherwise be subject to capture within a TIF district to exempt those taxes from capture under certain circumstances.

The DDA Act provides a limited window during which a taxing jurisdiction may exempt its taxes from capture by a DDA, which is within 60 days of the public hearing to create a DDA, or to expand its district boundaries. Section 3(3) of the DDA Act states:

Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality *proposing to create* the authority. MCL 125.1653(3) (emphasis added).

Section 3(5) of the DDA Act provides that the governing body of a municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district pursuant to the same requirements for adopting the ordinance creating the authority. MCL 125.1653(5). In other words, a taxing jurisdiction has two opportunities to opt out of capture under the DDA Act. A taxing jurisdiction may opt out of capture by (1) adopting a resolution within 60 days of the public hearing held as part of the required procedure to create a DDA, or (2) with respect to land added to an existing downtown district, by adopting a resolution within 60 days of the public hearing held to amend the boundaries of the downtown district.

The LDFA Act has the same opt out language as the DDA Act.⁴

The TIFA Act does not authorize a taxing jurisdiction whose taxes are subject to capture by the TIFA to exempt its taxes from capture. The reason that the opt out language was not added to the TIFA Act in 1994 as it was with the DDA and LDFA, is that since 1987, the TIFA Act prohibits the creation of new TIFAs or expansion of TIFA Districts.⁵ Since the opt out provision only applies at the time of creation of an authority or to expand district boundaries, like the DDA or LDFA, there was no need to add similar language to the TIFA Act.

The BRA Act authorizes a taxing jurisdiction to exempt its taxes from capture only under one limited circumstance.⁶

⁴ See MCL 125.2154(3) and (5).

⁵ See MCL 125.1829.

⁶ The BRA Act was amended in 2005 to, among other things allow a taxing jurisdiction to exempt its taxes from capture by a Brownfield Redevelopment Authority ("BRA") under one circumstance: for a landfill facility area of 140 or more contiguous acres, located in a city, which contains a landfill, recycling facility and asphalt plant that are no longer in operation. MCL 125.2652(z) and 125.2654(6).

Nowhere in either the TIFA Act or the BRA Act (except for the landfill exemption) is there authorization for a taxing jurisdiction to unilaterally exempt its taxes from capture by the TIF Authority.

Clarifying the Scope of the Opt Out Provision of the DDA Act

Village of Holly Decision

The narrow scope of the opt out provision in the DDA Act was clarified in the Michigan Court of Appeals in *Village of Holly v. Holly Township*, 478 Mich. 518 (2007). The Court held that the term “a public hearing”, and the related opt out right, applied only to actions governed by a public hearing to create a DDA or amend its district boundaries in Section 3 of the DDA Act, and did not apply to public hearings held to approve or amend a plan under Section 18. The court noted the 1994 amendment to the DDA Act which added the opt out provision to Section 3 of the DDA Act, and stated that:

Our reading of the statute is further supported by the fact that the Legislature included a requirement that notice be provided to taxing jurisdictions and a sixty-day window to opt out in § 3 of the Act, but omitted such provisions from § 18 of the Act. We must assume that the omission from § 18 was intentional. *Houghton Lake Area Tourism & Convention Bureau v. Wood*, 255 Mich.App. 127, 135 (2003). “The omission of a provision in one part of a statute, which is included elsewhere in the statute, should be construed as intentional.” *Cherry Growers, inc. v. Agricultural Marketing & Bargaining Bd.*, 240 Mich.App. 153, 170 (2000). We cannot, under the guise of interpretation, give an option to taxing jurisdictions at the TIF or development plan stage that the Legislature has not provided for in the Act because courts should not include provisions in a statute that the Legislature has not included. *Polkton Charter Twp. v. Pellegroni*, 265 Mich.App. 88, 103 (2005) (citing *In re Wayne co. Prosecutor*, 232 Mich.App. 482, 486 (1998)). *Village of Holly*, 267 Mich.App. at 478.

Since the language providing an opportunity for a taxing jurisdiction to exempt its taxes from capture by a DDA following a Section 3 public hearing is clearly described within the Section 3 sequence of events required to create a DDA or modify the boundaries of a downtown district, and is excluded from the sequence of events provided in Section 18 to approve or amend a development or TIF plan, the opt out language only applies to the creation of a DDA or the modification of downtown district boundaries.

In 2010, the Michigan Attorney General provided a formal opinion consistent with *Village of Holly*, with one addition. As the Attorney General stated, the *Village of Holly* court did not address the question of whether, in the context of *amending* a DDA’s district boundaries, the opt out right would apply to the entire district or only to the land being added to the district. The Attorney General opined that the opt out right applies only to the property being added to a district. Mich. OAG No. 7246 (March 29, 2010). While the Attorney General’s opinion is not binding, it offers support to the *Village of Holly* decision limiting the ability of a taxing

jurisdiction to opt out of a TIF Authority's capture to the express exemption language of the statute.

Applying Village of Holly to New Taxing Jurisdictions

The distinction made by the *Village of Holly* court between the language in Section 3, providing a limited opt out right within the context of creating a DDA or amending district boundaries, and Section 18, which provides no opt out right when a DDA plan is created or amended, can be used to explain why a taxing jurisdiction created after the creation of a TIF Authority and levying taxes within the TIF district may not exempt its taxes from capture by the TIF Authority. The *Village of Holly* court was not asked to consider a new taxing jurisdiction created after the creation of a DDA, which would not have had an "earlier opportunity" to exempt its taxes from capture by the TIF Authority. The court emphasized, nonetheless, that except in connection with the creation of a DDA or amendment of district boundaries, no taxing jurisdiction has the opportunity to exempt its taxes from capture. *Village of Holly*, 267 Mich.App. at 479.

The *Village of Holly* analysis may be applied to the LDFA Act, which contains comparable opt out provisions to the DDA Act. The *Village of Holly* holding that the TIF Acts statute cannot be read to extend the ability to opt out where the legislature has not provided it can also be applied to other TIF authorizing statutes, including the BRA Act and the TIFA Act, which provide no express opt out authority.⁷

Moreover, when the legislature chose to amend the DDA Act in 1994 to add the opt out provision, the legislature chose, at the same time, to add the opt out provision to the analogous section of the LDFA Act. *See* MCL 125.2154(3). The legislature chose, at the same time, *not* to add opt out language to the TIFA Act. As discussed above, the TIFA Act had been amended previously in 1986 to prohibit the creation of TIFAs and the expansion of TIFA districts. MCL 125.1829. Since no new TIFA districts could be formed and no land could be added to existing TIFA districts, it was not necessary to include language allowing taxing jurisdictions to opt out as part of those procedures. If the legislature had intended to provide some alternative opt out window under the TIFA Act, it would have done so. *See Village of Holly*, 267 Mich.App. at 474 (citing Appellate Brief, Brief of Amicus Curiae the Michigan Municipal League (Oct. 26, 2004)).

The legislature's intent to provide the ability for taxing jurisdictions to opt out under certain circumstances, and not under other circumstances, is also apparent in the BRA Act, which was enacted in 1996, three years after the opt out amendments to the DDA Act and the LDFA Act. 2005 amendments to the BRA Act provided the authority for a taxing jurisdiction to exempt its taxes from capture by a BRA under only one limited circumstance, for a landfill facility area of 140 or more contiguous acres, located in a city, which contains a landfill,

⁷ See Footnote 5.

recycling facility and asphalt plant that are no longer in operation. MCL 125.2652(z) and 125.2654(6).

The *Village of Holly* decision stresses courts' unwillingness to read language into the DDA Act that the legislature did not provide. As the *Village of Holly* court explained, if the legislature wrote language providing an opt out opportunity to taxing jurisdictions into one section of the statute but not into another section, the omission from the second section must be understood as intentional. Similarly, within the definition of "tax increment revenues" in any of the TIF Acts, it follows that the legislature intended to exclude from capture only those taxes that the legislature expressly excluded.

It is important to note that the DDA Act was amended effective 1994 to provide the procedure for taxing jurisdictions to opt out of capture. In reaching its determination of legislative intent, the *Village of Holly* court recognized and stressed that the 1994 amendment, which added the opt out provision to Section 3, did not amend Section 18 of the DDA Act. *Id.* at 476. The 1994 amendment occurred nineteen years after the enactment of the DDA Act, and after many DDAs, including most of the existing Wayne County DDAs, had already been established in Michigan. No taxing jurisdictions were afforded the opportunity to opt out of capture by DDAs created before the DDA Act was amended to provide the opt out option. Under the *Village of Holly* decision, if the legislature had intended to provide an opportunity for taxing jurisdictions to opt out as part of any procedure other than the creation of a DDA or for land added to a DDA district as clearly indicated in Section 3 of the DDA Act, the legislature would have added language to that effect.

Similarly, the legislature was aware that DDAs existed throughout the state when drafting the 1994 amendment, and could have included language allowing for retroactive opt outs, but did not do so. The general rule is that statutory amendments operate prospectively unless the legislature has indicated its intent to make the amendment effective retroactively, or where the statute itself is remedial in nature. *Stanton v. City of Battle Creek*, 237 Mich.App. 366, 373 (1999); *Cipri v. Bellingham Frozen Foods, Inc.*, 213 Mich.App. 32, 37 (1995). When the legislature amended the DDA Act and other TIF Acts to exclude the capture of school taxes, for example, the legislature made certain amendatory provisions retroactive and effective for taxes levied after 1993. *See, e.g.*, MCL 125.1651 and 125.1663b (noting compiler's note that "[t]he provisions of section 1 and section 13b, as amended by this amendatory act [Act 202, Public Acts of Michigan, 1997], are retroactive and effective for taxes levied after 1993." MCL 125.1801 and 125.1812a. With respect to exempting taxes of other taxing jurisdictions from capture, as no opt out authority is provided under the DDA Act for a taxing jurisdiction that had not been afforded the opportunity to opt out of capture by a DDA created before the 1994 amendment adding the limited opt out right, it follows that no opt out authority is provided for a new taxing jurisdiction, who similarly would not have previously been afforded the opportunity to opt out of capture by an existing DDA.

TIF Act Language Requiring Capture of Zoo Millage

The TIF Acts require the local treasurers and the county treasurer to transmit all tax increment revenues to the TIF Authorities. In the DDA Act, Section 15(1) states:

Sec. 15(1) The municipal and county treasurers shall transmit to the authority tax increment revenues. (Emphasis added). MCL 125.1665(1).

The definition of tax increment revenues in Section 1(bb) of the DDA Act states:

Sec. 1(bb). "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area. . ." (Emphasis added).

The definition then goes on to list various limitations on the DDA's ability to capture, which includes the prohibition of capture of state, local school district and intermediate school district taxes, except to the extent necessary to pay certain obligations. MCL 125.1651(bb)(i).⁸ The DDA Act also expressly excludes from capture (1) tax increment revenues that the governing municipality has agreed to share with a taxing jurisdiction, (2) tax increment revenues expressly excluded from capture in the TIF plan, and (3) taxes levied by a taxing jurisdiction that has appropriately opted out of capture under Section 3(3) of the DDA Act (in connection with the creation of a DDA or the expansion of a DDA's district boundaries.) MCL 125.1651(bb)(iii). The TIFA Act and the LDFA Act contain similar provisions. MCL 125.1801(aa); 125.2873(g).

The BRA Act, in contrast, does not exclude the capture of school taxes from the definition of tax increment revenues or from capture, though certain limits are placed on the capture and use of school taxes. The BRA Act, along with the LDFA Act, also expressly excludes debt millage from capture, while other TIF Acts do not.⁹

While the specific exemptions vary from one TIF statute to another, the legislature consciously excluded certain specified taxes from capture in each statute, which, preclude other taxes from being exempted from capture unless the taxing unit levying the tax has validly opted out when authorized to do so.

⁸ The DDA Act, the TIFA Act and the LDFA Act were amended to exclude school taxes from capture, except to pay certain obligations incurred before 1995.

⁹ The BRA Act and the LDFA Act expressly exclude from the definition of tax increment revenues "ad valorem property taxes specifically levied for the payment of principal and interest on obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit." MCL 125.2652(ce); MCL 125.2152(ce)(iii)(D).

Conclusion

TIF Authorities within the Zoo Authority taxing jurisdiction are authorized to capture the Zoo Millage, and the Zoo Authority is not authorized to exempt its Zoo Millage from capture. The general rule regarding TIF Authority tax capture is that tax increment revenues generated by taxes levied on captured assessed value within a TIF district are subject to capture by the TIF Authority unless a taxing jurisdiction has expressly exempted its taxes from capture pursuant to language allowing such an exemption under the relevant TIF statute, or a specific tax has been expressly excluded from capture pursuant to statute.

Neither the TIFA Act nor the BRA Act (except for a limited landfill exception) authorizes a taxing jurisdiction whose taxes are subject to capture by the TIF Authority to exempt its taxes from capture. The DDA Act and the LDFA Act both provide a limited window during which a taxing jurisdiction may exempt its taxes from capture, but neither authorizes a taxing jurisdiction, or a tax, created *after* the TIF Authority is established or boundaries amended, to be exempt from the TIF Authority's power to capture taxes. The *Village of Holly* decision stresses courts' unwillingness to read language into the DDA Act that the legislature did not provide. While the specific exemptions from capture vary from one TIF statute to another, the legislature consciously excluded certain specified taxes from capture in each statute, which, under *Village of Holly*, preclude other taxes from being exempted from capture unless the taxing unit levying the tax has validly opted out *when* authorized to do so.

It is interesting to note that because most of the DDAs and LDFA's in Wayne County were created before the 1994 amendments adding the opt out provisions, no taxing unit in Wayne County, including the County, had the opportunity to opt out of capture by most of the DDAs and LDFA's. Similarly, no taxing unit in Wayne County, including the County, was able to opt out of capture by TIFAs or BRAs since the law does not allow opt out of capture for those TIF Authorities. Even if the Zoo Authority existed in 1994, it still wouldn't have been able to exempt the Zoo Millage from capture by any of the TIFAs and BRAs, and most of the DDA and LDFA's.

Since the Zoo Millage has not been excluded from the definition of tax increment revenues and there is no other exemption which would apply to the Zoo Millage, the local treasurers and county treasurers are required to capture and transmit the portion of the Zoo Millage which is subject to capture to the TIF Authorities.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

Mr. Timothy Keyes

-10-

October 2, 2012

Hopefully this letter provides further background on our previous advice relating to the Zoo Millage.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.L.C.

By:



Patrick F. McGow

Cc: Stacy Paige, Treasurer
Debra Hoffman, Finance Director

20,540,434.1\076157-00033

DISCLOSURE UNDER TREASURY CIRCULAR 230: The United States Federal tax advice contained in this document and its attachments, if any, may not be used or referred to in the promoting, marketing or recommending of any entity, investment plan or arrangement, nor is such advice intended or written to be used, and may not be used, by a taxpayer for the purpose of avoiding Federal tax penalties. Advice that complies with Treasury Circular 230's "covered opinion" requirements (and thus, may be relied on to avoid tax penalties) may be obtained by contacting the author of this document.



RAYMOND J. WOJTOWICZ

Wayne County Treasurer

DAVID J. SZYMANSKI

Chief Deputy

CHRISTA J. MCLELLAN
Deputy/Financial Services

ERIC R. SABREE
Deputy/Land Management

November 27, 2012

Re: Capture of Wayne County Zoological Millage
and Detroit Institute of Arts Millage

Dear Treasurer,

With the recent passage of a millage dedicated to assist the Detroit Art Institute, I am writing to ask for your cooperation in the collection and remittance of both the Wayne County Zoological Authority millage, and the Detroit Institute of Arts millage. As explained in my letters of February and September this year (copies attached) the Zoo Authority has contractual obligations to the Zoo Society. Likewise the Arts Authority pursuant to contract is obligated to levy the approved .20 mil in each successive year for ten (10) years, starting with 2013 for the benefit of the DIA.

Section 3.2 of Article III of the contract for the Arts Institute entitled "Transfer of Levy Proceeds" requires that "all funds collected under the authority of the levy shall be reserved and transferred solely to the DIA, once per month, from any local property tax collecting unit."

The contractual obligations under the operating agreement between the Zoo Authority and the Zoo Society, and likewise, between the Wayne County Art Institute Authority (Wayne County), and the Detroit Institute of Arts, Inc. (DIA) is protected under Article 1, Section 10 of the Michigan Constitution. There has been discussion as to whether local taxing units (TIFAs and DDAs) in existence prior to voter approval of the Zoo millage and the DIA millage can capture the taxes intended to support the Zoo and DIA. I, as Treasurer of Wayne County, adopt the legal position as set forth in the letter from the Office of Michigan Attorney General Mike Cox *precluding such capture*. The Office of Attorney General Bill Schuette affirmed this opinion. Copies are attached.

As to any communities allowing capture of the funds dedicated for the Zoo or the Arts I will chargeback from the Delinquent Tax Revolving Fund the equivalent amount of funds captured by said local taxing unit, including but not limited to any Downtown Development Authority (DDA), Tax Increment Finance Authority (TIFA), Local Development Financing Authority (LDFA), and any Brownfield Authority so that an equivalent amount of captured tax dollars shall be paid to support these very worthy cultural institutions pursuant to the will and intent of the Wayne County electorate.

400 Monroe • 5th Floor • Detroit, Michigan 48226
www.treasurer.waynecounty.com

With your cooperation these dollars will not be captured by your local units and there will be no need for such a chargeback.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Raymond J. Wojtowicz". The signature is written in a cursive style with a large initial "R".

RAYMOND J. WOJTOWICZ
Wayne County Treasurer

Cc: Clerk, Mayor, of each local city/township in Wayne County

Office of the Wayne County Treasurer
Raymond J. Wojtowicz, Treasurer
2011 CAPTURED TAXES BY COMMUNITY (County-Wide Millages)



Municipality	County	Jail	Parks	HCMA	RESA	WCCC	SCC	WCTA	Zoo	SET	Total
Allen Park	494,385.33	69,867.82	18,314.12	15,983.00	119,502.15	166,890.41	-	43,942.06	-	201,382.17	1,130,267.05
Belleville	166,019.10	23,449.00	6,145.39	5,362.96	47,221.64	56,990.00	-	-	2,498.54	67,997.67	375,684.30
Dearborn	482,310.33	68,188.29	17,870.58	15,646.19	72,303.45	-	-	43,022.25	7,290.67	77,411.40	784,043.14
Dearborn Heights	478,834.26	67,663.65	17,736.39	15,478.82	1,801.44	161,371.43	-	42,555.81	7,212.86	3,120.00	795,774.65
Ecorse	-	-	-	-	-	-	-	-	-	-	-
Flat Rock	386,473.11	54,563.89	14,302.59	12,481.77	-	144,065.46	-	-	25.41	-	611,912.23
Garden City	124,051.92	17,531.35	4,595.41	4,010.48	-	-	33,576.99	11,026.01	-	-	194,792.16
Gibraltar	114,869.94	16,232.63	4,253.77	3,712.09	-	38,776.28	-	-	-	-	177,844.71
Grosse Pointe City	16,763.45	2,369.06	620.99	541.95	-	5,658.87	-	1,489.97	252.54	-	27,696.83
Grosse Pointe Farms	-	-	-	-	-	-	-	-	-	-	-
Grosse Pointe Park	216,611.41	30,612.11	8,024.22	7,002.83	-	73,121.85	-	19,252.90	3,263.20	-	357,888.52
Grosse Pointe Woods	-	-	-	-	-	-	-	-	-	-	-
Hamtramck	5,756.32	813.13	212.91	185.82	-	1,943.07	-	511.34	85.92	-	9,508.51
Harper Woods	21,255.99	3,003.95	787.41	687.19	11,093.26	7,175.42	-	1,889.27	320.21	19,213.01	65,425.71
Highland Park	6,503.75	861.73	225.99	197.28	-	-	-	541.98	-	-	8,330.73
Inkster	119,389.30	16,872.41	4,422.69	3,859.73	47,716.00	40,302.44	-	10,611.58	-	108,163.00	351,337.15
Lincoln Park	86,645.89	12,244.44	3,209.01	2,800.45	-	29,248.75	-	7,699.73	-	-	141,848.27
Melvindale	45,711.54	6,460.08	1,693.36	1,477.80	7,525.90	15,425.97	-	4,062.94	142.33	4,041.00	86,540.92
Northville	199,310.96	-	7,391.38	6,450.26	-	-	53,934.80	-	3,005.11	-	270,092.51
Plymouth	263,875.65	37,280.79	9,770.73	8,526.60	39,767.81	-	71,424.94	-	-	(360.54)	430,285.97
River Rouge	6,095.67	861.42	225.74	197.04	-	2,057.64	-	541.75	91.78	-	10,071.04
Riverview	-	-	-	-	-	-	-	-	-	-	-
Rockwood	-	-	-	-	-	-	-	-	-	-	-
Romulus	1,111,606.17	157,018.82	41,158.63	31,608.22	510,253.02	329,721.36	-	86,900.45	14,728.85	237,109.76	2,520,105.28
Southgate	230,316.95	32,552.45	8,532.82	7,446.70	-	77,756.41	-	20,473.24	-	-	377,078.57
Taylor	196,246.04	27,734.01	78,898.80	68,855.97	81,841.31	718,977.11	-	189,305.83	32,927.19	23,430.38	1,418,216.62
Trenton	135,666.48	19,170.65	5,023.19	4,383.63	-	45,983.54	-	12,055.97	-	-	222,283.46
Village Of Grosse Pointe	-	-	-	-	-	-	-	-	-	-	-
Wayne	587,852.00	83,076.50	21,776.00	11,077.00	-	115,665.50	-	30,455.00	5,162.00	-	855,064.00
Westland	259,489.60	36,671.76	9,612.59	8,389.05	16,611.70	83,462.58	3,314.47	23,064.02	-	-	440,615.77
Woodhaven	202,960.45	28,682.91	7,518.53	6,561.51	-	68,513.68	-	-	-	-	314,237.08
Wyandotte	1,202,282.65	169,887.32	44,531.82	38,863.46	10,799.71	405,802.47	-	106,847.24	18,109.80	-	1,997,124.46
Brownstown Twp	1,548,614.44	218,854.35	57,367.33	50,065.18	-	522,768.19	-	-	-	-	2,397,669.48
Canton Twp	824,256.67	116,443.69	30,522.88	26,658.59	-	-	-	-	-	-	997,881.83
Grosse Ile Twp	37,802.86	5,342.39	1,400.38	1,222.14	1,054.11	12,761.16	-	-	-	1,825.67	61,408.71
Huron Twp	102,661.52	14,508.25	3,802.56	3,318.87	1,071.87	34,654.87	-	-	1,546.36	1,856.62	163,420.92
Northville Twp	-	-	-	-	-	-	-	-	-	-	-
Plymouth Twp	142,415.50	20,126.23	5,275.36	4,604.16	6,514.12	-	-	-	2,145.45	-	181,080.81
Redford Twp	319,531.31	45,155.66	11,835.16	10,328.73	60,903.31	107,864.01	-	28,400.03	-	1,698,221.58	2,282,239.78
Sumpter Twp	-	-	-	-	-	-	-	-	-	-	-
Van Buren Twp	685,332.35	96,853.02	25,387.68	22,156.13	105,004.00	231,322.36	-	-	10,324.39	191,624.00	1,368,003.92
Out County Total	10,821,898.91	1,500,953.75	472,446.36	400,141.57	1,140,984.80	3,498,280.82	162,251.20	684,649.34	109,132.60	2,635,035.72	21,425,775.06
Detroit	2,784,327.44	102,220.17	26,791.45	101,604.74	1,655,521.17	1,172,715.74	-	-	-	1,661,625.00	7,504,805.71
Grand Total	13,606,226.35	1,603,173.92	499,237.81	501,746.31	2,796,505.97	4,670,996.55	162,251.20	684,649.34	109,132.60	4,296,660.72	28,930,580.77

**CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION**

10

MEETING DATE: December 3, 2012

AGENDA ITEM # _____

ITEM: Zoning Ordinance Amendment – Article XXI Schedule of Regulations

PRESENTER: Don Schultz, Vice Chairperson Planning Commission

BACKGROUND: Request from the City Engineer to amend Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use; Note to Sections 2100. It was recommended to change yard setback for industrial sites on major thoroughfares.

STRATEGIC PLAN/GOALS: . Promoting the finest in design, amenities and associated infrastructure improvements in all new developments and establishing a unique historic, cultural and visual identity for Wyandotte as a destination city within the region

ACTION REQUESTED: Adopt a resolution receiving and placing the communication on file and setting first reading of the ordinance.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Adopt Resolution and update Zoning Ordinance

COMMISSION RECOMMENDATION: Approved by the Planning Commission November 15, 2012.

CITY ADMINISTRATOR'S RECOMMENDATION: *update*

LEGAL COUNSEL'S RECOMMENDATION: Ordinance prepared by City Attorney *will*

MAYOR'S RECOMMENDATION: *JP*

LIST OF ATTACHMENTS: Minutes from Planning Commission meeting on November 15, 2012.

FR

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: December 3, 2012

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission dated December 3, 2012, is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that said 1st reading be held at tonight's meeting.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

- Browning
- DeSana
- Fricke
- Galeski
- Sabuda
- Stec

PUBLIC HEARING - Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use: Notes to Section 2100

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Mr. Leman clarified which districts these changes would apply to O-S, B-1, B-2 and I-1.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

Public Hearing: - Request from MJC Labadie Park, LLC, (Owner and Developer) to amend the approved PD Plan for the project known as Labadie Park. The Developer is requesting to change a six (6) unit building located on 2nd Street between Labadie Street and St. Johns to a four (4) unit building. The Developer is further requesting approval on landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Russ LoDuca, present.

Mr. LoDuca indicated that it was not possible to construct a six (6) unit building due to the electrical supply line between the buildings. Mr. LoDuca submitted a letter from Wyandotte Municipal Service indicating the six (6) unit building would extend into the utility easement adjacent to the building.

Vice-Chairperson Schultz asked if they built a six (6) unit building would they have to relocate the underground electrical.

Vice-Chairperson Schultz indicated that a communication was received from the City Engineer and read said communication into the file.

Mr. LoDuca indicated that you would have to relocate the underground electrical.

Mr. LoDuca further indicated that one (1) of the units has been presold.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

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)

To: Honorable Mayor and City Council

From: Department of Legal Affairs

Date: November 28, 2012

Re: *Update Fire Code*

Dear Mayor and City Council:

Attached for a first reading is the Ordinance Adopting the 2009 Fire Code as requested by Chief Carley.

Respectfully submitted,

DEPARTMENT OF LEGAL AFFAIRS

**LOOK, MAKOWSKI AND LOOK,
Professional Corporation**

A handwritten signature in blue ink that reads "William R. Look".

William R. Look

WRL:bt

Enclosures

PR

HEARING

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keelin
CITY ASSESSOR

November 13, 2012



RESOLUTION
JOSEPH R. PETERSON
MAYOR

Mark A. Kowalewski
City Engineer
3131 Biddle Avenue
Wyandotte, Michigan 48192

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

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).

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: All Interest Parties

COUNCIL

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

First Reading

AN ORDINANCE ENTITLED
“AN ORDINANCE TO AMEND ARTICLE II
ENTITLED “FIRE PREVENTION CODE” BY AMENDING SECTION 11-26
OF THE CODE OF ORDINANCES OF THE CITY OF WYANDOTTE”

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment of Section 11-26 to adopt the 2009 International Fire Code:

Sec. 11-26. Adoption of 2009 International Fire Code.

A certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Wyandotte, Michigan, being marked and designated as the 2009 International Fire Code, including Appendix B (Fire-flow requirements for buildings), C (Fire hydrant locations and distribution), D (Fire apparatus access roads), E (Hazard Categories), F (Hazard ranking), I (Fire protection system-non-complaint conditions), as published by the International Code Council, be and is hereby adopted as the fire code of the City of Wyandotte for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of such International Fire Code on file in the office of the City Clerk of the City of Wyandotte, Michigan are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Amendments to Adopted Code.

The following sections of the 2009 International Fire Code are amended to read as follows:

Section 101.1. These regulations shall be known as the Fire Code of the City of Wyandotte, Michigan, hereinafter referred to as “this code”.

Section 107.5. Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions and in the event of an emergency situation arising from the failure to abate will be liable for all reasonable costs incurred by the city in dealing with said emergency.

Section 109.3. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction whether by admission or by court determination and is subject to all of the following fines and costs:

- A) A civil fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00); and
- B) The Judge or Magistrate shall summarily tax and determine the costs of the action (which are not limited to the costs taxable in ordinary civil actions.) and may include all expenses direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of judgment, expenses include but are not limited to: Time of authorized city official, time of city attorney, witness and mileage fees and postage. Costs may not be less than nine dollars (\$9.00) or more than five hundred dollars (\$500.00). Costs shall be payable to the city general fund except as otherwise provided by law.
- C) Each day that a violation of this code continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00).

Section 3. Purpose.

The purposed of this code is to prescribe minimum requirements and controls to safeguard life, property, or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property, or public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises and all other purposes as set forth in said code.

Section 4. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Effective Date.

This Ordinance takes effect fifteen (15) days from the date of its passage and a summary shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

Section 6. Notice of Availability.

A complete copy of the code and appendixes are available to the public at the office of the City Clerk in compliance with state law requiring that records of public bodies be made available to the general public.

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

YEAS	COUNCILMEN	NAYS
_____	Browning	_____
_____	DeSana	_____
_____	Fricke	_____
_____	Galeski	_____
_____	Sabuda	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this
day of _____, 2012.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the _____ day of _____, 2012.

Dated: _____, 2012

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

First Reading

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XXI – Schedule of Regulations SECTION 2100 Limiting Height, Bulk,
Density and Area By Land Use; Notes to Section 2100

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article XXI – Schedule of Regulations, Section 2100 Limiting height, bulk, density and area by land use; Notes to Section 2100 (m) and (n) shall be amended to read as follows:

Section 2100 (m) A front yard of five (5) feet and a minimum of ten (10) feet for buildings adjacent to a street right of way.

Section 2100 (n) Side yards may be omitted if walls abutting a side yard are of fireproof construction and the building is not adjacent to a street right-of-way.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

<u>YEAS</u>		<u>NAYS</u>
_____	BROWNING	_____
_____	DESANA	_____
_____	FRICKE	_____
_____	GALESKI	_____
_____	SABUDA	_____
_____	STEC	_____
	ABSENT _____	

I hereby approve the adoption of the foregoing Ordinance this _____ day of _____, 20____.

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, _____ day of _____, 20____.

William R. Griggs, City Clerk

Joseph R. Peterson, Mayor

NOTICE OF ADOPTION

The City of Wyandotte Zoning Ordinance has been amended as follows:

The effective date of this Ordinance is _____.
A copy of this Ordinance may be purchased or inspection at the City of Wyandotte Clerk's Office, 3131 Biddle Avenue, Wyandotte, Michigan, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

City of Wyandotte
Clerk's Office

City of Wyandotte
Clerk's Office

First + Final
Reading

AN ORDINANCE ENTITLED
“AN ORDINANCE DETERMINING THE SALARY, AUTOMOBILE
ALLOWANCE AND FRINGE BENEFITS FOR THE CITY ASSESSOR”

THE CITY OF WYANDOTTE ORDAINS:

Section 1. SALARY FOR ASSESSOR

Commencing with the term of office that begins May 7, 2013, the salary, automobile allowance, and fringe benefits for the City Assessor shall be as follows:

Effective May 7, 2013 an annual salary of \$12,000.00 together with the compensation amount based upon the Assessor's level of certification as an Assessor as of the date of taking office.

Level of certification is determined by a Property Assessment Administration Certificate possessed and maintained from the State Assessors Board as of the date of taking office.

Level of Certification	Compensation
Level 1:	\$8,000
Level 2:	\$16,000
Level 3:	\$24,000
Level 4:	\$32,000

Throughout the term of office, the City Assessor shall receive an annual automobile allowance of \$500.00 which will be prorated based on the weeks in office during the calendar year.

Throughout the term of office, the City Assessor shall also receive the same fringe benefits that are granted to the general city employees based on the original entry date as an employee or elected official of the City of Wyandotte. These benefits include social security and medicare, medical insurance, life insurance, long-term disability insurance, longevity benefits, and retirement benefits.

A City Assessor with an original entry date into continuous General City employment before October 1, 1999, and who did not previously elect to voluntarily terminate membership in the City of Wyandotte's Defined Benefit Retirement System, will be eligible to participate in the City of Wyandotte's Defined Benefit Retirement System.

A city Assessor with an original entry date after October 1, 1999, will be eligible to participate in the City of Wyandotte's Defined Contribution Retirement System.

The retirement benefits for the City Assessor who is a member of the City of Wyandotte's Defined Benefit Retirement System are based on the definition of Final Average Compensation per Section 2-206 of the City of Wyandotte Retirement Ordinance except for the following:

In lieu of the payment of accrued vacation and sick leave and the resulting affect on final average compensation, the City Assessor's Final Average Compensation will be increased by one percent (1%) for each completed year of service in office, provided however, that said increases for completed years of service in office shall in no event increase a member's final average compensation more that twenty-five percent (25%)

Section 2. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Effective Date.

This Ordinance is deemed necessary for the immediate preservation of the public peace, property, health or safety and is necessary for the usual daily operation of the City. Therefore, it is necessary for this Ordinance to take effect immediately. This Ordinance or a summary thereof shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days of its passage.

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

YEAS	COUNCILMEN	NAYS
_____	Browning	_____
_____	DeSana	_____
_____	Fricke	_____
_____	Galeski	_____
_____	Sabuda	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this
day of _____, 2012.

First + Final
Reading

AN ORDINANCE ENTITLED
“AN ORDINANCE DETERMINING THE SALARY, AUTOMOBILE
ALLOWANCE AND FRINGE BENEFITS FOR THE CITY CLERK”

THE CITY OF WYANDOTTE ORDAINS:

Section 1. SALARY FOR CLERK

Commencing with the term of office that begins May 7, 2013, the salary, automobile allowance, and fringe benefits for the City Clerk shall be as follows:

Effective May 7, 2013 an annual salary of \$12,000.00 together with the compensation amount based upon the Clerk's years of existing experience as a City Clerk as of the date of taking office as set forth in this ordinance. Experience is defined as serving as a City Clerk with a Home Rule City.

Years of Experience	Compensation
Five (5) to Eight (8) Years of Experience:	\$8,000
Nine (9) to Twelve (12) Years of Experience:	\$16,000
Thirteen (13) to Sixteen (16) Years of Service:	\$24,000
Seventeen (17) to Twenty (20) Year of Service:	\$32,000
Twenty-One (21) to Twenty-Four (24) Years of Service:	\$40,000
Twenty-Five (25) or More Years of Experience:	\$58,116.80

Throughout the term of office, the City Clerk shall receive an annual automobile allowance of \$500.00 which will be prorated based on the weeks in office during the calendar year.

Throughout the term of office, the City Clerk shall also receive the same fringe benefits that are granted to the general city employees based on the original entry date as an employee or elected official of the City of Wyandotte. These benefits include social security and medicare, medical insurance, life insurance, long-term disability insurance, longevity benefits, and retirement benefits.

Section 2. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Effective Date.

This Ordinance is deemed necessary for the immediate preservation of the public peace, property, health or safety and is necessary for the usual daily operation of the City. Therefore, it is necessary for this Ordinance to take effect immediately. This Ordinance or a summary thereof shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days of its passage.

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

YEAS	COUNCILMEN	NAYS
_____	Browning	_____
_____	DeSana	_____
_____	Fricke	_____
_____	Galeski	_____
_____	Sabuda	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this
 day of _____, 2012.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the _____ day of _____, 2012.

Dated: _____, 2012

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

FIRST + Final
Reading

AN ORDINANCE ENTITLED
"AN ORDINANCE DETERMINING THE SALARY FOR THE CITY TREASURER"

THE CITY OF WYANDOTTE ORDAINS:

Section 1. SALARY FOR TREASURER

Commencing with the term of office that begins May 7, 2013, the salary for the City Treasurer shall be as follows:

Effective May 7, 2013 an annual salary of \$6,000.00

Section 2. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Effective Date.

This Ordinance is deemed necessary for the immediate preservation of the public peace, property, health or safety and is necessary for the usual daily operation of the City. Therefore, it is necessary for this Ordinance to take effect immediately. This Ordinance or a summary thereof shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days of its passage.

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

YEAS	COUNCILMEN	NAYS
_____	Browning	_____
_____	DeSana	_____
_____	Fricke	_____
_____	Galeski	_____
_____	Sabuda	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this
day of _____, 2012.

Reports
+

minutes

December 3, 2012.

Wyandotte, Michigan November 19, 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, Stec

Absent: None

PERSONS IN THE AUDIENCE

Bonnie Pozy, 4025 17th, regarding brick for rowing club facility. Paid for brick but no brick was put in from May 22, 2012 to date.

Fred Frederik, Wyandotte Fire Department, regarding Wyandotte Toys for Tots. Fire Department is a drop off center. 0-12 years toys.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

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

Joseph R. Peterson, Mayor

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

WYANDOTTE CITY CLERK
2012 NOV 20 P 1:39

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,

Joseph R. Peterson, Mayor, City of Wyandotte

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, City Clerk

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

CITY OF WYANDOTTE
 REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM #4

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.

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

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

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:

MAYOR'S RECOMMENDATION:

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

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 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: wrl

MAYOR'S RECOMMENDATION: JP

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

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 19, 2012

AGENDA ITEM #9

ITEM: Sales Agreements for NSP2 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

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 \$73,012.50.

651 Vinewood – Michael Shampagne, 3367 22nd Street, Wyandotte, Michigan in the amount of \$83,500.00 was selected in the Lottery Drawing. Mr. Shampagne is 120% or below of are a 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 Valeric 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:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Sales Agreements

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

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.

American Fence - 21200 Schoenherr, Warren MI	\$5,878.90
Future Fence Company - 23450 Regency Drive, Warren MI	\$5,181.00
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 492-200850-860-524

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:

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

Ornamental Fence installation

MODEL RESOLUTION:

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts
Zoning Board of Appeals

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

CITIZENS PARTICIPATION:

None

RECESS

RECONVENING

ROLL CALL

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

Absent: None

RESOLUTIONS

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson James R. DeSana
ROLL ATTACHED

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the Mayor relative to his correspondence sent to Wayne County Commissioner Joseph Palamara relative to demolition of dangerous buildings the County of Wayne has sold for delinquent taxes is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson James R. DeSana
ROLL ATTACHED

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Clerk to grant the request from Portofino Restaurant Inc. to transfer stock interest in a 2011 Water Craft licensed business with Dance-Entertainment Permit, located at 3455 Biddle Avenue, Portofino's Restaurant Dock, Wyandotte, Michigan 48192, Wayne County through issuance of 333.33 shares of stock to new stockholder, Jerry Beasley, from the Corporation.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the Department of Legal Affairs outlining the duties of the City Treasurer as set forth in the City Charter is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson James R. DeSana
ROLL ATTACHED

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from the Assistant to the General Manager of Service relative to the Cable Deficit Plan Update is hereby received and placed on file.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council hereby CONCURS in the recommendation as set forth in the communication from the Director of Power Supply for Municipal Service and authorizes the Boiler 4 asset Recovery Agreement with Greenworks Recovery Solutions.

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council hereby receives and places on file the 2012; 2nd and 3rd quarter Quarterly Investment Reports as outlined in the November 15, 2012 communication from the Deputy Treasurer/Assistant Finance Director.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson James R. DeSana

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

NAYS: None

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, 2012, AT 7 p.m.

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

ABSENT: None

On Motion of Councilperson Sheri M. Fricke, supported by Councilperson James R. DeSana

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 negotiations 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 I.

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: Councilpersons Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

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, 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 November 19, 2012.

In witness whereof, I have hereunto set my hand and seal this 19th day of November, 2012

Clerk William R. Griggs
City of Wyandotte
Wayne County, Michigan

I move the adoption of the foregoing resolution.

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

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council 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 Sheri M. Fricke
Supported by Councilperson James R. DeSana
YEAS: Councilmembers Browning, DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri m. Fricke

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 Jocelcyne 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.

651 Vinewood - Michael Shampaigne, 3367 22nd Street, Wyandotte, Michigan in the amount of \$83,500.00 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.

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 Sheri Fricke

Supported by Councilperson James R. DeSana

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

NAYS: None

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS with the Wyandotte City Engineer and Superintendent of Recreation to award the contract for ornamental fence installation at Lion's Club Park to Future Fence Company, Warren, Michigan in the amount of \$5,181.00 from account # 492-200-850-860-524.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James R. DeSana

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

NAYS: None

Wyandotte, Michigan November 19, 2012

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the Council Meeting of Monday, November 26, 2012 is hereby CANCELLED due to the Thanksgiving Holiday.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James R. DeSana

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

NAYS: NONE

ADJOURNMENT

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James R. DeSana

That we adjourn.

Carried unanimously

Adjourned at 7:58 PM

November 19, 2012



William R. Griggs, City Clerk

**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION
MINUTES OF THE OCTOBER 18, 2012 MEETING
MARX HOME**

PRESENT: Michelle Blankenship, Jody Chansuolme, Ken Munson, Sue Pilon, Anne Ronco, Stan Rutkowski, Nancy Chasca

EXCUSED: Don Schultz, Tom Woodruff, Dave Kostelnik, Becca Bearden, Eula Grooms

President Michelle Blankenship called the meeting to order at 6:02 p.m.

MOTION by Sue Pilon, supported by Anne Ronco, to approve the minutes from the September 2012 meeting, MOTION CARRIED (6-0)

PRESIDENT'S REPORT:

Jody and Anne attended the last two Design Review Committee meetings in place of Michelle. Jody said that at the meeting she attended they discussed the building next to Nixon's Funeral Home. The owner was told he had to re-paint the building, which is currently blue. The building is home to a business that cleans shopping malls.

At the meeting Anne attended, they discussed the new City Hall sign. They have since changed their minds about the sign and will have another meeting to approve the new design.

Michelle reminded the Commission that there will be a joint meeting with the Historical Society and the Oakwood Cemetery Association at 7 p.m. after the November Commission meeting. She said that Commissioners should start brainstorming ways to possibly assist the Cemetery Association.

Michelle gave an update about the future of Federal Square. She spoke to Maura Johnson, who was formerly researching two of the homes in Federal Square to see if they might be eligible for Land Bank funds to be demolished. She said that she believes the homes are National Register eligible and so they should not be torn down through this program. At this point the city would still be able to tear down the homes on its own. Michelle contacted Ellen Thackery to discuss next steps.

Shirley had sent an email to Jody and Michelle suggesting that the Museum offer a discounted rate for youth groups that tour the Museum and book their tours in advance. This would potentially encourage more young people to visit the Museum and encourage them to plan their trips ahead of time.

MOTION by Anne Ronco, supported by Sue Pilon, to approve a discounted rate of \$1 per child under 12 and \$3 per leader for pre-scheduled tour groups of 8 or more, MOTION CARRIED (6-0)

DIRECTOR'S REPORT:

Jody passed out the financial report for September. September was the end of city's fiscal year. The report includes deposits for the Citywide Garage Sale. It also includes funds from the Stars event in

September and three private teas. There was a typo in the right column that says the year is 2011 instead of 2012. Jody will correct the typo before submitting the report.

MOTION by Sue Pilon, supported by Nancy Chasca, to approve the finance report for September, pending audit, MOTION CARRIED (6-0)

Jody announced that the Cemetery walk raised \$7,980 in total revenue. Just \$1,069 was spent, so there was \$6,914 in profits. 390 tickets were sold.

There will be a Halloween Open House at the Museum on Friday, October 19. The next open house will be in December for Christmas.

The Basement Exhibit Gallery is still in the planning stages. Jody and Sarah are scheduling meetings with some consultants. And they did receive the first check from the grant to fund the exhibit. The final check will come after the exhibit opens.

The chimney renovation is complete. The chimneys are all non-functional now, which is fine because they are not used anyway. The roof project is currently out for bids. Bids are due by October 22, and the project is scheduled to be completed by November 30.

Jody passed out a tentative list for the Heritage Event Series for next calendar year. She is planning on keeping the November Auction and the World War II Victory Rally, but she would like to choose a different weekend for the Rally. Other than that, many of the events will stay the same. She still needs to check in with the Historical Society to see if they plan to host the Pie and Ice Cream Social and the Mad Hatter's Tea Party.

Jody announced that the rental of the VFW Hall for the November Auction will be on the agenda for the next City Council meeting. Cost is \$250.

FRIENDS: The group hasn't met since the last Commission meeting. Michelle said that the Commission will need one more volunteer to serve on the Friends board since Stan's term is almost up. Stan said that he can attend the next meeting.

SOCIETY: Anne said that there will be elections at the meeting on November 9 and three of the board members are not running again. She also said they plan to talk about the Memorial Fund at the meeting. She would like to attend, but the meeting conflicts with setup for the Auction.

OLD BUSINESS: None.

NEW BUSINESS: Jody brought a list of items from the last meeting of the Deaccession Subcommittee. She passed around a list of the items the subcommittee recommended for deaccession. She explained the process of accession and deaccession, and explained why some of the items were chosen for deaccession. She said that she had invited a representative from the Historical Society to attend the meeting, but no one could attend.

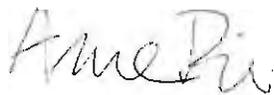
MOTION by Anne Ronco, supported by Nancy Chasca, to deaccession the items on the list, under the recommendation of the Deaccession Subcommittee, MOTION CARRIED (5-0)

ANNOUNCEMENTS/COMMUNICATION: None.

ATTENTION TO AUDIENCE: None.

**MOTION by Anne Ronco, supported by Sue Pilon to adjourn the meeting at 7:17 p.m.
MOTION CARRIED (5-0)**

**Next Meeting: November 8, 2012.
Respectfully Submitted,
Annie Pilon, Recording Secretary**

A handwritten signature in cursive script, appearing to read "Annie Pilon".

From the desk of Jody L. Egen

MONEY DEPOSITED WITH THE CITY OF WYANDOTTE TREASURY – AS OF OCTOBER 18, 2012

Log Cabin Rental	\$ 205.00 – Cash \$ 160.00 – Checks \$ 365.00 – Total	Reserve 101-000-257-250-071
Admissions/ Donations	\$ 50.00 – Cash <i>admissions</i> \$ 0 – Check \$ 50.00 – Total	Reserve 101-000-257-250-071
Weddings	\$ 0 – Check \$ - Cash \$ 0 – Total	Reserve 101-000-257-250-071
Marx Rent	\$ 625.00 – Check \$ 0 – Cash \$ 625.00 – Total	<i>Marx Rental Account</i> 101.000.655.655.021
Garage Sale Sign Returns	\$ 615.00 – Check \$ 0 – Cash \$ 615.00 – Total	Reserve 101-000-257-250-071
Garage Sale Registrations	\$ 630.00 – Check \$ 4,280.00 – Cash \$ 4,910.00 – Total	Reserve 101-000-257-250-071
Garage Sale Map Sales	\$ 0 – Check \$ 187.80 – Cash \$ 187.80 – Total	Reserve 101-000-257-250-071
Wyandotte Stars Home Classic Tournament -	\$ 335.00 – Check \$ 0 – Cash \$ 335.00 – Total	Reserve 101-000-257-250-071
Private Teas: Sept. 10, 24, and 29	\$ 270.00 – Check \$ 145.00 – Cash \$ 415.00 – Total	Reserve 101-000-257-250-071

Total of all deposits: **\$ 7,502.80**

EXPENSES

HEAT/ GAS		
MacNichol	\$ 27.39	City
Marx	\$ 18.47	City
Log Cabin	\$ 24.34	City
Burns	n/a	City
	<i>Subtotal</i>	\$ 70.20
WATER		
MacNichol	\$ 186.54	City
Marx	\$ 137.48	City
Log Cabin	\$ 11.40	City
Burns	\$ 15.47	City
	<i>Subtotal</i>	\$ 350.89

ELECTRIC		
MacNichol	\$ 296.89	City
Marx - includes \$53.37 outside 400W	\$ 148.12	City
Burns	\$ 87.22	City
<i>Subtotal</i>	\$ 532.23	
PHONE		
MacNichol	\$ 41.92	City
Marx	\$ 41.92	City
Burns	\$ 217.11	City
<i>Subtotal</i>	\$ 300.95	
<i>Subtotal All Utilities:</i>		\$ 1,254.27

MISCELLANEOUS		
Tom Faryniarz - Reimbursement for bee traps, and misc. building supplies.	\$ 40.26	Reserve
Historical Society of Michigan - Conference registration for September 28-30	\$ 298.00	Education and Reserve
OfficeMax -- Paper for garage sale maps	\$ 22.56	Reserve
IStock - Marketing graphics	\$ 47.99	Reserve
Whipple Printing - October events poster	\$ 63.75	Reserve
Victorian Trading Co. - October monthly Hallowe'en exhibit	\$ 155.86	Reserve
Gathered Traditions - October monthly Hallowe'en exhibit	\$ 28.05	Reserve
Hoods - Caulk and caulk gun	\$ 6.10	City - B&G
Sam's Club - cleaning supplies	\$ 26.58	Reserve
<i>Subtotal All Miscellaneous:</i>		\$ 689.15

CURRENT BUDGET BALANCES - AS OF, END OF 2012 FISCAL YEAR

SUPPLY LINE	BALANCE YEAR TO DATE	2011 BUDGET
Office Supplies	\$ 13.48	\$ 1,050.00
Postage	\$ 48.21	\$ 80.00
Building Maintenance & Supplies	\$ 1,483.94	\$ 8,279.00
Printing	\$ 0	\$ 800.00
Electric	\$ 1,815.33	\$ 6,700.00
Water	\$ 625.26	\$ 1,675.00
Heat	\$ 2,365.09	\$ 10,200.00
Education	\$ 0	\$ 240.00
Automobile	\$ 9.19	\$ 160.00
Reserve *	\$ 72,662.84 *	n/a

* As of October 18, 2012

CITY OF WYANDOTTE
BEAUTIFICATION COMMISSION MEETING MINUTES – DRAFT
NOVEMBER 14, 2012

Members Present: John Darin, Chairperson, Brandon Calvin, Andrea Fuller, Noel Galeski, Linda Orta, Stephanie Pizzo, Karen Tavernier, Alice, Ugljesa

Members Absent: Michael Bozymowski, Denise Donlon, Bill Summerell

Guests: None

1. Call to Order: The meeting was called to order by John Darin at 6:05pm.
2. Reading and Approval of Previous Minutes:
 - a. October 17, 2012 Regular Meeting: The minutes of the October 12, 2012 Regular Meeting of the Wyandotte Beautification Commission were approved as written. Motion was made by Alice and seconded by Linda. The minutes were approved unanimously.
3. Chairperson's Report:
 - a. Updated Meeting Attendance Log: The Commission received an update attendance log from John.
 - b. Commission Documents for Handbook: The Commission discussed putting together a handbook to include documents pertaining to the creation of the Commission, roles and responsibilities, and legal documents that pertain to the Commission. The consensus of the Commission was to pursue development of a Beautification Commission Handbook in 2013.
 - c. 2012 Successes and Annual Report: The Commission will review 2012 successes and activities for inclusion in the Commission's 2012 Annual Report to Mayor and City Council.
4. Treasurer's Report:
 - a. Final FY 2011-2012 Expense Report: A final FY 2011-2012 financial report was presented to the Commission. Total expenses came to \$9,037.81, the budget was \$9,372.85, which included a budget of \$8,000 from the DDA and a rollover of \$1,372.85 from the previous year. The final remaining balance was \$335.04, which was rolled over into the City General Fund.
 - b. FY 2012-2013 Expense Report: The Commission was provided an expense report for this fiscal year. Total expenses for this fiscal year so far is \$1,625.00, which includes 3 items, the Garden Flagstone Path building materials and the membership dues for BCSEM and KMB, which have been accrued for this budget. The budget for this FY is \$6,000, which leaves the Commission a remaining balance of \$4,375.00.
 - c. FY 2012-2013 Budget Plan Development: The Commission was provided with a FY 2012-2013 Budget Planning Worksheet. These are proposed expenses to be used as a guideline to help determine a budget for this fiscal year. The Commission will formalize its 2013 budget plans and expenditures at the next regular meeting in January 2013.
5. Announcements & Public and Media Communications:
 - a. Commission Hotline, Email, and Facebook Page: There is not much going on with these as the planting season is over. Andrea will continue to monitor these.
 - b. Beautification Council of SE Michigan 50th Anniversary Celebration: The Commission is purchasing a spot in the program for \$15, not \$10 as was previously approved. A motion was made by Linda and seconded by Karen to raise the approved amount allotted to spend on the program spot to \$15. The motion was approved unanimously.
 - c. Beautification Commission of SE Michigan Quarterly Meeting, December 6, 2012: The quarterly meeting is to take place on Thursday, December 6, 2012 at the Warren Valley Golf Course and Banquet Center in Dearborn Heights. A motion was made by John and seconded by Linda for

the Commission to cover the registration fees in the amount of \$40.50 for John, Karen, and Andrea to attend. The motion was approved unanimously.

6. Community Garden Wrap-Up: The Community Garden is closed for the year. The Commission did a great job this year with moving the Community Garden to its new location in a very short amount of time and ready for the planting season.
7. Winter Holiday-Themed Hanging Baskets at Arbor: The winter hanging baskets that were ordered from Eckerts were delivered and hung.
8. 2013 Regular Meeting Dates and Special Events Dates: The Commission discussed the 2013 dates for the Commission meetings, Community Garden Workdays, and Dig-Ins. The meetings will continue to take place on the second Wednesday of each month, with the exception of July, which will be the third Wednesday to avoid the Art Fair, and December, which will have no meeting. The tentative Community Garden Work Days will take place on the 3rd Saturday of each month, starting in April and ending in November, with the exception being November, which will be on the 2nd Saturday. The tentative date for the Spring Dig-In is May 18th and the Fall Dig-In is Sept 21st. A motion was made by Noel and seconded by Karen to accept these dates. The motion was approved unanimously.
9. 2013 Commission Leadership and Coordinator Appointments: The proposed leadership for the 2013 calendar year are as follows: John Darin, Chair; Brandon Calvin, Co-Chair; Treasurer, Stephanie Pizzo; Corresponding Secretary, Andrea Fuller; Public & Media Coordinator, Andrea Fuller; Beautification Awards Coordinator, Alice Ugljesa; Community Garden Coordinators, Karen Tavernier, Bill Summerell, and Noel Galeski; Department of Public Service Liason, Karen Tavernier; Hanging Basket Coordinator, Alice Ugljesa (with volunteer Joanne Cuva); Landscape Planting Coordinator, Linda Orta (with volunteer Carol Resto); and Volunteer Coordinator, Michael Bozymowski. Recording Secretary and monthly Work Day Coordinators have been deferred until the next meeting. A motion was made by John and seconded by Stephanie to approve the appointments of the listed positions and to defer the appointments of the Recording Secretary and Monthly Community Garden Coordinators until the January meeting. The motion was approved unanimously.
10. New Business: Andrea inquired as to whose responsible for the Christmas lights hanging around the Downtown area. She was advised to contact Natalie Rankine.
11. Next Meeting: There will be no regular meeting in December. The next regular meeting is tentatively scheduled for Wednesday, January 9, 2013 at 6:00pm in the new City Hall
12. Adjournment: The meeting was adjourned by John at 8:04pm.

Respectfully Submitted,

Brandon Calvin

Recording Secretary

Wyandolte Beautification Commission

CITY OF WYANDOTTE
BEAUTIFICATION COMMISSION MEETING MINUTES – APPROVED
OCTOBER 17, 2012

Members Present: John Darin, Chairperson, Bill Summerell, Noel Galeski, Mike Bozymowski, Andrea Fuller, Alice Ugljesa

Members Excused: Brandon Calvin, Karen Tavernier, Stephanie Pizzo, Linda Orta

Guests: None

1. Call to Order: The meeting was called to order by John at 6pm.
2. Introduction of New Member: John deferred the introduction until the next regular meeting in November.
3. Reading and Approval of Previous Minutes:
 - a. September 12, 2012 Regular Meeting: Noel made a motion and Andrea seconded, to approve the minutes with the names of Beautification Award winners taken off that did not wish to be named or did not respond. The minutes were approved unanimously as correct.
4. Chairperson's Report:
 - a. Updated Meeting Attendance Log: John reviewed it with the Commission.
 - b. Leadership Roles Open for Nominations and Election in November: The positions of Recording Secretary and Treasurer, as well as all the Community Garden Day Coordinators are all open positions. John also reviewed the policy for qualifications for the Commission Chair position.
5. Treasurer's Report:
 - a. FY 2011-2012 Expense Report: The Commission reviewed and discussed the expense report from the previous fiscal year.
 - b. FY 2012-2013 Budgeted Expense Plan Development: John reviewed the expense plan for the upcoming fiscal year. The Commission budget has also been reduced from \$8,000 to \$6,000.
 - c. Commission Expense Report from and tax-exempt ID Certificate: John reviewed that the Beautification does have a tax-exempt ID Certificate.
6. Announcements & Public and Media Communications:
 - a. Commission Hotline and Email Monitoring: Mike and Andrea will continue to monitor.
 - b. Beautification Commission Facebook Page: Andrea will continue to monitor and update.
 - c. Beautification Award Artist and Publicity: The Commission reviewed the awards.
 - d. Beautification Council of S.E. Michigan 50th Anniversary Celebration: John motioned, Noel seconded, to spend \$10 donation for the event. The motion was approved unanimously.
7. Community Garden Follow-up: John changed the closing date of the Community Garden to TBD.
8. Beautification Awards Follow-up: The minutes were amended to remove the names of winners wishing to be unnamed.
9. Winter Holiday Themed Hanging Baskets at Arbor: Alice motioned, Bill seconded, to purchase 7 H2O baskets @ \$75 each for a total of \$525 from Eckert's, with a delivery and installation charge of \$25, which will make the grand total of \$550. The motion was approved unanimously.
10. New Business:
 - a. Alice motioned, Bill seconded, to approve the expenditure of 2 36in rolled rim planters for \$700 from Telly's Greenhouse and Gardens Inc. The motion was approved unanimously.
 - b. Mike reviewed the Commission approved purchase of a weed whacker.
 - c. Mike requested the meeting agendas be sent by email prior to the meetings. John will look into the possibility of emailing agendas.
 - d. Noel made a motion, Alice seconded, to spend up to \$300 on a flagstone path leading from the Community Garden to the City sidewalk. The motion was approved unanimously.
11. Next Meeting: Regular Meeting, Wednesday, November 14, 2012, 6:00pm, City Hall.

Beautification Commission Meeting Minutes

October 17, 2012 – Approved

Page 2

12. Adjournment: The meeting was adjourned by John at 7:25pm.

Respectfully Submitted,

Andrea Fuller

Wyandotte Beautification Commission

For

Brandon Calvin

Recording Secretary,

Wyandotte Beautification Commission

01- 88
November 13, 2012

A regular session of the Municipal Service Commission of the City of Wyandotte, Michigan, was held at the office of the Commission On Tuesday, November 13, 2012 at 5:00 P.M.

ROLL CALL: Present: Commissioner - Gerald P. Cole
Frederick C. DeLisle
James S. Figurski
Leslie G. Lupo
Michael Sadowski

General Manager
& Secretary - Melanie McCoy

Also Present - Paul LaManes
Jim French
Rod Lesko
William Weirich
Valerie Hall
Pam Tierney
Steve Timcoe
CATV Volunteer

APPROVAL OF MINUTES

MOTION by Commissioner Figurski and seconded by Commissioner Lupo to approve the October 16, 2012 regular session Municipal Service Commission meeting.

MOTION by Commissioner Figurski and seconded by Commissioner DeLisle to approve the Municipal Service Commission meeting minutes.

HEARING OF PUBLIC CONCERN

Rod Lesko, Superintendant of T & D, giving overview of Hurricane Sandy power restoration work in New York.

RESOLUTION 11-2012-01

MOTION by Commissioner Figurski and seconded by Commissioner Lupo to approve the Power Plant Capital Budget Amendment.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

RESOLUTION 11-2012-02

MOTION by Commissioner Figurski and seconded by Commissioner Sadowski to approve the Water Department Capital Budget Amendment.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

DEFICIT PLAN UPDATE

Paul LaManes, Assistant to the General Manager giving update on Cable Department Deficit Plan Fiscal 2012.

MOTION by Commissioner Sadowski and seconded by Commissioner Figurski to receive and place on file.

RESOLUTION 11-2012-03

Jim French giving overview on Silver Lining Tire Recycling Contract.

MOTION by Commissioner Sadowski and seconded by Commissioner Figurski to execute contract with Silver Lining Tire Recycling.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

RESOLUTION 11-2012-04

Melanie McCoy giving overview on RFP Utility Financial Solutions and O'Keefe.

Paul LaManes, Assistant to the General Manager, explaining the difference in the bids between O'Keefe and Utility Financial Solutions UFS has more experience.

Commissioner Lupo - What are we going to do with the results after we spent \$50,000.00?

Paul LaManes, Assistant to the General Manager, they have given us 3 Phases with this bid so I suggest we go with Phase I first. Also I recommend we set up a steering Committee to address views from all stake holders.

Commissioner Lupo - If they recommend the sale of Cable would that not have to go to a vote.

Melanie McCoy, General Manager, yes that would have to go to a vote.

MOTION by Commissioner DeLisle and seconded by Commission Lupo to Execute a contract with Utility Financial Solution for the Cable Evaluation RFP for Task A only in the amount of \$16,040.00.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

RECOMMENDATION TO FILL VACANCY FOR CATV SERVICE TECHNICIAN

MOTION by Commissioner Sadowski and seconded by Commissioner Delisle to fill the vacancy for the CATV Service Technician.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

RESOLUTION 11-1012-05

Jim French giving overview on Boiler 4 Asset Recovery Agreement with Greenworks Recovery Solutions.

MOTION by Commissioner Figurski and seconded by Commissioner Delisle to authorize the General Manager to execute the Boiler 4 Asset Recovery Agreement with Greenworks Recovery Solutions.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

RESOLUTION 11-2012-06

Steve Timcoe, Superintendant of the Telecommunication Department giving overview on the NCTC Member Participation amendment covering programming offered by the Outdoor Channel Inc.

MOTION by Commissioner Sadowski and seconded by Commissioner Figurski to authorize the General Manager to execute the NCTC Member Participation amendment covering programming offered by the Outdoor Channel. Inc.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

COUNCIL RESOLUTIONS:

- A. RESOLVED by City Council that Council hereby CONCURS in the Recommendation of the Wyandotte Municipal Service Commission and hereby authorizes the Director of Information Technology to purchase a phone system through Ricoh USA, Inc at MI Deal pricing of \$46,233.12
- B. RESOLVED by the City Council that Council CONCURS with the recommendation of the Wyandotte Municipal Service Commission to authorize the General Manager to sign the Contract to work with L & M Royal Air, Inc. for an amount Of \$80,328.00 for services under NSP2 Bid Pack 6, Geothermal Energy/HVAC installations.

MOTION by Commissioner Sadowski and seconded by Commissioner Figurski to receive and place on file.

REPORTS/COMMUNICATIONS

- A.Cash Reports
- B.Monthly Financials.
- C.Street Fair Cable Promotion Results Review
- D.Coal Pile Inventory Results and Analysis
- E.Items of Note October 2012.

MOTION by Commissioner Figurski and seconded Commissioner Lupo that the reports and communication are received and placed on file.

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

APPROVAL OF VOUCHERS

MOTION by Commissioner DeLisle and seconded by Commissioner Lupo that the bills be paid as audited.

# 5126	\$ 274,178.12
# 5127	\$ 1,576,009.13
# 5128	\$ 293,080.21
# 5129	\$ 659,414.02

Commissioner Cole asked that the roll be called.

YEAS: Commissioner Cole, DeLisle, Figurski, Lupo, Sadowski

NAYS: None

LATE ITEMS

Commissioner Sadowski - has WMS Collection Office moved to 3200 Biddle?

Melanie McCoy, General Manager yes they have.

Commissioner Sadowski - I have noticed extremely long lines in the collection office is this due to short staffing?

Valerie Hall - I am still trying to figure out why we have people waiting in line for such a long time and addressing the problem.

Commissioner Sadowski - Item of note we now have a drive thru at 3200 Biddle for payments.

Commissioner Lupo - During the election time some of the customers were waiting in the wrong line they needed to go to the Clerk's Office.

Steve Timcoe, Superintendent of Telecommunications would like to Congratulate John Stammersky on his recent Broadband Certification Test.

Update on Energy Audit Status

Melanie McCoy, General Manager giving updated on Wires Grant will continue through 2013.

Pam Tierney, Giving overview on Energy Program.

Motion By Commissioner Figurski and seconded by Commissioner Sadowski to now adjourn. 5:46 P.M.



Melanie McCoy
Secretary

BUILDING CODE BOARD OF APPEALS

November 12, 2012

A meeting of the Building Code Board of Appeals, City of Wyandotte was called to order by Acting Chairman Butch at 5:12 p.m., in the Engineering Department Meeting Room at City Hall, 3131 Biddle Avenue, Wyandotte, Michigan.

MEMBERS PRESENT: Butch
Carley
Meyring
Parker

MEMBERS ABSENT: Badalamenti
Dziengelewski
Johnson

ALSO PRESENT: Sheila Johnson, Secretary
Valerie Kaiser, Appellant

Appeal #600 – Granted w/stipulation: To issue the Temporary Certificate of Occupancy with a two (2) hour fire separation and means of egress needing to be met within six (6) months and for sprinklers within one (1) year in occupied areas of building.

Paragon Support System Inc. (Owner and Applicant) has appealed to the Building Board of Appeals of the City of Wyandotte for permission to obtain a variance for a sprinkler system at 2101 Grove, Wyandotte MI (see file for legal description) in a RA zoning district, where the proposed conflicts with In accordance with Section 903.2.6 Group I of the Michigan Building Code 2009 as follows:

903.2.6 Group I: An automatic sprinkler system shall be provided through out buildings with a Group I Fire Area. Existing building was a school or Use Group E. Proposed Use Group changed to I-4 is due to the building used for vocational training of disabled adults housing more than five (5) adults during the day that are unable to respond to a emergency situation unassisted.

The Appellant is requesting a five (5) year period to accomplish the installation of the required sprinkler system as indicated on their communication dated October 26, 2012.

Granted w/stipulation based on the following reason:

The proposed would not substantially impair the intent and/or purpose of the Ordinance.

Motion was made by Member Meyring, supported by Member Carley to grant w/stipulation this appeal.

- Yes: Butch, Carley, Meyring, Parker
- No: None
- Abstain: None
- Absent: Badalamenti, Dziengelewski, Johnson

Motion passed.

APPEAL #600

Acting Chairman Butch read the appeal and asked that it be explained.

Valerie Kaiser, appellant, present.

Member Carley stated that he had done an inspection on this building October 19, 2012 and that it was a 43,000 sq. ft. cinder block old school building that was to be used as an I4Use.

Member Meyring explained that he and the Building Inspector discussed the two (2) hour fire separation and the Building Code requires that it would need to be done.

Ms. Kaiser showed Members plans of the building layout showing different phases of project areas. She explained that her plan was to use the front wing area, lunch room, art room and offices in the beginning.

Member Meyring asked the hours of operation.

Ms. Kaiser replied that they would be open Monday thru Friday from 7:30 a.m. to 4:30 p.m.

Member Meyring asked how long it would take to have the building up to code and completed.

Ms. Kaiser explained that she would have to discuss this with another party in the morning depending on what was granted at this meeting. She noted that they are taking the safety precautions seriously and attends to do what is necessary. She stated that she would like a Temporary Certificate of Occupancy so they could be open while the work was being completed and was looking for extended time frame.

Zero (0) communications were received for this appeal.

Other Business:

2013 Meeting Schedule was approved by Members.

The meeting adjourned at 5:53 p.m.


Sheila Johnson, Secretary

**BUILDING CODE BOARD OF APPEALS
Wyandotte, Michigan**

RESOLUTION

Wyandotte, Michigan November 12, 2012

RESOLUTION BY MEMBER Meyring

RESOLVED BY THE BUILDING CODE BOARD OF APPEALS OF THE CITY OF
WYANDOTTE,

RE APPEAL NO. #600 by Paragon Support System Inc. (Appellant)
TO APPROVE ^{W/STIP.} DENY appeal for a variance to 903.2.6 Group I of the 2009
Michigan Building Code at 2101 Grove, Wyandotte, Michigan.

I move the adoption of the foregoing resolution.

Member: [Signature]

Supported by Member: [Signature]

Yeas	Members	Nays
	Badalamenti	ABSENT
X	Butch	
	Dziengelewski	ABSENT
	Johnson	ABSENT
X	MacDonald	
X	Meyring	
X	Parker	

APPROVED
Member: [Signature]

City of Wyandotte
DESIGN REVIEW COMMITTEE
Minutes of the Monday, November 20, 2012, Meeting

Member Mayhew called the meeting to order at 11:30 a.m.

MEMBERS PRESENT: Greg Mayhew, Don Schultz, Norm Walker, Jody Egen, and Lynn Steffensky

MEMBERS ABSENT: None

ALSO PRESENT: Sheila Johnson, Acting Recording Secretary
Jeff Ranken, Bradley Signworks/Sign-A-Rama, Applicant
Mary Karasinski-The Beauty Lounge, Business Owner

APPROVAL OF OCTOBER 19, 2012 MINUTES:

Member Schultz approved. Member Steffensky seconded.

REVIEW OF AWNING AND WINDOW SIGNAGE AT 2909 BIDDLE:

The application as submitted by Bradley Signworks/Sign-A-Rama (Applicant) and The Beauty Lounge (Owner) for the property at 2909 Biddle, Wyandotte, Michigan has been reviewed and approved by the Design Review Committee on November 20, 2012.

OTHER BUSINESS:

None at this time.

MOTION TO ADJOURN:

MOTION BY MEMBER Mayhew to adjourn the meeting at 11:45 a.m.
Member Schultz seconded motion.

RESOLUTION

Wyandotte, Michigan

November 20, 2012

RESOLUTION BY MEMBER STEFFENSKY

RESOLVED BY THE DESIGN REVIEW COMMITTEE OF THE CITY OF
WYANDOTTE,

The proposed awning as submitted by Bradley Signworks/Sign-A-Rama for the property at 2909 Biddle, Wyandotte, Michigan has been reviewed and approved by the Design Review Committee on November 20, 2012.

I move the adoption of the foregoing resolution.

Member: Steffensky

Supported by Member: Walker

Yeas

Members

Nays

X
X
X
X
X

Egen
Mayhew
Schultz
Steffensky
Walker

MINUTES FOR THE RETIREMENT COMMISSION MEETING
WEDNESDAY, NOVEMBER 21, 2012, 9 A.M.

ROLL CALL

Present: Commissioners Brohl, Hanson, Harkleroad, LaManes, Lyon, Sabuda, Swiecki

Absent: None

Also Present: William Look, Legal Affairs
Sam Galanis, Oppenheimer
Frank Sposato, Director, Lazard Asset Management

RESOLUTION ON THE MINUTES

MOTION by Commissioner Sabuda, supported by Commissioner Swiecki, that the reading of the minutes of the October 17, 2012 meeting be dispensed with and the same stand approved as recorded. UNANIMOUSLY CARRIED

COMMUNICATIONS – MISCELLANEOUS

MOTION by Commissioner Swiecki, supported by Commissioner Sabuda, that we receive and place on file the Renaissance Investment Management Third Quarter 2012. UNANIMOUSLY CARRIED

MOTION by Commissioner Swiecki, supported by Commissioner Sabuda, that we receive and place on file the JPMorgan Account Report for the period August 31, 2012 through September 30, 2012. UNANIMOUSLY CARRIED

MOTION by Commissioner Swiecki, supported by Commissioner Sabuda, that we receive and place on file the Invesco quarterly report for US High Quality Core portfolio. UNANIMOUSLY CARRIED

MOTION by Commissioner Brohl, supported by Commissioner Sabuda, that we refer the Eligible Domestic Relations Order regarding Avis, Jeffrey G. v Avis, Suzanne to the Secretary and the City Administrator for coordination. UNANIMOUSLY CARRIED

SPECIAL ORDER

Mr. Galanis, Oppenheimer, discussed the third quarter investment manager performance report. Spikes will continue to remain in our portfolio due to market conditions. Emerging markets have done well this third quarter. In addition, changing managers has helped the portfolio.

MOTION by Commissioner Hanson, supported by Commissioner Lyon, that we receive and place on file the third quarter investment manager performance report as submitted by Mr. Galanis. UNANIMOUSLY CARRIED

Mr. Sposato, Director, Lazard Asset Management, discussed the Wyandotte Employees' Retirement System Portfolio. They have one hundred forty-six billion dollars under management. Emerging markets have done well to date. Return on equities are also doing well.

MOTION by Commissioner LaManes, supported by Commissioner Lyon, that we receive and place on file the materials submitted and discussed by Mr. Sposato, Director, Lazard Asset Management. UNANIMOUSLY CARRIED

ADJOURNMENT

MOTION by Commissioner Brohl, supported by Commissioner Hanson, that we adjourn at 9:41 AM. UNANIMOUSLY CARRIED



William R. Griggs, Secretary
Wyandotte Employees' Retirement Commission
November 21, 2012

WYANDOTTE RECREATION COMMISSION

A meeting of the Wyandotte Recreation Commission was called to order on Tuesday, November 13, 2012, at 7 pm in the Vending Room at the Benjamin F. Yack Center.

Members Present:

President Lori Shiels
Secretary Ken Prygoski
Commissioner Wally Merritt

Also Present:

Sup't of Recreation James R. Knopp
Administrative Trainee Justin Lanagan
Recreation Technician Theresa Jamula

Excused:

Vice President Dale Brennan
Commissioner Margaret Loya

Persons in the Audience:

None

A motion was made by Commissioner Prygoski and supported by Commissioner Merritt to approve the minutes of the previous meeting as submitted via e-mail.

CORRESPONDENCE:

The Department received thank you note from St. Mary's School and the Wyandotte Coop thanking the Department for Golf Gift Certificates for their fundraising projects.

A request was received from Ryan Rabinowitz of Novi High School, who would like to schedule a ROUND-UP AT THE RINK NIGHT for the Make a Wish Foundation. After reviewing the information, a motion was made by Commissioner Prygoski and supported by Commissioner Merritt, to grant this request and to authorize the Department to complete the application forms and designate the date of the event. Requests of this nature will be granted based on the merit of the request.

INTERDEPARTMENTAL:

COUNCIL RESOLUTIONS:

Council resolution approving the 2013 Arena Rental Contract for the John Paul II Spring Fling Festival.

Council resolution approving the Recreation Commission June 19, 2012 motion to increase various rates within the Department.

REPORTS AND MINUTES:

- ✓ Account Breakdown 10-3-12, 10-17-12
- ✓ Tele-Care Report – September & October 2012
- ✓ Golf Course Report – September & October 2012
- ✓ Yack Arena Report – September & October 2012
- ✓ Comprehensive Arena Report – September 2012
- ✓ Senior Van Report – October 2012
- ✓ Summer Swimming Pool Report 2013
- ✓ Zumba Class Report – Summer 2012

SPECIAL ORDER:

Superintendent Knopp reported that the basketball court projects at Pulaski and Memorial Parks have been completed.

The Commission reviewed the proposed 2013 Commission meeting schedule. A motion was made by Commissioner Prygoski and supported by Commissioner Merritt to change the 2013 Recreation Commission meetings to 7:30 pm.

The Recreation Commission discussed the proposed Ramp Lease Agreement for the 2013 season. The following increases will be included in the agreement.

<u>Launching</u>	<u>Wyandotte Residents</u>	<u>Non-Resident</u>
Daily	\$3.00 \$5	\$6.00 \$7
Season Passes	\$60.00 \$100	\$120.00 \$140
<u>Season Pass for Wyandotte Senior Citizens age 65 & Over</u>		
	\$25.00	\$30
<u>PARKING FEE</u>		
\$5 per vehicle		

The Commission directed Superintendent Knopp to advertise for bids for the 2013 Boat Ramp Lease with the minimum bid remaining the same as in previous years – six equal payment of \$2,700 = \$16,200 for the season. A motion was made by Commissioner Merritt and supported by Commissioner Prygoski to make the various changes and start the bid procedure as soon as possible. As of this date, the current ramp operator owes the City of Wyandotte \$1,924.66 for utilities.

Superintendent Knopp stated that he had received a request from Woodhaven High School to reserve the Yack Arena on June 11 as a back-up rain out location for their High School Graduation Ceremony at a reduced ½ rate of \$650. This graduation is in the middle of the two other graduations and the arena would already be set up. If we were to get a rental for the weekend of June 8-9, this would not affect their event. (Woodhaven will pay the \$650 whether or not they use the building.) A motion was made by Commissioner Merritt and supported by Commissioner Prygoski to proceed with the rental contract for Woodhaven High School Graduation Rain Out Site Yack Arena Contract at a rental rate of \$650 plus all other associated rental fees.

Commissioner Merritt inquired when the Golf Course would be closing. Superintendent Knopp stated it will remain open until it is no longer profitable. Superintendent Knopp stated that he met with Chris Hoffman at the Golf Course and this weekend, they will be performing the final cutting of the tee's and greens and prep them for snow mold protection application.

Summer Pool Report – We had a tremendous year at the Roosevelt Swimming Pool this past summer. Our revenue was \$5,000, more than \$3,500 increase over last year. We hired new staff and the pool operations went very smoothly this summer. Sue Alt, of the Wyandotte School District, aided the Department in restructuring the programs and monitoring the staff. At the end of the season, a \$300 check was issued to the Roosevelt High School Boys Swim Team, for their internship support.

Superintendent Knopp stated that he is very concerned with our Van Program. A survey of three random time periods was compiled which showed a definite financial loss. A decision was made to eliminate the use of a second vehicle on Monday, Tuesday, Thursday and Friday effective October

1, 2012. After receiving numerous comments from various city officials, the City Administrator met with Mr. Knopp and informed him to reinstate the program. The Commission reviewed the daily October 2012 report which indicates a \$479 loss for the month. Just for a matter of record, this program will be tracked for a period of three months through December 2012. The fee for a one-way trip is only \$1. In the future, an increase will be necessary for this door-to-door service. We will have to readjust the parameters of the program, along with the custom scheduling practice. This program will be closely monitored.

We received a 20% commission (\$263.40) from the Zumba classes sponsored by Elements of Exercise at the BASF Waterfront Park and a 10% Commission from the Lil Dragons & Ninjas program (\$142).

Commission was informed that Administrative Trainee Lanagan has been on Jury Duty for the past few weeks.

Commissioner Ken Prygoski stated that he will not be at the January 8, 2013 Commission Meeting.

Superintendent Knopp stated that the bids were open for the Decorative Fencing Project at the Lions Club Park. Three bids were received:

- Industrial Fence - \$7,425
- American Fence - \$5,878
- Future Fence \$5,181

These bids are in the process of being reviewed by the Engineering Department to see if they are accurate, complete and if they attended the pre-bid meeting. A motion was made by Commissioner Merritt and supported by Commissioner Prygoski, to accept the low bid of Future Fence in the amount of \$5,181, if this bid is approved by the Engineering Department and if they meet the bid specifications as required.

WWHA has a problem due to some teams having low numbers of skaters and the associated cost. They have been cancelling numerous hours of practice ice. They have been informed that they will have to adjust their ice hours so that they are consecutive hours.

The gentlemen from Southgate Golf Course has declined our offer to work next year at Wyandotte Shores. He did offer to work on an hourly basis if we were to need him. Mr. Knopp spoke with City Administrator Todd Drysdale and when Todd returns from his vacation, he will be making some contacts and Mr. Knopp will meet with Todd to discuss the golf course management.

President Shiels inquired as to the status of a dog park in Wyandotte. The Commission feels that since the property at Grove & 13th is not available, the Exchange Club Park at 2nd & Felice would be a great location if arrangements could be made with the Church for use of the parking lot. Superintendent Knopp will meet with Todd to discuss this issue.

Late Item

A council resolution from the November 13 meeting regarding the Commission work with the Mayor concerning the Eureka and Third Street sign to recognize and display the names of returning Veterans on the sign. A committee consisting of President Shiels, Secretary Prygoski and Commissioner Merritt will meet with the Mayor when a date and time has been set,

The next Commission Meeting will be held on Tuesday, December 11 at **5 pm**.

There being no further business to discuss, a motion was made by Commissioner Merritt and supported by Commissioner Prygoski to adjourn the meeting at 8:09 pm.

Minutes Prepared by
Theresa Jamula
Theresa Jamula
Recreation Technician

Authorized by
James R. Knopp
James R. Knopp
Superintendent of Recreation

2013 Wyandotte Recreation Commission Meetings

2ND Tuesday of each month

7:30 pm @ Yack Arena

January 8, 2013

February 12, 2013

March 12, 2013

April 9, 2013

May 14, 2013

June 18, 2013 **

July 16, 2013 **

August 13, 2013

September 10, 2013

October 8, 2013

November 12, 2013

December 10, 2013

**** Meeting date changed**

(Above schedule is subject to change
& notices will be posted.)

City of Wyandotte

Police Commission Meeting

Regular Commission Meeting
October 23, 2012

ROLL CALL

Present: Chief Dan Grant
Commissioner Doug Melzer
Commissioner Amy Noles
Commissioner John Harris

Absent: NONE

Others Present: Richard Miller

The meeting was called to order at the Wyandotte Police Department, 2015 Biddle Avenue, Wyandotte, Michigan by Chairperson, Commissioner Melzer at 6:01 p.m.

The Minutes from the regular Police Commission meeting on October 9, 2012 were presented.

Noles moved, Harris seconded,
CARRIED, to approve the minutes of October 9, 2012 as presented.

UNFINISHED BUSINESS

1. Revision to Use of Weapons Policy

Chief Grant shared the page of proposed revisions. He said the policy has been in place since he arrived in 2007. The revisions cover the circumstances around the stolen weapons from the recent break in to the DPW building. The weapons will be removed from the vehicles and locked in the station unless the officer is going to remain present during the vehicle repairs.

If a vehicle is in operation 24-7, then the weapons may remain in the car from one shift to the next.

Inspector Pouliot has created a check list for Department property being checked out at the start of each shift.

Harris moved, Noles seconded,
CARRIED, to support the revision to the Use of Weapons Policy as presented.

COMMUNICATIONS

NONE

DEPARTMENTAL

1. Handicap Signs – 1089 Mollno St.

Officer Camilleri reviewed the handicap sign application and determined that the applicant met all of the qualifications.

Harris moved, Noles seconded,
CARRIED, to approve the handicap sign request for 1089 Mollno St.

2. Bills and Accounts – October 23, 2012, \$6,016.80

Harris moved, Noles seconded,
CARRIED, to approve payment of the October 23, 2012, bills for \$6,016.80.

NEW BUSINESS

1. Sergeant's Promotional List

Chief Grant submitted the results of the Sergeants' promotional testing for the Commissioners' review. He explained how the test scores were derived from the written test, oral boards and seniority.

The union is negotiating for evaluations to be included in the overall promotional process.

Once certified by the Commission, the promotional list is good for two years.

Resident Richard Miller inquired about the composition of the interview committee. Chief Grant was an interviewer along with four other law enforcement officers from neighboring downriver communities.

Commissioner Harris wanted to give thanks to those other interviewers for assisting us in this promotional process.

Patrol Officers Kotkowski and Kresin had the top two scores.

Harris moved, Noles seconded,
CARRIED, to certify the Sergeants promotional list as submitted.

2. S.W.A.T. Callout

There was a robbery in Southgate at 4:45 a.m. Tuesday morning. The suspect's vehicle was located in Wyandotte at 2294 Electric Street. Two individuals were persuaded to surrender without anyone being harmed.

This incident was different than another similar one that took place on the same street approximately one week ago.

3. Weapons Program

We've established a new committee that will look at the frequency of training for our officers and keep inventory of all Department weapons.

All weapons are currently accounted for except the two that were stolen in the DPS robbery.

Chief Grant would like to dispose of all unneeded weapons, but must investigate the proper way to dispose of them. He will report back to the Commission with his findings. The Chief indicated we have old revolvers that will never be used in the Department again, and we should only keep the weapons we actually need.

It is expensive to qualify our officers, but MCOLES requires that we do it at least once per year.

Resident Richard Miller, 1202 2nd, inquired about a weapon an officer reportedly had at his home. Chief Grant replied that the investigation is ongoing and it wasn't proper to discuss an ongoing internal investigation in public at this point.

Mr. Miller told the Commissioners that they were responsible for keeping track of all Department weapons, and that they have the duty to discipline this officer pending the outcome of the investigation.

There was some discussion about whether a gun was missing from the armory; it is not. Weapons are stored in a few different locations in the building depending upon whether they are used frequently. Mr. Miller would like them all stored in one large room and monitored as necessary. Chief Grant said the weapons committee will be reviewing all of this and making recommendations.

The weapons committee will not be subject to public input.

The Commissioners assured Mr. Miller that Chief Grant makes the day to day decisions for the Department, and that they support him in his abilities to manage the Department.

Mr. Miller then inquired if we could use locks that would identify the person entering the weapons room. Chief Grant explained the installation of that type of system would be too expensive in these budget strapped times.

Mr. Miller also asked if the same key fits all the patrol vehicles. Chief Grant indicated that this was the case in most circumstances. Mr. Miller then asked if the ignition could be changed when we sell the vehicles. The Chief said he would look into that request.

Mr. Miller asked the Commissioners if they would do a review of all the Department's policies. He wanted to make sure they were all updated. Chief Grant assured Mr. Miller that the L.E.A.F. (Law Enforcement Action Forum) Committee reviews these policies annually. The attorney and other law enforcement individuals who comprise the committee are essentially experts on these policies. However, the Commissioners are welcome to review the policies at any time.

The Reservists cannot check out long guns.

Commissioner Harris thanked Mr. Miller for his comments, and reiterated that the Commissioners rely upon the expertise of Chief Grant to run the Department. He complimented Chief Grant and Chief Carley and said they were very sharp.

ADJOURNMENT

Since there was no further business to come before the commission, there was a motion to adjourn the meeting at 6:47 p.m.

Harris moved, Noles seconded,
CARRIED, to adjourn meeting at 6:47 p.m.

Laura Christensen
Administrative Assistant
Wyandotte Police Department



SMIA

Events by Nature Code by Agency

Agency: WYPD, Event date/Time range: 10/01/2012 00:00:00 - 10/31/2012 23:59:59

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
WYPD	911	0	0	3	3	0%	0:20:12	0:01:34	0:11:43	1:28:49	0:29:36
	ABANDONED AUTO	0	96	19	115	6%	1:17:00	0:07:47	0:14:03	170:50:52	1:29:08
	ACCIDENT/NON TRAFFIC AREA	0	1	0	1	0%	0:00:02	0:00:00	0:53:35	0:53:37	0:53:37
	ACCIDENT/PERSONAL INJURY	0	0	1	1	0%	0:01:01	0:00:00	0:00:00	1:20:32	1:20:32
	ACCIDENT/PROPERTY DAMAGE	0	3	42	45	2%	0:03:59	0:06:20	0:32:44	31:58:10	0:42:38
	ACCIDENTAL DAMAGE	1	0	3	4	0%	0:07:33	0:00:00	0:00:00	1:37:52	0:32:37
	ALARM	0	0	44	44	2%	0:04:35	0:03:16	0:09:11	12:00:16	0:16:22
	ANIMAL BITE	0	0	1	1	0%	0:01:18	0:00:00	0:00:00	0:03:00	0:03:00
	ANIMAL COMPLAINT	0	87	53	140	8%	0:22:19	0:12:00	0:25:56	124:21:32	0:53:18
	ASSAULT & BATTERY	0	2	11	13	1%	0:02:26	0:05:29	0:38:36	9:41:26	0:44:44
	ASSIST OTHER AGENCY	0	1	9	10	1%	0:02:14	0:09:52	2:15:56	20:50:01	2:05:00
	BREAKING & ENTERING	0	0	27	27	1%	0:09:06	0:06:46	0:48:11	27:39:03	1:01:27
	BREAKING & ENTERING IN PROGRES	0	0	3	3	0%	0:01:56	0:04:00	1:36:32	5:07:26	1:42:29
	BUILDING CHECK	0	2	3	5	0%	0:17:23	0:04:24	0:13:29	2:30:12	0:30:02
	BUSINESS STOP	0	30	0	30	2%	0:00:02	0:00:00	0:16:11	8:06:39	0:16:13
	CHECK WELL BEING	0	1	32	33	2%	0:05:42	0:04:01	0:20:46	16:32:38	0:30:05
	CHILD ABUSE/NEGLECT	0	0	2	2	0%	0:05:00	0:15:37	0:21:38	1:24:31	0:42:16
	CITIZEN ASSIST	0	6	22	28	2%	0:06:17	0:04:10	0:14:50	13:27:32	0:28:50
	CIVIL DISPUTES	0	1	7	8	0%	0:02:33	0:03:37	0:17:16	3:22:22	0:25:18
	CRIMINAL SEXUAL CONDUCT	0	0	1	1	0%	0:00:32	0:02:28	1:25:03	1:28:04	1:28:04
	DEATH INVESTIGATION	0	0	6	6	0%	0:02:32	0:01:33	3:05:33	9:37:07	1:36:11
	DETAIL	0	27	0	27	1%	0:00:02	0:09:43	0:47:37	22:56:09	0:50:58
	DISORDERLY	0	1	31	32	2%	0:04:13	0:02:31	0:31:20	18:30:21	0:34:42
	DOMESTIC	0	0	38	38	2%	0:05:31	0:05:34	0:27:08	23:52:24	0:37:42

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	DRUG VIOLATIONS	0	1	1	2	0%	0:00:52	0:00:00	1:00:57	1:40:19	0:50:10
	DUMPING	0	0	1	1	0%	0:25:36	0:02:31	0:29:02	0:57:10	0:57:10
	ESCORTS	0	1	18	19	1%	0:13:12	0:05:32	0:15:05	11:12:37	0:35:24
	FELONIOUS ASSAULT	0	0	1	1	0%	0:02:00	0:00:54	1:54:44	1:57:39	1:57:39
	FIGHT	0	0	12	12	1%	0:02:45	0:06:31	0:31:54	8:14:02	0:41:10
	FIRE	0	0	4	4	0%	0:00:08	0:01:41	0:39:07	2:11:47	0:32:57
	FIREWORKS	0	0	1	1	0%	0:01:36	0:06:59	0:03:24	0:12:00	0:12:00
	FLEEING & ELUDING	0	1	0	1	0%	0:00:00	0:04:06	0:45:48	0:49:54	0:49:54
	FOLLOW-UP	0	219	8	227	12%	0:00:05	0:07:14	0:07:39	30:50:49	0:08:09
	FOUND PROPERTY	0	2	6	8	0%	4:44:37	0:15:14	0:08:34	40:37:06	5:04:38
	FRAUD	0	5	6	11	1%	0:03:54	0:10:02	0:37:41	6:15:14	0:34:07
	FUEL	0	8	0	8	0%	0:00:02	0:00:00	0:04:51	0:39:12	0:04:54
	GAS PUMP	0	1	0	1	0%	0:00:00	0:00:00	0:00:12	0:00:13	0:00:13
	HARASSMENT	0	3	8	11	1%	0:03:37	0:08:57	0:24:03	6:50:22	0:37:18
	HIT & RUN ACCIDENT	0	3	13	16	1%	0:02:44	0:05:59	0:24:09	8:21:18	0:31:20
	HOUSE STOP	0	1	1	2	0%	0:52:15	0:13:29	0:10:28	1:26:42	0:43:21
	IDENTITY THEFT	0	1	0	1	0%	0:00:01	0:00:00	0:55:44	0:55:46	0:55:46
	JUVENILE COMPLAINT	0	4	15	19	1%	0:06:46	0:05:07	0:31:18	11:32:28	0:36:27
	LARCENY	0	9	37	46	2%	0:04:53	0:08:01	0:30:16	31:19:12	0:40:51
	LOST PROPERTY	0	0	1	1	0%	0:18:54	0:10:45	0:12:51	0:42:30	0:42:30
	MALICIOUS DESTRUCTION	1	1	15	17	1%	0:08:23	0:08:58	0:14:26	8:07:36	0:30:29
	MENTAL	0	0	2	2	0%	0:03:50	0:04:02	0:27:38	1:11:01	0:35:31
	MISCELLANEOUS	1	53	13	67	4%	0:01:02	0:07:04	0:37:55	41:45:25	0:37:58
	MISSING PERSON	0	0	1	1	0%	0:03:21	0:04:40	2:31:48	2:39:49	2:39:49
	NARCOTICS INVESTIGATION	0	1	2	3	0%	0:00:11	0:00:00	2:56:25	3:10:02	1:03:21
	NEIGHBORHOOD DISPUTE	0	0	5	5	0%	0:03:48	0:03:17	0:27:01	2:50:32	0:34:06
	NOISE COMPLAINT	0	0	20	20	1%	0:04:58	0:03:43	0:10:13	6:00:49	0:18:02

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	OPERATING UNDER THE INFLUENCE	0	2	2	4	0%	0:02:09	0:05:05	1:00:14	4:17:37	1:04:24
	ORDINANCE VIOLATION	0	85	3	88	5%	0:00:28	0:14:08	0:08:38	15:55:53	0:10:52
	PARKING COMPLAINTS	0	153	16	169	9%	0:17:07	0:05:31	0:11:45	82:23:25	0:29:15
	PATROL CHECK	0	54	1	55	3%	0:00:02	0:00:04	0:18:46	17:14:32	0:18:49
	PRISONER TRANSPORT	0	2	1	3	0%	0:00:13	1:07:49	0:29:25	2:36:31	0:52:10
	RADAR ENFORCEMENT	0	37	0	37	2%	0:00:02	0:00:00	0:13:20	8:15:06	0:13:23
	RECKLESS DRIVING	0	0	7	7	0%	0:02:08	0:05:20	0:15:11	2:41:23	0:23:03
	RECOVERED STOLEN VEH / PROP	0	0	3	3	0%	0:08:33	0:06:49	0:29:11	2:13:40	0:44:33
	RESCUE EMERGENCY	0	0	18	18	1%	0:00:37	0:04:19	0:43:27	14:25:11	0:48:04
	RETAIL FRAUD	0	0	5	5	0%	0:02:53	0:13:46	0:16:36	2:50:19	0:34:04
	ROBBERY	0	0	1	1	0%	0:00:10	0:00:00	1:10:34	1:10:45	1:10:45
	RUNAWAY JUVENILE	0	0	2	2	0%	0:03:10	0:03:35	0:39:21	1:11:53	0:35:57
	SEARCH WARRANT	0	0	1	1	0%	0:03:09	0:00:00	0:00:00	3:07:33	3:07:33
	SOLICITOR	0	0	1	1	0%	0:01:53	0:06:54	0:03:57	0:12:44	0:12:44
	STALKING COMPLAINTS	1	0	3	4	0%	0:02:32	0:06:08	0:23:04	1:06:18	0:22:06
	STOLEN VEHICLE	0	0	6	6	0%	0:08:09	0:05:01	0:53:29	6:12:47	1:02:08
	SUICIDE	0	0	3	3	0%	0:09:32	0:02:41	0:29:29	3:25:28	1:08:29
	SURVEILLANCE	0	1	0	1	0%	0:00:02	0:00:00	0:11:42	0:11:44	0:11:44
	SUSPICIOUS INCIDENT	0	8	28	36	2%	0:04:53	0:04:00	0:20:33	16:33:02	0:27:35
	SUSPICIOUS PERSON	0	7	14	21	1%	0:05:38	0:04:46	0:13:52	6:58:26	0:19:56
	SUSPICIOUS VEHICLE	0	3	8	11	1%	0:01:26	0:03:49	0:12:13	3:00:57	0:16:27
	THREATS	0	0	19	19	1%	0:05:49	0:06:25	0:29:49	12:08:25	0:38:20
	TRAFFIC HAZARD	0	6	10	16	1%	0:03:32	0:04:38	0:08:13	6:54:25	0:25:54
	TRAFFIC STOP	1	162	6	169	9%	0:00:05	0:06:41	0:12:47	36:36:31	0:13:00
	TRESPASSING	0	0	1	1	0%	0:00:52	0:00:00	0:00:00	0:01:34	0:01:34
	VIOLATION OF PUBLIC HEALTH COE	0	1	0	1	0%	0:00:01	0:00:00	2:22:28	2:22:29	2:22:29

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	VIOLATION ROAD LAWS	0	5	2	7	0%	0:00:08	0:00:07	0:47:00	4:43:21	0:40:29
	WARRANT	4	3	21	28	2%	0:07:31	0:22:00	0:55:32	34:20:43	1:25:52
	WIRES DOWN	0	0	1	1	0%	0:00:47	0:03:11	0:57:47	1:01:45	1:01:45
	Subtotals for No Summary Code	9	1101	732	1842	100%	0:09:34	0:07:10	0:38:07	1056:26:36	0:48:55
	Subtotals for WYPD	9	1101	732	1842	100%	0:09:34	0:07:10	0:38:07	1056:26:36	0:48:55

SMIA

Events by Nature Code by Agency

Agency: WYPD, Event date/Time range: 01/01/2012 00:00:00 - 11/08/2012 10:02:47

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
WYPD	911	0	1	35	36	0%	0:04:49	0:03:18	0:13:42	11:53:47	0:19:50
	ABANDONED AUTO	0	765	124	889	4%	0:37:57	0:08:15	0:15:22	763:23:16	0:51:31
	ACCIDENT/NON TRAFFIC AREA	0	4	4	8	0%	0:00:54	0:00:59	0:18:53	2:36:27	0:19:33
	ACCIDENT/PERSONAL INJURY	0	1	26	27	0%	0:01:23	0:04:29	0:42:06	23:03:12	0:51:14
	ACCIDENT/PROPERTY DAMAGE	0	31	366	397	2%	0:03:54	0:06:01	0:34:56	285:43:25	0:43:11
	ACCIDENTAL DAMAGE	1	4	23	28	0%	0:05:13	0:07:02	0:28:54	17:36:17	0:39:07
	ALARM	0	7	440	447	2%	0:03:46	0:03:13	0:10:21	123:34:14	0:16:35
	ANIMAL BITE	1	4	16	21	0%	0:11:11	0:10:40	0:45:24	17:52:04	0:53:36
	ANIMAL COMPLAINT	1	771	468	1240	6%	0:14:26	0:11:07	0:16:53	710:14:00	0:34:24
	ARSON	0	0	1	1	0%	0:02:29	0:03:03	0:21:39	0:27:11	0:27:11
	ASSAULT & BATTERY	5	16	93	114	1%	0:05:09	0:07:02	0:29:01	72:22:52	0:39:07
	ASSIST OTHER AGENCY	4	38	83	125	1%	0:03:15	0:05:42	0:42:41	91:06:28	0:45:11
	BE ON THE LOOKOUT	0	1	0	1	0%	0:00:01	0:00:00	0:13:24	0:13:25	0:13:25
	BOMB THREATS	0	1	0	1	0%	0:00:01	0:00:00	0:00:28	0:00:29	0:00:29
	BREAKING & ENTERING	1	4	198	203	1%	0:07:54	0:06:39	0:37:23	168:11:46	0:49:58
	BREAKING & ENTERING IN PROGRES	0	0	15	15	0%	0:02:36	0:04:02	0:34:49	10:21:44	0:41:27
	BUILDING CHECK	0	68	34	102	0%	0:05:03	0:03:48	0:13:48	32:09:42	0:18:55
	BUSINESS STOP	0	543	0	543	3%	0:00:01	0:00:00	0:10:37	96:23:13	0:10:39
	CHECK WELL BEING	0	19	395	414	2%	0:06:20	0:04:26	0:21:18	216:21:59	0:31:21
	CHILD ABUSE/NEGLECT	1	4	17	22	0%	0:03:20	0:08:22	0:38:18	16:40:49	0:47:39
	CITIZEN ASSIST	0	118	209	327	2%	0:06:11	0:06:46	0:13:06	128:53:06	0:23:39
	CIVIL DISPUTES	0	21	114	135	1%	0:08:16	0:05:50	0:28:20	90:11:24	0:40:05
	CRIMINAL SEXUAL CONDUCT	7	4	9	20	0%	0:03:39	0:10:39	0:42:14	8:44:42	0:40:22
	CURFEW	0	2	0	2	0%	0:00:01	0:00:00	0:32:40	1:05:22	0:32:41

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	DB INVESTIGATION	0	1	0	1	0%	0:00:00	0:00:00	0:43:38	0:43:39	0:43:39
	DEATH INVESTIGATION	0	1	64	65	0%	0:05:38	0:06:20	1:50:44	91:14:16	1:24:13
	DETAIL	0	138	2	140	1%	0:00:05	0:18:13	0:50:28	126:52:17	0:54:22
	DISORDERLY	1	46	416	463	2%	0:03:57	0:03:47	0:30:21	278:52:19	0:36:13
	DOMESTIC	2	7	444	453	2%	0:04:17	0:04:26	0:32:17	300:50:48	0:40:01
	DRUG VIOLATIONS	0	3	11	14	0%	0:04:23	0:04:01	0:43:55	11:14:34	0:48:11
	DUMPING	0	0	5	5	0%	0:08:59	0:07:18	0:17:16	2:42:37	0:32:31
	EMBEZZLEMENT	0	0	1	1	0%	0:03:10	0:03:03	0:27:58	0:34:12	0:34:12
	ESCORTS	0	17	165	182	1%	0:09:03	0:09:43	0:20:35	114:20:34	0:37:42
	FELONIOUS ASSAULT	0	2	14	16	0%	0:03:16	0:04:04	0:45:07	13:51:38	0:51:59
	FIELD CONTACTS	4	15	1	20	0%	0:00:04	0:00:00	0:18:44	4:42:13	0:17:38
	FIGHT	1	3	126	130	1%	0:02:17	0:03:48	0:26:11	70:00:33	0:32:34
	FIRE	1	0	47	48	0%	0:00:46	0:03:34	0:57:02	44:16:26	0:56:31
	FIRE ALARM	0	0	2	2	0%	0:00:53	0:03:19	0:09:59	0:28:23	0:14:12
	FIREWORKS	0	1	34	35	0%	0:10:38	0:05:35	0:13:57	16:10:01	0:27:43
	FLEEING & ELUDING	0	4	4	8	0%	0:00:34	0:02:11	1:15:53	10:25:50	1:18:14
	FOLLOW-UP	0	1651	39	1690	8%	0:00:11	0:06:15	0:09:16	273:46:20	0:09:43
	FOUND PROPERTY	1	21	61	83	0%	1:55:57	0:11:45	0:24:24	192:10:59	2:20:37
	FRAUD	7	34	44	85	0%	0:03:54	0:08:08	0:38:16	50:33:55	0:38:54
	FUEL	0	103	0	103	0%	0:00:01	0:00:00	0:06:51	11:49:06	0:06:53
	GAS PUMP	0	3	0	3	0%	0:00:01	0:00:00	0:04:50	0:14:33	0:04:51
	HARASSMENT	3	35	66	104	0%	0:05:05	0:06:47	0:28:16	61:16:10	0:36:24
	HEALTH & SAFETY VIOLATION	0	2	3	5	0%	0:00:41	0:01:39	0:22:11	1:38:28	0:19:42
	HIT & RUN ACCIDENT	0	16	144	160	1%	0:05:30	0:08:30	0:27:54	104:16:58	0:39:06
	HOUSE STOP	0	12	2	14	0%	0:05:58	0:10:54	0:20:58	6:09:15	0:26:23
	HUNTERS	0	1	0	1	0%	0:00:00	0:00:00	0:00:07	0:00:07	0:00:07
	IDENTITY THEFT	0	3	8	11	0%	0:06:01	0:05:02	0:28:11	6:19:05	0:34:28
	INDECENT EXPOSURE	0	0	11	11	0%	0:05:42	0:05:55	0:29:06	7:28:06	0:40:44

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	INJURED PERSON	0	0	3	3	0%	0:03:37	0:50:53	0:06:54	2:21:16	0:47:05
	INJURY ON DUTY	2	1	1	4	0%	1:04:15	0:01:14	2:52:05	6:40:16	3:20:08
	INTERNET	0	1	0	1	0%	0:00:00	0:00:00	0:02:13	0:02:14	0:02:14
	JUVENILE COMPLAINT	0	15	157	172	1%	0:07:43	0:04:39	0:17:19	82:21:25	0:28:44
	KIDNAPPING	0	0	1	1	0%	0:02:04	0:02:27	0:12:46	0:17:17	0:17:17
	LARCENY	7	76	351	434	2%	0:08:02	0:09:02	0:30:33	312:20:56	0:43:47
	LIQUOR LAW VIOLATION	0	3	6	9	0%	0:02:25	0:02:54	0:34:08	4:07:43	0:27:31
	LOITERING	0	1	1	2	0%	0:25:08	0:14:53	0:04:02	0:48:06	0:24:03
	LOST PROPERTY	0	6	3	9	0%	0:04:36	0:05:55	0:17:51	3:35:15	0:23:55
	MALICIOUS DESTRUCTION	1	21	261	283	1%	0:09:54	0:06:33	0:22:07	179:00:00	0:38:05
	MENTAL	0	0	45	45	0%	0:06:20	0:05:23	0:29:44	31:54:03	0:42:32
	MINOR IN POSSESSION	0	3	1	4	0%	0:15:36	0:07:23	0:48:05	4:06:33	1:01:38
	MISCELLANEOUS	9	436	161	606	3%	0:03:13	0:05:26	0:36:47	380:33:44	0:38:15
	MISSING PERSON	2	9	33	44	0%	0:07:13	0:05:59	0:33:00	29:08:17	0:40:39
	MISSING PERSON - RECOVERED	0	2	11	13	0%	0:04:40	0:04:13	0:36:33	9:09:04	0:42:14
	NARCOTICS INVESTIGATION	2	12	27	41	0%	0:04:43	0:05:14	0:42:50	29:20:59	0:45:09
	NEIGHBORHOOD DISPUTE	0	6	78	84	0%	0:07:32	0:05:00	0:26:11	63:18:06	0:38:04
	NOISE COMPLAINT	0	3	236	239	1%	0:09:02	0:03:49	0:13:27	102:05:33	0:25:38
	ODOR	0	0	1	1	0%	0:00:53	0:02:45	0:11:22	0:15:00	0:15:00
	OPERATING UNDER THE INFLUENCE	0	29	19	48	0%	0:01:10	0:05:24	1:28:30	73:19:11	1:31:39
	ORDINANCE VIOLATION	3	705	49	757	4%	0:02:33	0:09:15	0:10:17	183:40:44	0:14:37
	OVERDOSE	0	0	7	7	0%	0:04:05	0:03:53	0:21:49	3:28:37	0:29:48
	PARKING COMPLAINTS	0	814	170	984	5%	0:05:31	0:07:40	0:11:52	306:54:15	0:18:43
	PATROL CHECK	0	1314	7	1321	6%	0:00:02	0:06:26	0:18:03	399:29:38	0:18:09
	POLICE ASSIST TO FIRE	0	0	1	1	0%	0:00:10	0:01:37	0:45:35	0:47:23	0:47:23
	PRISONER CHECK	0	21	0	21	0%	0:00:01	0:00:00	0:25:40	8:59:34	0:25:42
	PRISONER TRANSPORT	0	33	12	45	0%	0:00:27	0:21:47	1:01:01	51:50:21	1:09:07

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	RACIAL INTIMIDATION	0	1	2	3	0%	0:02:17	0:09:09	0:52:28	3:02:36	1:00:52
	RADAR ENFORCEMENT	0	549	0	549	3%	0:00:01	0:00:00	0:17:09	156:56:44	0:17:09
	RECEIVING & CONCEALING	0	1	0	1	0%	0:00:01	0:00:00	0:00:23	0:00:24	0:00:24
	RECKLESS DRIVING	0	6	58	64	0%	0:04:15	0:06:37	0:17:57	27:02:51	0:25:21
	RECOVERED STOLEN VEH / PROP	1	2	7	10	0%	0:09:02	0:11:08	0:41:14	7:12:16	0:48:02
	RESCUE EMERGENCY	0	1	190	191	1%	0:01:16	0:03:49	0:31:31	109:08:47	0:34:17
	RESIDENTIAL CHECK	0	7	8	15	0%	0:02:34	0:04:54	0:15:15	4:56:50	0:19:47
	RETAIL FRAUD	0	0	43	43	0%	0:04:58	0:07:28	0:40:21	36:46:45	0:51:19
	ROBBERY	0	0	6	6	0%	0:03:33	0:05:18	0:41:37	4:50:05	0:48:21
	RUNAWAY JUVENILE	0	2	16	18	0%	0:05:31	0:04:36	0:54:18	17:00:27	0:56:42
	SEARCH WARRANT	0	0	1	1	0%	0:03:09	0:00:00	0:00:00	3:07:33	3:07:33
	SHOTS FIRED	0	0	13	13	0%	0:03:05	0:02:44	0:16:43	4:22:46	0:20:13
	SICK INMATE	0	0	1	1	0%	0:00:17	0:20:05	3:31:27	3:51:50	3:51:50
	SICK PERSON	0	3	0	3	0%	0:00:04	0:00:00	0:10:27	0:31:28	0:10:29
	SOLICITOR	0	0	14	14	0%	0:07:03	0:03:42	0:15:22	6:11:39	0:26:33
	STALKING COMPLAINTS	2	6	16	24	0%	0:06:30	0:04:11	0:22:46	10:36:57	0:28:57
	STOLEN VEHICLE	1	8	48	57	0%	0:06:40	0:07:07	0:43:41	49:11:14	0:52:42
	SUBPOENA	0	2	0	2	0%	0:00:01	0:00:00	0:25:55	0:51:51	0:25:56
	SUICIDE	0	0	49	49	0%	0:04:00	0:03:08	0:32:33	33:27:40	0:40:58
	SURVEILLANCE	0	38	0	38	0%	0:00:01	0:00:00	0:25:48	16:21:15	0:25:49
	SUSPICIOUS INCIDENT	6	43	353	402	2%	0:06:10	0:04:28	0:19:31	191:35:10	0:29:02
	SUSPICIOUS PERSON	0	132	253	385	2%	0:04:51	0:03:30	0:17:35	154:20:08	0:24:03
	SUSPICIOUS VEHICLE	0	42	116	158	1%	0:06:29	0:04:09	0:10:02	51:14:41	0:19:28
	TAMPERING WITH AUTO	0	1	2	3	0%	0:02:28	0:05:41	2:02:36	6:26:34	2:08:51
	THREATS	7	22	141	170	1%	0:08:49	0:06:41	0:27:43	109:06:59	0:40:10
	TRAFFIC HAZARD	0	54	73	127	1%	0:04:25	0:08:04	0:11:46	43:55:52	0:20:45
	TRAFFIC STOP	1	4335	35	4371	20%	0:00:02	0:04:27	0:10:36	779:49:21	0:10:42

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	TRESPASSING	0	6	13	19	0%	0:09:46	0:05:55	0:23:57	12:07:34	0:38:18
	VIOLATION OF PARK RULES	0	4	0	4	0%	0:00:01	0:00:00	0:00:59	0:03:59	0:01:00
	VIOLATION OF PUBLIC HEALTH COE	0	24	2	26	0%	0:00:09	0:02:41	1:21:10	35:18:53	1:21:30
	VIOLATION ROAD LAWS	0	159	14	173	1%	0:00:14	0:07:25	0:35:45	104:40:43	0:36:18
	WARRANT	56	46	118	220	1%	0:08:08	0:22:22	0:50:31	213:45:16	1:18:12
	WEAPONS	0	2	13	15	0%	0:03:52	0:03:23	0:42:49	11:55:47	0:47:43
	WIRES DOWN	0	2	6	8	0%	0:10:51	0:04:05	0:36:04	6:13:58	0:46:45
	Subtotals for No Summary Code	141	13555	7637	21333	100%	0:06:09	0:06:46	0:31:47	9168:16:39	0:40:49
	WARRANT	0	1	0	1	0%	0:00:00	0:00:00	2:51:23	2:51:23	2:51:23
	Subtotals for WAR	0	1	0	1	0%	0:00:00	0:00:00	2:51:23	2:51:23	2:51:23
	Subtotals for WYPD	141	13556	7637	21334	100%	0:06:09	0:06:46	0:33:01	9171:08:02	0:41:58

DRAFT

**CITY OF WYANDOTTE
FIRE COMMISSION MEETING**

The Fire Commission meeting was held in the 2nd Floor Training Room at Police Headquarters on Tuesday, November 27, 2012. Commissioner Melzer called the meeting to order at 6:37 p.m.

ROLL CALL:

Present:	Commissioner Harris Commissioner Melzer Chief Carley
Recording Secretary:	Lynne Matt
Absent:	Commissioner Noles

READING OF JOURNAL

Motioned by Commissioner Harris, supported by Commissioner Melzer to approve the minutes as recorded for the meeting held on October 23, 2012. Motion carried unanimously.

Motioned by Commissioner Harris, supported by Commissioner Melzer to approve the Special Meeting Minutes as recorded for the meeting that was held on November 16, 2012. Motion carried unanimously.

UNFINISHED BUSINESS

1. *Injury Update.* Chief Carley reported that there are no injuries to report.

COMMUNICATIONS

1. *"Thank You" letter from Oakwood Southshore*
Chief Carley reported Lt. Bartnicki and Sgt/E Moline received letter from hospital due to the handling of a critical care patient. Commissioner Harris motioned to receive and place on file, supported by Commissioner Melzer.
2. *Gratitude letter from Riverview Fire Department*
Commissioner Melzer motioned to receive and place on file, supported by Commissioner Harris.
3. *Christmas Parade "Chili Cookout" request*
Commissioner Melzer stated this event was already done and that they routinely approve so no action was taken.

DEPARTMENTAL

1. *Grievance 01-2012 – Step 2*
Special Meeting of November 16, 2012 was for this grievance so no action was taken.
2. *Wyandotte Fire Department Monthly Report “October 2012”*
Chief Carley reported that there were 200 calls for EMS services for the month of October, which 116 were transported. Rescue 771 did 105 and rescue 772 did 95. We received 3 mutual aids and provided 1 mutual aid. Fire incidents totaled 44, of which 4 were building fires with minor damage. We did give mutual aid to Riverview on a garage fire. Commissioner Harris motioned to receive and place on file report, supported by Commissioner Melzer.
3. *Department Bills submitted October 23, 2012 in the amount of \$7,330.98*
Department Bills submitted November 7, 2012 in the amount of \$2,736.33
Department Bills submitted November 20, 2012 in the amount of \$5,617.34
Commissioner Harris formally motioned to approve bills and accounts submitted as stated above, supported by Commissioner Melzer. Motion carried unanimously.
4. *Daily Reports*
Commissioner Melzer asked about hydrant inspections and how's it going. Chief Carley stated in November guys pump hydrant down then go back out in December and do again, that's when most complaints, if any, are forwarded to Water Department. Commissioner Harris motioned to receive and place on file daily reports, supported by Commissioner Melzer. Motion carried.

LATE ITEMS

Chief Carley requested permission to deliver Santa to VFW Post 1136 on Sunday, December 9, 2012, which we have been doing for years. Commissioner Melzer motioned to approve request, supported by Commissioner Harris. Motion carried.

Chief Carley stated tomorrow is the departments ISO Safety inspection.

Fire Commission Meeting
Page 3
November 27, 2012

ADJOURNMENT

No further business comes before the Commission, upon motion duly made and supported; the meeting adjourned at 6:47 p.m.

Respectfully submitted,

John C. Harris
Secretary

JCH/lm

CITY OF WYANDOTTE
SPECIAL FIRE COMMISSION MEETING

The Special Fire Commission meeting was held in the 2nd Floor Training Room at Police Headquarters on Friday, November 16, 2012. Commissioner Melzer called the meeting to order at 5:05 p.m.

ROLL CALL:

Present: Commissioner Harris
Commissioner Melzer
Commissioner Noles
Chief Carley

Also: Jeremy Moline, Vice President of IAFF Local 356

Absent Recording Secretary: Lynne Matt

DEPARTMENTAL

1. Grievance 01-2012 – Step 2
Chief Jeffery Carley read the Grievance as stated above for the record along with his letter identifying the sections of the Collective Bargaining Agreement. Open discussion followed from the Commissioners which they felt they had no power to overturn, its a matter between the City and Wyandotte Fire Fighters Local 356. Commissioner Noles motioned to deny grievance, supported by Commissioner Harris. Motion carried unanimously.

ADJOURNMENT

No further business comes before the Commission, upon motion duly made and supported; the meeting adjourned at 5:15 p.m.

Respectfully submitted,



John C. Harris
Secretary

JCH/lm

**CITY OF WYANDOTTE
FIRE COMMISSION MEETING**

The Fire Commission meeting was held in the 2nd Floor Training Room at Police Headquarters on Tuesday, October 23, 2012. Commissioner Melzer called the meeting to order at 6:48 p.m.

ROLL CALL:

Present: Commissioner Harris
Commissioner Melzer
Commissioner Noles
Chief Carley

Recording Secretary: Lynne Matt

READING OF JOURNAL

Motioned by Commissioner Harris, supported by Commissioner Noles to approve the minutes as recorded for the meeting held on October 9, 2012. Motion carried unanimously.

UNFINISHED BUSINESS

1. *Injury Update.* Chief Carley reported that there are no injuries to report.

COMMUNICATIONS

DEPARTMENTAL

1. *Department Bills submitted October 9, 2012 in the amount of \$5,667.78*
Commissioner Harris formally motioned to approve bills and accounts submitted as stated above, supported by Commissioner Noles. Motion carried unanimously.
2. *Daily Reports*
Commissioner Harris motioned to receive and place on file daily reports, supported by Commissioner Noles. Motion carried.
Commissioner Melzer stated that he noticed in last 2 weeks there has been a lot of tours/ community service done. Commissioner Melzer asked about HFWH "STEMI" drill which Chief Carley reported hospital is trying to become chest pain accreditation facility so the drill involved us electronically sending EKG 12 lead over then ambulance drove to hospital, with no lights or sirens, and our part ended there. Commissioner Harris stated that people in our community are so fortunate to have this service.

Fire Commission Meeting
Page 2
October 23, 2012

ADJOURNMENT

No further business comes before the Commission, upon motion duly made and supported; the meeting adjourned at 6:56 p.m.

Respectfully submitted,


John C. Harris
Secretary

JCH/lm

City of Wyandotte

Police Commission Meeting

Regular Commission Meeting
November 27, 2012

ROLL CALL

Present: Chief Dan Grant
Commissioner Doug Melzer
Commissioner John Harris

Absent: Commissioner Amy Noles (excused)

Others Present: Richard Miller

The meeting was called to order at the Wyandotte Police Department, 2015 Biddle Avenue, Wyandotte, Michigan by Chairperson, Commissioner Melzer at 6:02 p.m.

The Minutes from the regular Police Commission meeting on October 23, 2012 were presented.

Harris moved, Melzer seconded,
CARRIED, to approve the minutes of October 23, 2012 as presented.

UNFINISHED BUSINESS

NONE

COMMUNICATIONS

NONE

DEPARTMENTAL

1. Response to Citizen Questionnaire

Officer Kotkowski handled this case; it was a larceny from a gas station.

Melzer moved, Harris seconded,
CARRIED, to receive the citizen response and place on file.

2. Police Statistics – October 2012, Year to Date

Commissioner Harris inquired about the progress of being able to map the Wyandotte area depicting where certain types of crimes are taking place. Chief Grant said Southgate, who is

administrator of the system, is working on the mapping but does not have any definitive answers yet. There will be a software upgrade soon which may help the mapping effort.

In October 2012, the Department had 1,842 Total Events, 1,101 that were self-initiated and 732 calls for service from citizens. The total events, year to date, are over 21,000.

Nothing out of the ordinary is happening in our community.

The SMIA figures represent all calls, not just criminal events.

Resident Richard Miller, 1202 2nd, inquired whether car break-ins were a big problem. Chief Grant said there has been an increase due to people leaving their cars unlocked, especially with people warming their cars up in this cold weather and leaving them unattended during this period.

Harris moved, Melzer seconded,

CARRIED, to receive the October 2012 and year to date police statistics and place on file.

3. MICR Report – January – September 2011 / 2012

Chief Grant said some categories are definitely up, but others have gone down. We are keeping an eye on everything.

Commissioner Harris noted the criminal offenses for this time period have increased, 1,653 for 2011 vs. 1,829 for 2012.

Harris moved, Melzer seconded,

CARRIED, to receive the MICR Report, January – September 2011 / 2012 and place on file.

4. Policy Approval - Hiring Process for Police Officer

Chief Grant indicated this policy will give us something to follow while we go through the hiring process.

The Chief asked the Commissioners how they felt about mandating 62 hours of educational credit for an individual to be considered. The Commissioners think education is very important.

Chief Grant suggested we solicit applications first and then match potential candidates to the EMPCO website. By doing this, we will ensure that applicants are truly interested in working for the City of Wyandotte.

Commissioner Melzer inquired about military training and how it equated to academy training. Chief Grant said MCOLES is making changes to their requirements whereby a candidate may attend an academy for a shorter duration if they have prior military service.

Discussion took place regarding how military experience would apply towards 62 hours of college credit. Chief Grant will contact MCOLES to get appropriate wording to add to the policy that would cover this issue.

Commissioner Melzer asked if new hires were actually placed on a 12 month probationary period. He thought this was a long time. Chief Grant indicated the 12 month probationary period is included in the patrol contract.

Melzer moved, Harris seconded,

CARRIED, to place the "Hiring Process for Police Officer" policy on file and wait for updates from the Chief per his contact with MCOLES to include additional language.

5. Handicap Parking Signs – 1605 16th St.

Officer Zalewski reviewed the application and confirmed the applicant met the requirements.

Harris moved, Melzer seconded,

CARRIED, to approve the placement of Handicap Parking Signs at 1605 16th Street.

6. No Left Turn Signs – 13th at Goddard

Residents in the area complained about traffic tie ups near the school both at the beginning and ending times of the school day. Chief Grant said the Department did an accident analysis in that area, but the volume of accidents did not justify putting up a traffic light. Upon review of the entire situation, the Traffic Department determined “No Left Turn” signs enforceable during specific time periods in the morning and afternoon would be more than sufficient to address the traffic tie ups during the school year.

Chief Grant said the signs would be put in place, followed by a “warning” period of several weeks, followed by actual enforcement and the issuing of tickets for not adhering to the “No Left Turn” signs.

Harris moved, Melzer seconded,

CARRIED, to place “No Left Turn” signs on 13th Street at Goddard and on the newly constructed Harrison Bridge at Goddard.

7. Bills and Accounts – November 13, 2012, \$15,291.46, November 27, 2012, \$8,320.65

Harris moved, Melzer seconded,

CARRIED, to approve payment of the November 13, 2012, \$15,291.46, and November 27, 2012, \$8,320.65 bills.

NEW BUSINESS

1. Thank You Letter from Gordy Memorial, Church of God In Christ

Chief Grant received a nice thank you letter from Pastor Grandberry. He thanked the Chief and Department for the assistance they gave church participants, enabling them to access Portofino restaurant for a church event held at the same time Wyandotte’s annual Thanksgiving parade was being held.

2. Department Phone Tree

Chief Grant shared a copies of the language and options used in the current phone tree and a new proposed phone tree. He asked the Commissioners for their input at the next Police Commission meeting.

3. Missing Weapon

Commissioner Melzer asked how the investigation regarding the missing weapon was progressing. Chief Grant said he would be conducting a final meeting with the Officer Wednesday and would report back at the next Commission meeting.

Mr. Miller asked about the status of the DPS break in during October. Chief Grant said the Police Department has finished its investigation. The person in question has obtained an attorney and DPS is following up accordingly.

ADJOURNMENT

Since there was no further business to come before the commission, there was a motion to adjourn the meeting at 6:34 p.m.

Harris moved, Melzer seconded,
CARRIED, to adjourn meeting at 6:34 p.m.

Laura Christensen
Administrative Assistant
Wyandotte Police Department



DRAFT

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, November 15, 2012, Meeting
MINUTES AS RECORDED

The meeting was called to order by Vice-Chairperson Donald Schultz at 6:30 p.m.

COMMISSIONERS PRESENT: Duran, Eberts, Hovis, Lupo, Parker, Schultz, Tavernier

COMMISSIONERS EXCUSED: Adamczyk, Krimmel

ALSO PRESENT: Charles Leman
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

1. MOTION by Commissioner Tavernier, supported by Commissioner Hovis to receive and place on file all communications. MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Hovis to approve the minutes of the Regular Meeting of October 18, 2012. MOTION PASSED.

OLD BUSINESS:

None

NEW BUSINESS:

1. **Public Hearing** - Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use: Notes to Section 2100. This proposed change is as follows:

Section 2100 (m) A front yard of five (5) feet and a minimum of ten (10) feet for buildings adjacent to a street right of way.

Section 2100 (n) Side yards may be omitted if walls abutting a side yard are of fireproof construction and the building is not adjacent to a street right-of-way.

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Parker that the Commission concurs with the recommendation of the changes to the City of Wyandotte Zoning Ordinance entitled Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use: Notes to Section 2100 and refers same to the City Council.

YES: Duran, Eberts, Hovis, Lupo, Parker, Schultz, Tavernier

NO: None

ABSENT: Adamczyk, Krimmel

MOTION PASSED

2. **Public Hearing:** - Request from MJC Labadie Park, LLC, (Owner and Developer) to amend the approved PD Plan for the project known as Labadie Park. The Developer is requesting to change a six (6) unit building located on 2nd Street between Labadie Street and St. Johns to a four (4) unit building. The Developer is further requesting approval on landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

MOTION BY COMMISSIONER SCHULTZ, Supported by Commissioner Duran

WHEREAS, the Planning Commission has received a recommendation from the City Engineer regarding the proposed changes to the previously approved PD Site Plan for the project known as Labadie Park, LLC dated October 25, 2012, wherein the Applicant is amending the Plan to remove a six (6) unit building and changing it to a four (4) unit building and landscaping along 3rd Street and Labadie; AND

NOW THEREFORE, BE IT RESOLVED that the Planning Commission concurs with the changes to the Plan and hereby approves the revised plans submitted by MJC Labadie Park which including the following plans:

Sheet A-6 dated 9/20/08 revised 4/04/09 regarding the 4 unit building
Preliminary Site Plan revised 10/11/12

YES: Duran, Eberts, Hovis, Lupo, Parker, Schultz, Tavernier

NO: None

ABSENT: Adamczyk, Krimmel

MOTION PASSED

City of St. Louis
Department of Planning
1100
Labadie Street
St. Louis, MO 63103

PERSONS IN THE AUDIENCE:

No persons in audience.

SPECIAL ORDER:

None

City of St. Louis
Department of Planning
1100
Labadie Street
St. Louis, MO 63103

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Parker to:
Pay Beckett & Raeder for Planning Consultant fee for November in the amount of \$700.00
Hours for Secretarial Services: 10/08/12-10/31/12 13 Total Hours

YES: Duran, Eberts, Hovis, Lupo, Parker, Schultz, Tavernier

NO: None

ABSENT: Adamczyk, Krimmel

MOTION PASSED

City of St. Louis
Department of Planning
1100
Labadie Street
St. Louis, MO 63103

MOTION TO ADJOURN:

MOTION BY COMMISSIONER HOVIS, supported by Commissioner Eberts to adjourn the meeting at 7:00 p.m.

PUBLIC HEARING - Request from the City of Wyandotte to consider changes to the City of Wyandotte's Zoning Ordinance Article XXI Schedule of Regulations - Section 2100 Limiting Height, Bulk, Density and Area by Land Use: Notes to Section 2100

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Mr. Leman clarified which districts these changes would apply to O-S, B-1, B-2 and I-1.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

Public Hearing: - Request from MJC Labadie Park, LLC, (Owner and Developer) to amend the approved PD Plan for the project known as Labadie Park. The Developer is requesting to change a six (6) unit building located on 2nd Street between Labadie Street and St. Johns to a four (4) unit building. The Developer is further requesting approval on landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

Vice-Chairperson Schultz opened the Public Hearing and asked if there was anyone present who wished to speak at this public hearing.

Russ LoDuca, present.

Mr. LoDuca indicated that it was not possible to construct a six (6) unit building due to the electrical supply line between the buildings. Mr. LoDuca submitted a letter from Wyandotte Municipal Service indicating the six (6) unit building would extend into the utility easement adjacent to the building.

Vice-Chairperson Schultz asked if they built a six (6) unit building would they have to relocate the underground electrical.

Vice-Chairperson Schultz indicated that a communication was received from the City Engineer and read said communication into the file.

Mr. LoDuca indicated that you would have to relocate the underground electrical.

Mr. LoDuca further indicated that one (1) of the units has been presold.

Vice-Chairperson Schultz asked if there was anyone else present who wished to speak.

There being none, the public hearing was closed.

No communications were received regarding this hearing.

Municipal Service Commission
Gerald P. Cole
Frederick C. DeLisle
Leslie Lupo
James Figurski
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

May 1, 2012

Anthony Lo Duca
Project Manager - MJC Companies
46600 Romeo Plank
Macomb Tsp., Mi 48044

Subject: Labadie Development

Dear Mr. Lo Duca:

According to the drawing provided for the proposed 6 unit condominium project on the east side of the Labadie Development, the proposed building extends into the existing utility easement and over an existing pad mounted transformer location. The same easement is also the pathway for the electric, phone, and CATV primary feed conduits that supply the needs for the entire Labadie Development area. These utilities cannot be moved without disrupting service to the existing customers that have been established in the area for an extended period of time. Therefore the request to move the utilities is respectfully denied. If you have any other questions or concerns, please do not hesitate to contact me.

Respectfully,

Rod Lesko
Superintendent of Transmission & Distribution
Wyandotte Municipal Services
3005 Biddle Ave
Wyandotte, MI. 48192

Cc: Melanie McCoy, General Manager
Charlene Hudson, Electrical Engineer

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 24, 2012

Elizabeth Krimmel, Chairperson
Planning Commission
City of Wyandotte
3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Amended Site Plan
For Labadie Park
St. Johns to Bennett and 2nd to 3rd Street

Dear Mrs. Krimmel:

The Developer, MJC Labadie LLC, as requested to amend the approved plan for the project known as Labadie Park as follows:

1. Changing a six (6) unit building into a four (4) unit building located on 2nd Street between Labadie Street and St. Johns.
2. Landscaping in the City Right-of-Way adjacent to Labadie Street and 3rd Street.

The Engineering and Building Department has performed a review of the Site Plan as submitted by MJC Labadie Park LLC and has no objection to said changes.

Very truly yours,

A handwritten signature in black ink that reads "Mark A. Kowalewski".

Mark A. Kowalewski
City Engineer

MAK:kr

cc: Anthony LoDuca, MJC Labadie Park LLC