

Wyandotte, Michigan January 7, 2013

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

ROLL CALL

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

Absent: Councilperson Browning

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #1

ITEM: Third Party Invoice and Collection Services (EMS) – AccuMed Billing, Inc.

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The City provides emergency medical service (EMS) and other emergency rescue services via the Fire Department. The City is allowed to bill the users of this service. Accumed Billing, Inc has performed the duties associated with the invoicing and collection for these services since 1992. The Initial Term of the previous Billing Service Agreement expired on December 1, 2012, and the City desires to enter into a new agreement with Accumed. The new agreement will have an initial term of five (5) years and includes a reduction (2.0%) in the percentage paid to the billing agency for billable non-EMS services as well as hardware upgrades as outlined in the Accumedweb.com Subscription Agreement which is also attached. Otherwise, the terms of the new agreement are substantially the same as the previous agreement. The Fire Chief is in concurrence with this recommendation.

STRATEGIC PLAN/GOALS: To excel financially and to be financially responsible.

ACTION REQUESTED: Authorize the Mayor and City Clerk to sign the Billing Service Agreement and Accumedweb.com Subscription Agreement with Accumed Billing, Inc, as outlined in the resolution.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: A slight reduction (< than \$300) in fees paid for collection of non-emergency medical services provided by the Fire Department will be realized. Currently, the budget for all services provided by Accumed is \$43,000 (101-200-825-395). The City will also receive approximately \$6,000 in computer hardware (laptops).

IMPLEMENTATION PLAN: Current practices will continue to be followed.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: Approved as to form (see attached)

MAYORS'S RECOMMENDATION: Concur

LIST OF ATTACHMENTS

1. Billing Service Agreement - AccuMed Billing, Inc.
2. Accumedweb.com Subscription Agreement

MODEL RESOLUTION:

Resolved by the City Council that Council hereby Concurs in the recommendation of the City Administrator to renew the contract with AccuMed Billing, Inc., to perform invoice and collection duties associated with the City's Emergency Medical Services and Fire Services and

Further, authorizes the Mayor and City Clerk to sign the Billing Service Agreement and Accumedweb.com Subscription Agreement.

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #2

ITEM: 457 Plan Provider – Morgan Stanley

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: The City provides our employees the opportunity to save for retirement on a pre-tax basis through a deferred compensation plan established in accordance with IRS Section 457. This plan is the government version of a 401k plan (available to private sector employees) and 403b plans (available to employees of non-profit organizations). The City has historically used Nationwide Retirement Solutions (NRS), who was endorsed by the United States Conference of Mayors (USCM), as the administrator of this program. The City was recently notified that the USCM has changed affiliation from NRS to Great-West Financial. At this time, the City conducted a review of the fees charged to the participants (employees/retirees) of this plan and noted the following (on average):

Nationwide Retirement Solutions — total fees/expenses 2.11% - 2.46%

Great-West Financial - .93%. Additional fees for investment advice (.35%-.65%) and for guaranteed fund option (.70%-1.50%)

The high cost primarily relates to the continued existence of unnecessary variable annuity features that are "wrapped" on the underlying investment options. Thus, the City searched for an alternative provider with personalized investment advice, lower fees, and an open architecture so that the City can select the investment options available to the employees. The City contacted Morgan Stanley, who currently manages City assets in the Retiree Health Care Trust, to determine if we could achieve the aforementioned goals. Morgan Stanley identified plan providers who could meet our objectives and, after interviewing two (2) finalists, the City has selected Mass Mutual as the provider. The fees charged to the participants will be .84% and are inclusive of investment advice and administration.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve the addition of Morgan Stanley as a 457 Plan provider for the City and eliminate Nationwide Retirement Solutions.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The cost of the 457 Plan is borne by the participants. Thus, the financial impact is zero. Participants (employees and retirees) will see a reduction of at least 1.27% of plan assets annually from the current plan provider.

IMPLEMENTATION PLAN: The City Administrator will work with Morgan Stanley to implement the changes with an effective date of March 31, 2013.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: concur

LIST OF ATTACHMENTS: N/A

MODEL RESOLUTION:

Resolved by the City Council that Council concurs with the recommendation of the City Administrator relative to the addition of Morgan Stanley/Mass Mutual and elimination of Nationwide Retirement Solutions as 457 Plan providers for the City and

Further, authorizes the City Administrator to sign the necessary documents to execute this change.

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #3

ITEM: Resolution Authorizing the Tire Derived Fuel (TDF) Purchase Agreement as Recommended by WMS Management

PRESENTER: Rod Lesko, Wyandotte Municipal Services, Acting General Manager

INDIVIDUALS IN ATTENDANCE: Melanie McCoy, Wyandotte Municipal Services, General Manager, Paul LaManes, Wyandotte Municipal Services, Assistant GM

BACKGROUND: Boiler #8 is designed and permitted to burn coal and tire derived fuel (TDF). Silver Lining Tire Recycling, located in Wyandotte, MI has consistently been the most reliable and lowest cost provider of TDF since the early 2000's and has offered to provide the TDF at a flat rate through December 31, 2015 of \$32.00/ton.

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

ACTION REQUESTED: Adopt the resolution authorizing the Tire Derived Fuel Purchase Agreement.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The quantity and cost of TDF is consistent with the Power Supply Business Plan and 2013 budget.

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to Silver Lining Tire Recycling.

COMMISSION RECOMMENDATION: Approved

FINANCE DIRECTOR'S RECOMMENDATION: Approved

LEGAL COUNSEL'S RECOMMENDATION: Approved

MAYOR'S RECOMMENDATION: Approved

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

A Resolution authorizing the Tire Derived Fuel Purchase Agreement with Silver Lining Recycling, Inc.

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #4

ITEM: Sale Agreement for NSP2 Homes – 136 Mulberry, 140 Mulberry, 2320 8th Street and 2456 8th Street

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: Constructed new homes with NSP2 Funds. Council approved listing price of homes on December 10, 2012. Placed in MLS on December 11, 2012, and held Lottery Drawing on January 2, 2013. The City received offers on all properties. The following are the offers that were selected in the Lottery Drawing:

136 Mulberry — Sandra Dybus, 563 Vinewood, Wyandotte, Michigan in the amount of \$113,000.00 was selected in the Lottery Drawing. Ms. Dybus is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of 549,000.00 (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. The final mortgage amount is in the amount of \$64,000.00.

140 Mulberry — Timothy Baggett, 24411 Cambridge Street, Woodhaven, Michigan in the amount of \$120,000.00 was selected in the Lottery Drawing. Mr. Baggett is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$21,000.00 (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 \$99,000.00.

2320 8th Street — Edna Mudd, 28522 Spruce Drive, Flat Rock, Michigan in the amount of \$130,000.00 was selected in the Lottery Drawing. Ms. Mudd is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$70,000.00 (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. The final mortgage amount is \$60,000.00.

2456 8th Street — Joseph Gillett, 14450 Flanders, Southgate, Michigan in the amount of \$130,000.00 was selected in the Lottery Drawing. Mr. Gillett is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$58,000.00 (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. The final mortgage amount is \$72,000.00.

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 136 Mulberry, 140 Mulberry, 821 Ash, 2320 8th Street, 2456 8th Street.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on properties.

COMMISSION ECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: Approve

LIST OF ATTACHMENTS: Sales Agreements

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #5

ITEM: Annual Permit for Michigan Department of Transportation for Miscellaneous Operations and other Permits with Free Access State Truckline Right of Way

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: The City is required to apply annually for a permit from Michigan Department of Transportation (MDOT) for activities in the State Right-of-Way. Also, the Council is required to designate positions that are authorized to sign said permit. The resolution will authorize the City Engineer, General Manager of Municipal Service and the Police Chief as authorized to apply to the State for necessary permit to work within the State Highway Right-of-Way.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: Approve submission of annual permit and authorize the City Engineer, General Manager of Municipal Service and the Police Chief as the position authorized to apply.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Forward adopted Resolution to MDOT

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION: Reviewed by TAD

LEGAL COUNSEL'S RECOMMENDATION: Reviewed by BL

MAYOR'S RECOMMENDATION: Approved

LIST OF ATTACHMENTS: Resolution

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: January 7, 2013

AGENDA ITEM #6

ITEM: Annual Permit for Maintenance, Pavement Restoration and Special Events performed in the Wayne County Right of Way.

PRESENTER: Mark A. Kowalewski, City Engineer

BACKGROUND: The City is required to apply annually for a permit from Wayne County for the following activities in the County Right-of-Way:

1. Sanitary sewer inspection, repair, and routine maintenance.
2. Water main inspection, repair, routine maintenance and installation of residential and commercial water service connections.
3. Application of dust palliatives.
4. Repair and replacement of existing sidewalks.
5. Perform street sweeping operations during daylight hours only.
6. Replace and repair pavement cuts due to utility repairs.
7. Temporarily close a county road for a reasonable length of time for a parade, marathon, festival or similar activity
8. Use a county road as a detour of traffic around such activity taking place on a non-county road
9. Place a temporary banner with in the county right-of-way

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: Approve submission of annual permit and authorize the City Engineer as the position authorized to apply.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Adopt Resolution and update Zoning Ordinance

COMMISSION RECOMMENDATION: Approved by the Planning Commission December 20, 2012.

CITY ADMINISTRATOR'S RECOMMENDATION: concur T. Drysdale

LEGAL COUNSEL'S RECOMMENDATION: Ordinance prepared by City Attorney

MAYOR'S RECOMMENDATION: concur JRP

LIST OF ATTACHMENTS: Minutes from Planning Commission meeting on December 20, 2012

REPORTS AND MINUTES

| | |
|--|-------------------|
| Financial Services Daily Cash Receipts | \$123,233.33 |
| Retirement Commission Meeting | December 19, 2012 |
| Wyandotte Cultural & Historical Commission | December 13, 2012 |
| Wyandotte Recreation Commission | December 11, 2012 |
| Municipal Service Commission | December 13, 2012 |
| Municipal Service Commission | December 11, 2012 |
| Planning Commission Meeting | December 20, 2012 |

CITIZENS PARTICIPATION:

None

RECESS

RECONVENING

ROLL CALL

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

Absent: Councilperson Browning

HEARING

A HEARING RELATIVE TO THE PROPOSED
VACATION OF AN ALLEY IN THE CITY OF WYANDOTTE
(EAST/WEST TWENTY (20) foot PUBLIC ALLEY
EAST-WEST ALLEY WEST OF SIXTH STREET SOUTH OF VINEWOOD

FIRST READING OF AN ORDINANCE

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

RESOLUTIONS

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri 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 Fricke
Supported by Councilperson James DeSana
ROLL ATTACHED

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Administrator to renew the contract with AccuMed Billing, Inc., to perform invoice and collection duties associated with the City's Emergency Medical Services and Fire Services and further, authorizes the Mayor and City Clerk to sign the Billing Service Agreement and Accumedweb.com Subscription Agreement.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri Fricke
Supported by Councilperson James DeSana
YEAS: Councilmembers DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Administrator relative to the addition of Morgan Stanley/Mass Mutual and elimination of Nationwide Retirement Solutions as 457 Plan providers for the City and further, authorizes the Mayor and City Clerk to sign the necessary documents to execute this change.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri Fricke
Supported by Councilperson James DeSana
YEAS: Councilmembers DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the Wyandotte Municipal Service Commission and the WMS Management and hereby authorizes the execution of the Tire Derived Fuel Purchase Agreement with Silver Lining Recycling Inc.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri Fricke
Supported by Councilperson James DeSana
YEAS: Councilmembers DeSana, Fricke, Galeski, Sabuda, Stec
NAYS: None

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri 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 130 Mulberry, 140 Mulberry, 2320 8111 Street and 2456 8th Street; AND hereby accepts the following offers:

136 Mulberry - Sandra Dybus, 563 Vinewood, Wyandotte, Michigan in the amount of \$113,000.00 was selected in the Lottery Drawing. Ms. Dybus is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$49,000.00 (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. The final mortgage amount is in the amount of \$64,000.00.

140 Mulberry - Timothy Baggett, 24411 Cambridge Street, Woodhaven, Michigan in the amount of \$120,000.00 was selected in the Lottery Drawing. Mr. Baggett is 120% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$21,000.00 (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 \$99,000.00.

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BE IT FURTHER RESOLVED that the offers for 136 Mulberry, 140 Mulberry, 2320 8th Street and 2456 8th Street are contingent upon buyers receiving approval from the Michigan State Housing Development Authority (MSHDA); 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

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

Michigan Department
Of Transportation
2207B (10/11)

PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way," or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way,"

RESOLVED WHEREAS, the City of Wyandotte

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations; within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

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

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

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

| Name | and/or | Title |
|--------------------|--------|-------------------------------------|
| Mark A. Kowalewski | | City Engineer - City of Wyandotte |
| Melanie McCoy | | General Manager – Municipal Service |
| Daniel Grant | | Police Chief - City of Wyandotte |

I hereby certify that the foregoing is a true copy of a resolution adopted by the Wyandotte City Council of the City of Wyandotte of Wayne County at a regular meeting held on the 7th day of January, 2013 A.D.

William R. Griggs, City Clerk

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

RESOLUTION AUTHORIZING EXECUTION OF ANNUAL MAINTENANCE PERMITS

RESOLUTION DATED: January 7, 2013

At a Regular Meeting of the City of Wyandotte, City Council on January 7, 2013 the following resolution was offered:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| Name | and/or | Title |
|--------------------|--------|---------------|
| Mark A. Kowalewski | | City Engineer |

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

MEMBERS ABSENT: Councilperson Browning

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte, County of Wayne, Michigan on the 7th day of January, 2013.

William R. Griggs, City Clerk

RESOLUTION AUTHORIZING EXECUTION
OF ANNUAL SPECIAL EVENTS PERMITS

RESOLUTION DATED: January 7, 2013

At a Regular Meeting of the City of Wyandotte, City Council on January 7, 2013 the following resolution was offered:

WHEREAS, the City of Wyandotte (hereinafter the "Community") requests an annual permit from the County of Wayne Department of Public Services, Engineering division Permit Office (hereinafter the "County") to temporarily close a County road for a parade, event, celebration, block party or similar activity, or, to erect a banner within the County road right-of-way, and the County road or road-right-of-way is located entirely within the boundaries of the Community;

WHEREAS, pursuant to Act 200 of 1969, being MCL 247.323 et seq, the County permits and regulates such activities, banners and related temporary road closures;

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

It will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees;

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

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

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

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

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

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

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

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

| Name | and/or | Title |
|--------------------|--------|---------------|
| Mark A. Kowalewski | | City Engineer |
| Daniel Grant | | Police Chief |

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

MEMBERS ABSENT: Councilperson Browning

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte, County of Wayne, Michigan on the 7th day of January, 2013.

William R. Griggs, City Clerk

**RESOLUTION AUTHORIZING EXECUTION
OF ANNUAL PAVEMENT RESTORATION PERMIT**

RESOLUTION DATED: January 7, 2013

At a Regular Meeting of the City of Wyandotte, City Council on January 7, 2013 the following resolution was offered:

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

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

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

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

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

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

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

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

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

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

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

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

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

| | | |
|--------------------|--------|---------------|
| Name | and/or | Title |
| Mark A. Kowalewski | | City Engineer |

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Sheri Fricke
 Supported by Councilperson James DeSana
 YEAS: Councilpersons DeSana, Fricke, Galeski, Sabuda, Stec
 NAYS: None
 MEMBERS ABSENT: Councilperson Browning

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wyandotte, County of Wayne, Michigan on the 7th day of January, 2013.

William R. Griggs, City Clerk

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that Council CONCURS with the City Engineer and hereby authorizes the City Clerk to set a public hearing for January 28, 2013 to hear public comments on the proposed distribution of Community Development Block Grant monies.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the communication from the Planning Commission dated January 7, 2013, 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 Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE

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

The 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

The vacated alley area will be redivided among the two adjoining property owners. The property at 639 Vinewood (Lot 47) will deed to the City of Wyandotte the west 15.67 feet of the 35 feet portion of the vacated alley. The City of Wyandotte, Vinewood Village Condominium, will deed to the property owner at 639 Vinewood the east 15.67 feet of the 31.34 feet portion of the vacated alley.

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

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

BE IT RESOLVED that the above described alley shall be and the same is hereby declared VACATED as a public alley, reserving to the City of Wyandotte, a Municipal Corporation of the State of Michigan, its successors and assigns forever and in perpetuity from the date hereof, an easement on, over, under, across, and within the twenty (20) foot right-of-way of the above described alley for the purpose of constructing, operating, maintaining and repairing existing and future public utilities, sewers and drains, and that said City of Wyandotte, its contractors, employees, agents successors, assigns and lessees shall at all times have free ingress to and egress from said alley right-of-way, to construct, operate, maintain and repair said existing and future utility lines of every nature, and sewers and drains.

BE IT FURTHER RESOLVED that there is hereby reserved to the Ameritech, its successors and assigns, an easement on, over, under, across and within said twenty (20) foot wide right-of-way for the purpose of constructing, erecting, operating, maintaining, and repairing its existing and future telephone communication system consisting of poles, lines, wires, cables and apparatus; and that said Ameritech, its contractors, employees, agents, successors and assigns shall at all times have full ingress to and egress from said twenty (20) foot wide right-of-way for said purpose.

BE IT FURTHER RESOLVED that no structures, or any article or thing whatsoever shall be constructed or maintained on, over, under, across, or within the twenty (20) foot right-of-way of the above described alley except the erection of fences by the abutting property owners.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

ABSENT: Councilperson Browning

Wyandotte, Michigan January 7, 2013

RESOLUTION by Councilperson Sheri Fricke

RESOLVED by the City Council that the total bills and accounts in the amount of \$2,061,742.44 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Sheri Fricke

Supported by Councilperson James DeSana

That we adjourn.

Carried unanimously

Adjourned at 7:32 PM

January 7, 2013

William R. Griggs, City Clerk