

AGENDA FOR THE COMMITTEE OF THE WHOLE AND REGULAR SESSION  
MONDAY, MAY 20 , 2013 , 7: 00 PM  
PRESIDING: THE HONORABLE JOSEPH R. PETERSON, MAYOR  
CHAIRPERSON OF THE EVENING: THE HONORABLE SHERI M. FRICKE

ROLL CALL: FRICKE, GALESKI, MICIURA, SABUDA, SCHULTZ, STEC

PRESENTATIONS:

INTRODUCTION OF  
DENISE BROOKS-WILLIAMS, PRESIDENT & CEO  
OF HENRY FORD WYANDOTTE HOSPITAL

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PRESENTATION OF CORPORATE SPONSORSHIPS TO THE  
POWER OF PRODUCE  
WYANDOTTE FARMERS MARKET  
BY DALY MERRITT INSURANCE AND HENRY FORD  
WYANDOTTE HOSPITAL

COMMUNICATIONS MISCELLANEOUS:

1. Communication from Richard and Amy Nagy and the City Engineer regarding a creation of a special assessment to correct a city code violation.
2. Communication from Rose Bosman DeSana requesting to close the south half of the north-south alley east of 15th Street between Spruce and Cedar on June 23, 2013 from 9:00 a.m. to 9:00 p.m.
3. Communication from Jessica Pinson requesting to plant a tree in memory of a loved one within the City of Wyandotte.
4. Communication from Amy Noles submitting her resignation from the Police and Fire Commission.

5. Communication from the Wyandotte Boat Club thanking the City for their cooperation with the Hebda Cup and Wyandotte High Schools Regatta.

6. Communication from Patrick & Patricia Mastrogiacomo relative to the purchase of a vacant lot within the City of Wyandotte.

7. Communication from Lewis Rowe , Oppenheimer & Company Inc. relative to heavy truck traffic on Biddle Avenue.

#### PERSONS IN THE AUDIENCE

#### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS:

8. Communication from Mayor Peterson setting forth various re-appointments to the Zoning Board of Appeals and Adjustments.

9. Communication from Mayor Peterson regarding support for the T.I.G.E.R. Grant (Allen Road, Woodhaven).

10. Communication from Judge Kalmbach relative to his appointment of a new Probation Director of the 27th District Court.

11. Communication from Councilman Donald C. Schultz submitting his resignation from the Planning Commission.

12. Communication from Paul LaManes-Assistant General Manager of Municipal Service relative to Municipal Services-Quarter Ending 3/31/2013 Financial Results.

13. Communication from the Downtown Development Director regarding the Downtown Bike Rack Design Competition.

14. Communication from the Downtown Development Director relative to the Market signage for the Wyandotte Farmers Market.

15. Communication from the City Assessor and City Administrator regarding Downriver Consolidated Assessing.

16. Communication from the City Administrator regarding EVIP Category 3 - Compensation

17. Communication from the Superintendent of Recreation submitting a rental contract for the use of the Yack Arena.

18. Communication from the Special Events Coordinator regarding the RHS Track and Field Event to be held on May 25, 2013.

19. Communication from the Special Events Coordinator relative to the 52nd Annual Wyandotte Street Art Fair to be held on July 10 through July 13, 2013.

20. Communication from the Special Event Coordinator submitting a contract for services for the Wyandotte Street Art Fair.

21. Communication from the Special Event Coordinator submitting a contract for the Animal Oasis mobile Zoo during the Wyandotte Street Art Fair.

22. Communication from the City Engineer relative to the Neighborhood Stabilization Homes (NSP2) Sales Price.

23. Communication from the City Engineer regarding the sale of the part of the former 704-6th Street.

24. Communication from the City Engineer submitting a procedure for the planting of trees on city-owned property between the sidewalk and curb.

25. Communication from the City Engineer relative to Title VI Non-Discrimination Plan.

26. Communication from the City Engineer and Downtown Development Director regarding the sale of the Old City Hall, 3131 Biddle Avenue, Wyandotte.

27. Communication from the City Engineer regarding an encroachment on city-owned property .

28. Communication from the City Engineer relative to the release of a purchase agreement for property within the City of Wyandotte.

29. Communication from the City Engineer submitting a sale agreement for property within the City of Wyandotte.

30. Communication from the City Engineer relative to a Leave of Absence request of an employee.

CITIZENS PARTICIPATION:

HEARINGS:

HEARING RELATIVE TO SAD # 935  
SIDEWALK PROGRAM WITHIN THE  
CITY OF WYANDOTTE, MICHIGAN  
EUREKA TO GROVE-RIVER TO 6TH STREET  
3RD STREET TO SOUTH SIDE OAK TO EUREKA  
AND GODDARD TO FORD AVENUE-ELECTRIC TO FORT STREET

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HEARING RELATIVE TO  
COMMERICAL REDEVELOPMENT DISTRICT  
3061-3063 BIDDLE AVENUE  
WYANDOTTE, MICHIGAN

FIRST READING OF AN ORDINANCE:

AN ORDINANCE DETERMINING THE SALARY  
FOR THE CITY OF WYANDOTTE  
CITY ENGINEER

AUTOMATIC REFERRALS:

1. Polish Army Veterans Post 95 requesting permission to sell blue poppies in the City of Wyandotte on June 7 and 8th and June, 12, 13 and 14, 2013 to benefit handicapped and needy veterans. PERMISSION GRANTED, provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs. (copies to Police and Fire).

2. Communication from the Mosleum Shriners requesting to solicit funds in the City of Wyandotte on June 6th and 7th and 8th 2013 to benefit orthopedic and burn needs of children. PERMISSION GRANTED, provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs, (copies to Police and Fire).

REPORTS AND MINUTES:

Financial Services Daily Cash Receipts	April 30, 2013	\$139,047.91
Financial Services Daily Cash Receipts	May 3-May 15, 2013	\$435,335.85
Municipal Service Commission	April 30, 2013	
Cultural & Historical Commission	April 11, 2013	
Beautification Commission	April 10, 2013	
Building code board of Appeals	May 13, 2013	
Police Commission Meeting	March 26, 2013	
Downtown Development Authority	April 9, 2013	
Recreation Commission	May 14, 2013	
Fire Commission Meeting	May 14, 2013	
Fire Commission Meeting	March 26, 2013	
Zoning Board of Appeals & Adjustment	May 1, 2013	

# PRESENTATION

## OFFICIALS

Thomas R. Woodruff  
CITY ASSESSOR

William R. Griggs  
CITY CLERK

Todd M. Browning  
TREASURER



## COUNCIL

Sheri M. Sutherby-Fricke  
Daniel E. Galeski  
Ted Miciura, Jr.  
Leonard T. Sabuda  
Donald C. Schultz  
Lawrence S. Stec

Joseph R. Peterson  
MAYOR

DATE: May 14, 2013

TO: William R. Griggs  
City Clerk

FROM: Rosanne Flachsmann  
Office of the Mayor & City Council

SUBJECT: PRESENTATION AT 5-20-13 COUNCIL MEETING

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**Monday, May 20, 2013**

Introduction of  
Denise Brooks-Williams, President & CEO  
Henry Ford Wyandotte Hospital

Please place this item at beginning of the agenda as you have so kindly done in the past. Feel free to contact me at X4544 if you have any questions. Thank you.

# PRESENTATION

## CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION

MEETING DATE: May 20th, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** The Power of Produce, Wyandotte Farmers Market

**PRESENTER:** Natalie Rankine, Downtown Development Authority

**INDIVIDUALS IN ATTENDANCE:** Natalie Rankine

**BACKGROUND:** The Wyandotte Farmers Market will be implementing the Power of Produce program to provide tokens for kids each week to purchase fresh produce at the market. When kids participate in the Power of Produce program they are empowered to choose fruits and vegetables they want to eat. Program dollars are spent *only* when children exercise their purchasing power. The Tokens are only redeemable at the Wyandotte Farmers Market and can only be used to purchase unprocessed produce. The Market is currently seeking both corporate and individual sponsorship for this program and we are thankful that Daly Merritt Insurance and Henry Ford Wyandotte Hospital have each pledged \$1000.00 sponsorships to the program for 2013.

**STRATEGIC PLAN/GOALS:** Designing and developing a city-owned and operated year-round Farmers Market in the area surrounding the site of the old Wyandotte Theatre to generate activity and city revenue.

**ACTION REQUESTED:** Receive and place on file.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** Downtown Development Authority Director will oversee program and implementation with Market Manager.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *ok [signature]*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *[signature]*

**LIST OF ATTACHMENTS:** Power of Produce program and sponsorship form.

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: May 20<sup>th</sup>, 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council concurs with the Downtown Development Authority in the following resolution:

A Resolution to receive and place on file the information relative to The Power of Produce program to encourage Wyandotte children in the purchase of fresh produce at the Farmers Market.

I move the adoption of the foregoing resolution.

MOTION by

Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

DeSana

Fricke

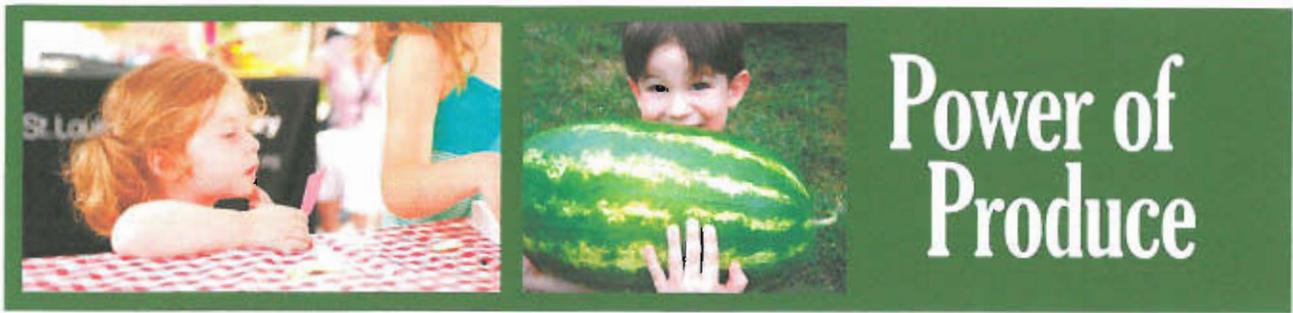
Galeski

Miciura

Sabuda

Schultz

Stec



When kids participate in the **Power of Produce** program they are empowered to choose fruits and vegetables they want to eat. Program dollars are spent *only* when children exercise their purchasing power.

How the program works:

Children (ages 5 years –12 years) register with the Farmers Market. Registering kids helps the Market track their shopping and spending habits.

registration form

Each time a child visits the market he/she can stop by the Market Manager's booth and receive tokens to spend at the market. The Tokens are only redeemable at the Wyandotte Farmers Market and can only be used to purchase unprocessed produce.



2-sided program token

Market vendors accept the tokens as payment and are eager to discuss produce with their young customers.

At the end of the market day the market's vendors record and return the **Power of Produce** tokens along with other food assistance tokens and debit card payment tokens.

Why **Power of Produce** works:

Choice. The program allows kids to make healthy food choices for themselves. And they are making a choice every week; which means they are practicing a healthy habit. Kids who shop and interact with the growers and farmers are able to fully participate in the market.

By interacting with the people who grow fruits and vegetables, kids learn about variety, best practices, and value.

### **Published data from The Oregon City Farmers Market Power of Produce Program**

72% of Oregon City Farmers Market Power of Produce kids report trying a new fruit or vegetable.

70% Power of Produce parents reported that their kid requests for them to purchase produce they tried at the market.

100% of participating vendors interviewed expressed an increase in sales due to the Power of Produce program.

Parent comments solicited at the Power of Produce booth...while the kids get their tokens.

"As a parent I think this program is fantastic! We now have our first garden at home. My daughter has learned so much about eating better in the past few weeks."

"We have never been to the market as much as we have this year. The kids are loving it. They beg to come every week. They are learning what is in season and are having fun planting their herbs."

"The Power of Produce program is wonderful! Our kids love it and are learning about produce, money transactions and more. They loved the salad demo and went home and made their own salads."

"Our kids love the Power of Produce program. It provides an excellent opportunity for them to select healthy produce and participate in our meal choices."

How **Power of Produce** helps communities:

Studies of the City of Wyandotte estimate the number of residents with income below the poverty level in 2010 was greater than 10% (estimates vary from 11.8 to 12.98) Through food assistance programs such as SNAP, Double Up Food Bucks, and Senior Market Fresh, The Wyandotte Farmers Market supports and promotes programs that provide access to healthy food at reduced cost.

Encouraging people to consume healthy foods goes beyond concerns for low income families. The National Center for Health Statistics at the Centers for Disease Control looked at data on American size between 2005 and 2008. The study found that of the 72 and a half million adults who are obese, 41 percent (about 30 million) make at least \$35,000 a year – well above the poverty line. Only 20 percent of obese adults are low income. The theory that people eat badly because they are poor and can't afford better food is only half the story. Often it is habit or convenience that is driving the trend to eat fattening foods.

Limiting trips to the traditional supermarket store, by even one trip per week, means limiting consumers exposure to processed foods.

As children, and their parents, participate in the **Power of Produce** they begin to open themselves to looking at foods in a new way. Habits and food choices acquired throughout the eighteen weeks can easily continue beyond the duration of the program.



*Our mission is to provide the local community with the means to obtain fresh, nutritious and seasonal foods grown or produced locally and to educate about the importance of supporting local agriculture.*

The Wyandotte Farmers Market can introduce our community to the **Power of Produce** beginning in **June 2013**.

To help fund this special program, we need your help. We ask that you consider becoming a **Power of Produce** sponsor.

### **Sponsorship**

Founder: \$600 – \$1000 As a Founder your name (and company logo) will appear on program registration forms and signage at the Market Manager's market booth.

Sponsor: \$100– \$500 As a Sponsor your name (and company logo) will appear on program registration forms.

Friend: \$1 – \$50 Becoming a Friend of this program is a philanthropic way to support health and wellness in our community. Your name will appear on program registration forms

*The cost to sponsor one child for the duration of the Wyandotte Farmers Market 2013 season is \$54.00.*

*The Sponsorship Fund is used exclusively for purchases made by program participants. All administrative costs for The Power of Produce are paid by the Wyandotte DDA.*

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#### **Tina Hirsch, Market Manager**

The City of Wyandotte  
3200 Biddle Avenue, Ste 300  
Wyandotte, Michigan 48192  
marketmanager@wyan.org  
734-720-1447

#### **Natalie Ronkine, Downtown Development Authority Director**

The City of Wyandotte  
3200 Biddle Avenue, Ste. 300  
Wyandotte, Michigan 48192  
nrankine@wyan.org  
734-324-7298



Our mission is to provide the local community with the means to obtain fresh, nutritious and seasonal foods grown or produced locally and to educate about the importance of supporting local agriculture.

Thank you for supporting the **Power of Produce**.

To participate, please send your sponsorship check before May 22, 2013 to:

**Natalie Rankine, Downtown Development Authority Director**

The City of Wyandotte

3200 Biddle Avenue, Ste. 300

Wyandotte, Michigan 48192

Make checks payable to: Wyandotte Farmers Market

Company \_\_\_\_\_

Contact name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Website \_\_\_\_\_

Sponsorship amount: \$ \_\_\_\_\_

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*We want to recognize your generously in print! Please provide your company's logo; digital file, TIFF or JPG 1000 px or greater, or vector file(any size).*

*Email digital files to [marketmanager@wyan.org](mailto:marketmanager@wyan.org).*

1-A

Richard and Amy Nagy  
2947 22<sup>nd</sup> Street  
Wyandotte, MI  
(734)556-0484

3200 Biddle Ave  
Suite 200  
Wyandotte, Mi 48192  
Wyandotte City Clerk's Office

5/14/2013

**To whom it may concern,**

This letter is in regards to the attached notification letter dated April 24<sup>th</sup>, 2013. This letter states that our main sewer line is connected to our next door neighbor located at 2941 22<sup>nd</sup> St. This violates City Code Sec. 19-148 and Code Sec. PM-507.1. Even though these code violations are not our fault, we would like to fix our sewer to comply with the two codes stated above.

After reviewing our current financial situation, we would like to request the following proposal:

- 1) We will pay for the plumbing work from the house to the sidewalk.
- 2) Receive a special assessment for the plumbing work from the sidewalk to the street (sewer main). A five year special assessment would be adequate amount of time for us.
- 3) We like to use Quint Plumbing and Heating Inc. for both portions of the project.

Thank you for working with us on this matter. If there is any additional information needed, please contact us.

Sincerely,

Richard and Amy Nagy  
*Amy Nagy*  
*Richard Nagy*

1-13

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: MAY 20, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM: CREATION OF A SPECIAL ASSESSMENT DISTRICT**

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski 5-15-13*

**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:**

The City of Wyandotte has received a communication from Richard and Amy Nagy, 2947 22<sup>nd</sup> Street, Wyandotte, requesting that their private sewer service, from the east right-of-way line of 22<sup>nd</sup> Street to the City's public sewer main, which is located under a paved portion of the eastern half of 22<sup>nd</sup> Street, be reconstructed by the City and the cost of such work assessed against their property. They have also requested that the City use their contractor, Quint Plumbing and Heating Inc., to perform the work in the right-of-way, and that Quint Plumbing will reconstruct the sewer service from the east 22<sup>nd</sup> Street right-of-way line to the dwelling foundation at the Nagy's cost.

Chapter XIV, Subdivision 2, Section 8, of the City Charter indicates that when the owners of sixty (60) per centum of the frontage of lands, liable to be assessed in any special assessment district, shall petition the Council for any public improvement, the Council shall order such improvement to be made. In other cases public improvements shall be made at the discretion of the Council.

A tabulation of the request indicates that 100% of the abutting frontage is in favor of this work. The estimated cost of this project is \$6,900.00, all of which would be assessable. Richard and Amy Nagy have indicated that they will pay the entire cost.

**STRATEGIC PLAN/GOALS:**

To provide the finest services and quality of life to residents.

**ACTION REQUESTED:**

If the Council determines that this private sewer should be reconstructed, the Department of Legal Affairs has prepared the necessary resolution setting a hearing of necessity.

*(N) + SAD #*

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

The final cost, estimated to be \$6,900.00, of the private sewer line reconstruction from the east right-of-way line of 22<sup>nd</sup> Street to the public sewer main under the eastern portion of pavement of 22<sup>nd</sup> Street would be paid to the contractor from the Sidewalks Special Assessment Account #249-450-825.461.

**IMPLEMENTATION PLAN:**

If Council approves the Special Assessment District after the Public Hearing, the Engineering Department shall be directed to contract with Quint Plumbing and Heating Inc. to reconstruct the private sewer line in the 22<sup>nd</sup> Street public right-of-way. Once the work is complete and approved, the City Assessor shall be directed to spread the final construction cost according the assessment roll for this district.

**COMMISSION RECOMMENDATION:**

**CITY ADMINISTRATOR'S RECOMMENDATION:** *ok update*

**LEGAL COUNSEL'S RECOMMENDATION:** *ok will refer*

**MAYOR'S RECOMMENDATION:** *ok*

**LIST OF ATTACHMENTS:**

- Letter dated May 14, 2013 from Richard and Amy Nagy
- Quote from Quint Plumbing and Heating Inc.
- Proposed Resolution for Reconstruction of Private Sewer
- Proposed Notice of Public Hearing
- Proposed Resolution Creating a Special Assessment District

OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keehn  
CITY ASSESSOR



MAYOR  
Joseph R. Peterson

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

MARK A. KOWALEWSKI, P.E.  
CITY ENGINEER

April 24, 2013

Mr. Richard Nagy  
2947 22<sup>nd</sup>  
Wyandotte, Michigan 48192

RE: Sanitary Sewer Connection  
2947 22<sup>nd</sup>

Dear Mr. Nagy;

It has been brought to the attention of the undersigned that your sanitary sewer connects to the sanitary sewer service line from 2941 22<sup>nd</sup>. The sanitary service line from 2941 22<sup>nd</sup> is connected to the City sewer main in the 22<sup>nd</sup> Street right of way. This was discovered during the recent repair/replacement of the service line at 2941 22<sup>nd</sup>.

Please be advised of the following:

Code of Ordinance Sec. 19-148. Sewage drainage systems Paragraph (a): Plumbing fixtures shall be drained to a sewage drainage system and such system shall be connected to a public sewer or to an adequate and approved system of sewage disposal.

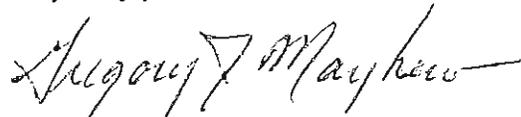
Property Maintenance Code Section PM-507.1 General: All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

The City of Wyandotte provides and maintains a public sewer main located in front of your property in the 22<sup>nd</sup> Street right of way with existing lateral taps for connection. The current connection of your sanitary sewer service to the sanitary sewer service at 2941 22<sup>nd</sup> is non-conforming and in violation of the above referenced codes. You are hereby directed to properly connect your sanitary sewer service to the referenced public sewer main. Failure to comply with this order within thirty (30) days of the date of this notice will result in the enforcement of the penalties set forth in Section PM-106.0 Violations, of the Property Maintenance Code.

A plumbing permit and inspections will be required for this work. The permit can be obtained, and inspections set up, at the Wyandotte City Hall, Department of Engineering and Building, 3200 Biddle Avenue, Suite 200.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact the undersigned at (734) 324-4558, or by email at [gmayhew@wyan.org](mailto:gmayhew@wyan.org).

Very truly yours,

A handwritten signature in black ink that reads "Gregory J. Mayhew". The signature is written in a cursive style with a horizontal line at the end.

Gregory J. Mayhew  
Assistant City Engineer

Cc: Ms. Beverly Presley, 2941 22<sup>nd</sup>, Wyandotte, MI 48192  
Address File  
Time File: May 27, 2013

## Quint Plumbing & Heating, Inc.

4144 Sixth Street  
Wyandotte, Michigan 48192  
(734) 281-1153

May 15, 2013

City of Wyandotte  
3200 Biddle Avenue  
Second Floor  
Wyandotte, MI 48192

Dear Greg:

We are pleased to offer the following quote for 2947 22<sup>nd</sup> Street in Wyandotte to make a tap on the sewer from the street up to the property line. The price includes labor, material and black top repair:

**QUOTE - \$6,900.00**

If you should have any further questions, please feel free to give me a call.

Sincerely,

Quint Plumbing & Heating, Inc.

Michael Quint  
Owner

MQ/dl

RESOLUTION FOR RECONSTRUCTION OF A PRIVATE SEWER LINE IN A  
PUBLIC RIGHT-OF-WAY AND FOR THE CREATION OF A  
SPECIAL ASSESSMENT DISTRICT AND THE SETTING OF A PUBLIC HEARING

Wyandotte, Michigan  
May 20, 2013

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 the City Council of the City of Wyandotte deems it advisable and necessary for the public health, safety and welfare of said City and it's inhabitants and it is a necessary public improvement and beneficial to the City of Wyandotte, and it's inhabitants, to reconstruct a private sewer service in the public right-of-way from the east property line of 22<sup>nd</sup> Street, south of Oak Street, to the public sewer main under the eastern portion of the 22<sup>nd</sup> Street pavement, more particularly described as:

The approximately fifteen (15) foot wide area of concrete sidewalk, lawn, curb and HMA surfaced concrete street from the east property line of 22<sup>nd</sup> Street to the public sewer main in the 22<sup>nd</sup> Street right-of-way, abutting:

Lot 387 Assessor's Wyandotte Plan No. 12 of part of the S.E. ¼ of Section 30, T. 3 S., R. 11 E., City of Wyandotte, Wayne Co., Mich., as recorded in Liber 69 of Plats, Page 65, Wayne County Records.

RESOLVED FURTHER that the City Engineer, having prepared estimates of the cost and expenses, plats and diagrams of said improvement and of the locality to be improved, the same shall be deposited with the City Clerk for public examination: and

RESOLVED FURTHER that there is hereby tentatively designated a special assessment district against which the cost and expenses of said improvements are to be assessed, consisting of lots, parts of lots and parcels of land in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

Lot 387 Assessor's Wyandotte Plan No. 12 of part of the S.E. ¼ of Section 30, T. 3 S., R. 11 E., City of Wyandotte, Wayne Co., Mich., as recorded in Liber 69 of Plats, Page 65, Wayne County Records.

RESOLUTION FOR RECONSTRUCTION OF A PRIVATE SEWER LINE IN A PUBLIC RIGHT-OF-WAY AND FOR THE CREATION OF A SPECIAL ASSESSMENT DISTRICT AND THE SETTING OF A PUBLIC HEARING

RESOLVED FURTHER that the cost and expenses of reconstructing the private sewer service in the public right-of-way from the east property line of 22<sup>nd</sup> Street, south of Oak Street, to the public sewer main under the eastern portion of the 22<sup>nd</sup> Street pavement shall be defrayed by special assessment upon the lots, parts of lots and parcels of land abutting and adjoining said improvement, as well as benefiting there from.

RESOLVED FURTHER, that said estimates, plats and diagrams of said improvement and of the right-of-way to be improved having been so deposited with the City Clerk for public examination, said City Clerk shall give notice, according to the City Charter, of the proposed district to be specially assessed for said improvement and of the time and place when this Council will meet to consider said detailed estimate, plats and diagrams, and to hear objections thereto, and notice shall be given by said City Clerk, in writing, of the proposed district to be specially assessed for said improvements and of the time and place when this Council will meet to consider said detailed estimates, plats and diagrams, and to hear objections thereto, to each owner of, or party of interest in, property to be assessed, whose name appears upon the last local tax assessment records, by mailing by first class mail addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of such hearing. The public hearing is scheduled for Monday **June 3, 2013**, at 7:00 p.m. in the Council Chambers of the Wyandotte City Hall.

I move the adoption of the foregoing Resolution.

Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

<u>YEAS</u>	<u>COUNCILPERSON</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____
	Absent _____	

NOTICE OF HEARING OF OBJECTIONS TO THE PROPOSED  
RECONSTRUCTION OF A PRIVATE SEWER LINE IN A PUBLIC RIGHT-OF-WAY  
IN THE CITY OF WYANDOTTE AND THE PROPOSED CREATION  
OF A SPECIAL ASSESSMENT DISTRICT

NOTICE IS HEREBY GIVEN that the Council of the City of Wyandotte has heretofore determined that it is advisable and necessary to reconstruct a private sewer service in the public right-of-way from the east property line of 22<sup>nd</sup> Street, south of Oak Street, to the public sewer main under the eastern portion of the 22<sup>nd</sup> Street pavement, in the City of Wyandotte, Wayne County, Michigan and which public right-of-way is abutting and adjoining as well as benefiting the respective lots, parts of lots, and parcels of land hereinafter described, and has heretofore caused estimates, plats and diagrams of the improvement of the proposed district to be assessed for said improvement to be prepared by the City Engineer, and that said estimates, plats and diagrams of the improvements and of the proposed district to be assessed therefore, have been prepared by the City Engineer and deposited in the office of the City Clerk of the City of Wyandotte, for public examination; and

That said Council will meet on Monday, **June 3, 2013**, at seven P.M., Local Time, in the Council Chambers in the City Hall of said City, 3131 Biddle Avenue, Wyandotte, Michigan, to hear objections to said improvement and to the said plats, estimates and diagrams, and to the proposed district to be assessed for said improvements, which shall consist of the lots, parts of lots and parcels of land in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

Lot 387 Assessor's Wyandotte Plan No. 12 of part of the S.E. ¼ of Section 30, T. 3 S., R. 11 E., City of Wyandotte, Wayne Co., Mich., as recorded in Liber 69 of Plats, Page 65, Wayne County Records.

Appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the state tax tribunal. An owner or party in interest, or his or her agent, may appear in person at the hearing, at the time and date set forth herein, to protest the special assessment, or may file his or her protest by letter, submitted prior to or at the specified time and date of the hearing, which shall be read aloud and made part of the hearing and his or her personal appearance at the hearing will not be required. The Council will maintain a record of parties who appear to protest at the hearing or who submit a written protest to be read aloud at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, the party whose appearance or written protest was recorded is considered to have protested the special assessment in person.

NOTICE OF HEARING OF OBJECTIONS TO THE PROPOSED  
RECONSTRUCTION OF A PRIVATE SEWER LINE IN A PUBLIC RIGHT-OF-WAY  
IN THE CITY OF WYANDOTTE AND THE PROPOSED CREATION  
OF A SPECIAL ASSESSMENT DISTRICT

It is the intention that the cost and expense of said improvement shall be defrayed by special assessment upon the above-described lots, parts of lots, and parcels of land abutting and adjoining said improvement, as well as benefiting there from.

Dated at Wyandotte, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2013.

WILLIAM R. GRIGGS  
City Clerk  
City of Wyandotte

2

May 01, 2013

City of Wyandotte  
3200 Biddle Avenue  
Wyandotte, MI 48192

Re: Temporary Alley Closure

Dear Mayor & Council:

I would appreciate your concurrence on closing the south half of the north-south alley east of 15<sup>th</sup> Street between Spruce & Cedar on 06-23-13 from 9:00 a.m. to 9:00 p.m.

Thank you for your consideration on this matter.

Sincerely,



Rose Bosman DeSana  
2107 15<sup>th</sup> Street  
Wyandotte, MI 48192

WYANDOTTE CITY CLERK

2013 MAY - 1 A 9:07

3

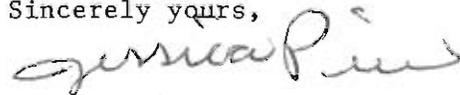
May 14, 2013

Mayor Joseph R. Peterson & City Councilmembers  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mayor and City Councilmembers:

I am seeking permission to plant a tree in the city-owned parks along the river or any other location in memory of a loved one with a memorial plaque.

Sincerely yours,



Jessica Pinson  
9719 Hubert  
Allen Park, MI. 48101

## Mayor's Office

---

From: Amy Noles [nolesaaaa@wyan.org]  
Sent: Thursday, May 09, 2013 5:02 PM  
To: Mayor's Office  
Subject: Re: Letter of Resignation

4

Good evening Mayor,

As we discussed, I will be resigning from the Police and Fire Commission. I would like to thank you and Wyandotte's City Council for the support and the great job you all have done keeping our city a great place to live and raise children. Thank you for the opportunity to serve with my fellow commissioners, Melter and Harris, and the Chiefs, Grant and Carley, they are outstanding. I would like you to know I am resigning due to my schedule as an Nurse Practitioner and thank you again for your support.

Sincerely,

Amy Noles

# Wyandotte Boat Club

1 PINE STREET ~ WYANDOTTE, MICHIGAN 48192



May 15, 2013

The Honorable Mayor Peterson  
And Members of the City Council  
City of Wyandotte  
3200 Biddle Avenue  
Wyandotte, MI 48192

Dear Mayor Peterson and Members of the City Council:

## ***AS ALWAYS, A SINCERE THANK YOU!***

Please accept our sincere gratitude as we say thank you for all that the city has done for us before, during, and after the Hebda Cup and the Wy-Hi Rowing Regattas.

With the city's cooperation and the club's volunteers we were able to provide great racing on the Detroit River for over 800 young athletes from around the state of Michigan, Pennsylvania, and Ohio.

We have received many compliments from our out-of-town crews about our downtown area, BASF Park, and rowing facility. We can all be proud that these young student/athletes will have positive memories of their experiences in the City of Wyandotte.

Once again our thanks for your support.

Mother Nature concurring, we will do it again in 2014:

Hebda Cup.....Saturday, April 26th, 2014

Wyandotte High Schools Regatta Saturday, May 3rd, 2014

For the Wyandotte Boat Club

A handwritten signature in black ink, appearing to read 'Fred Mekolon Jr.', written in a cursive style.

Fred Mekolon Jr., Regatta Chairman



Patrick & Patricia Mastrogiacomo  
345 Pine Street  
Wyandotte, Michigan 48192

16 May 2013

City Clerk's Office  
3200 Biddle Ave.  
Wyandotte, MI 48192

RE: Vacant lot located east and adjacent to 345 Pine Street – formerly 337 Pine Street

Dear Mayor Peterson and City Council,

We are writing to express our interest in purchasing the vacant lot located just east and adjacent to our property at 345 Pine Street (formerly known as 337 Pine Street). This lot has stood vacant since approximately September 2009 when the house was torn down. We would like to purchase the property to increase our lot size and improve the architectural landscaping and aesthetics of our beautiful neighborhood.

In the fall of 2003 we purchased our lot in the south end of town. In the spring of 2004 we built a beautiful new home and were moved in by December of 2004. We love our home at 345 Pine and are extremely happy with our neighborhood. We have made numerous attempts to purchase the lot with no luck! About this time last year we had a meeting with the mayor regarding our wish to purchase the lot and still no luck! We know that the city would love to see new homes on these vacant lots...however there are MANY empty lots throughout the city. In fact there are 4 empty lots within one and a half blocks of our home.

Although we are not proposing to build a house on the lot, we are proposing to purchase the property for our use. The benefit to the city and taxpayers would be twofold, property would be added back to the tax rolls to generate revenue for the city and the expense to the taxpayers of grass cutting and snow removal would cease.

We have made a significant investment and plan to stay in Wyandotte forever! We have a young family that would put this lot to great use! The addition of this property would enable us to enhance our yard and help make the neighborhood look even more beautiful!!! We ask that you please consider our request. Please find attached a photo of our home and the vacant lot. We plan to attend the council meeting on May the 20, 2013. Thank you for your time and consideration.

Sincerely,

Patricia M. Mastrogiacomo  
Patrick & Patricia Mastrogiacomo

345 PINE STREET

MASTROGIACOMO





**Maria Johnson**

**From:** Natalie Rankine [nrankine@wyan.org]  
**Sent:** Monday, May 06, 2013 1:37 PM  
**To:** clerk@wyan.org; mayor@wyan.org  
**Subject:** FW: Biddle Ave, Downtown

Maria and/or Rosanne:

Can this communication be sent to Mayor and Council?

Thanks.

- Nat

Natalie Rankine, RA  
Downtown Development Director  
The City of Wyandotte  
3200 Biddle Avenue, Suite 300  
Wyandotte, Michigan 48192  
1-734-324-7298  
[nrankine@wyan.org](mailto:nrankine@wyan.org)  
[www.wyandotte.net/dda](http://www.wyandotte.net/dda)

Visit our website at [www.wyandotte.net](http://www.wyandotte.net) and sign up for our E-News Service to find out what's happening in the City of Wyandotte. Follow us on [Facebook](#) and [Twitter](#)!

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**From:** Rowe, Lewis [mailto:Lewis.Rowe@opco.com]  
**Sent:** Monday, May 06, 2013 1:20 PM  
**To:** 'nrankine@wyan.org'  
**Subject:** Biddle Ave, Downtown



*DEAR MAYOR + CITY COUNCIL MEMBERS*  
~~Mr. Director.~~

I am an employee of a business located on Biddle Ave, in Downtown Wyandotte.  
I want to voice my objection to the use of large and heavy trucks, using Biddle Avenue as a work-around for Fort Street.  
They are loud; extremely loud. They are counter to the ambience of our normally tranquil downtown business district.

Further, I am confident they are destroying the road, which will necessitate a lengthy and expensive construction project in the next several years.

Please request the City Council take up this issue and prohibit these large (freight and construction type) big rig vehicles from using Biddle Avenue.  
I'm sure this type of traffic isn't allowed in downtown Plymouth, or Birmingham Michigan. Just because we're Downriver doesn't mean we should accept an aesthetically poorer downtown.  
Thank You,  
Lewis Rowe

**Lewis**

**Lewis M. Rowe, AIF®**

Associate Director-Investments

Direct: (734) 284-9631

Toll Free (866) 224-6139



OPPENHEIMER & CO., INC.

TRANSACTS BUSINESS ON ALL PRINCIPAL EXCHANGES AND MEMBER SIPC

**PearlStreet Investment Management**

3106 Biddle Ave.

Email: [lewis.rowe@opco.com](mailto:lewis.rowe@opco.com)

Wyandotte, MI 48192

Fax: 734 284-9665

This communication and any attached files may contain information that is confidential or privileged. If this communication has been received in error, please delete or destroy it immediately. Please go to [www.opco.com/EmailDisclosures](http://www.opco.com/EmailDisclosures)

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**



MEETING DATE: May 20, 2013

AGENDA ITEM #

**ITEM:** Re-appointments to Zoning Board of Appeals and Adjustment

**PRESENTER:** Mayor Joseph Peterson

**INDIVIDUALS IN ATTENDANCE:**

**BACKGROUND:** Section 2100 of the Wyandotte Code of Ordinance establishes a Zoning Board of Appeals consisting of nine members appointed by the Mayor, subject to confirmation by the City Council. Terms of all members shall be for a period of three (3) years, with terms expiring the third Monday of May.

**STRATEGIC PLAN/GOALS:**

**ACTION REQUESTED:** Concur with Mayor's recommendation to re-appoint the following members to the Zoning Board of Appeals and Adjustment, terms to expire May 2016:

Robert Alderman, 2784 – 20<sup>th</sup> Street, Wyandotte MI 48192  
Guisepe DiSanto, 311 Cedar, Wyandotte MI 48192  
James Gillon, 1108 Mollno, Wyandotte Mi 48192

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** n/a

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Snyder*

**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:** *OK JJP*

**LIST OF ATTACHMENTS:**

RESOLUTION

Wyandotte, Michigan

Date:

RESOLUTION by Councilperson \_\_\_\_\_

BE IT RESOLVED

That City Council hereby CONCURS in Mayor Joseph Peterson's recommendation in the following re-appointments to the Zoning Board of Appeals and Adjustment, terms to expire May 2016:

- Robert Alderman, 2784 – 20<sup>th</sup> Street, Wyandotte MI 48192
- Guiseppe DiSanto, 311 Cedar, Wyandotte MI 48192
- James Gillon, 1108 Mollno, Wyandotte Mi 48192

I move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

YEAS

COUNCIL

NAYS

- Fricke
- Galeski
- Miciura
- Sabuda
- Schultz
- Stec

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**



**MEETING DATE:** May 20, 2013

**AGENDA ITEM #** \_\_\_\_\_

**ITEM:** Resolution to support T.I.G.E.R. Grant (Allen Road, Woodhaven)

**PRESENTER:** Mayor Joseph Peterson

**INDIVIDUALS IN ATTENDANCE:**

**BACKGROUND:** At the May 9, 2013 DCC Board meeting, Mark Kibby and J.P. Cacciaglia from the City of Woodhaven, brought an item before the board asking for support of the TIGER (Transportation National Infrastructure Investments Grant) grant application. The DCC Board unanimously approved the resolution of support. The City of Woodhaven has requested that each community adopt a resolution to further support this effort.

**STRATEGIC PLAN/GOALS:**

**ACTION REQUESTED:** Adopt a resolution supporting the application of the Wayne County Road Commission to the United States Department of Transportation for a T.I.G.E.R. Discretionary Grant for Grade Separation on Allen Road (Canadian National Rail Line), and recommending approval of that application for the economic, Safety, Environmental and Quality of Life improvements that project would provide.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** n/a

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** *ok S. Snydal*

**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:** *OK JP*

**LIST OF ATTACHMENTS:**

Proposed Resolution in support of T.I.G.E.R. Grant by Wayne County Road Commission for Grade Separation on Allen Road/Canadian National Rail Line; and

Resolution of the DCC Board of Directors dated May 9, 2013, in support of said grant application.

**RESOLUTION**

**SUPPORT OF T.I.G.E.R. GRANT BY WAYNE COUNTY ROAD COMMISSION  
FOR GRADE SEPARATION ON ALLEN ROAD / CANADIAN NATIONAL RAIL LINE**

- WHEREAS, the (City/Township of \_\_\_\_\_), supports the Wayne County Road Commission and the City of Woodhaven in an effort to improve local commerce and enhance the quality of life; and
- WHEREAS, the (City/Township of \_\_\_\_\_), fully supports the construction of a grade separation on Allen Road under the Canadian National Rail line in the County of Wayne, City of Woodhaven and fully supports Wayne County Road Commission's submission of a Department of Transportation National Infrastructure Investments Grant (referred to as T.I.G.E.R. Discretionary Grants) application for the above project; and
- WHEREAS, delays at the crossing have a negative impact on jobs and commerce of the area; Ford and Chrysler operate major assembly operations in the area and one of the largest consumer shopping districts in the area with over 1.3 million sq/ft of retail space; and
- WHEREAS, 16-18 trains pass daily on their way into Canadian National's largest Train Yard in the Metro Detroit Area, which causes commerce delays up to 45 minutes per train crossing; and
- WHEREAS, Allen Road is the first major arterial road east of I-75 (109,000 vehicles travel I-75 daily), and Allen Road is used as an Emergency/Alternate route when accidents or construction affect/close the freeway; and
- WHEREAS, there are over 29,000 vehicles a day that travel on Allen Road, which serves as a major north-south community road, and has a major impact on the residents in the area; delays at the crossing have a negative impact on jobs and commerce of the area; and
- WHEREAS, the Life & Safety of (City/Township of \_\_\_\_\_), and area residents is greatly impacted by the train crossing in getting to the area's only Level 2 Trauma Hospital; and
- WHEREAS, there have been 6 fatalities and 74 injuries and 175 accidents on that section of Allen Road in Woodhaven over the past several years;

NOW THEREFORE BE IT RESOLVED, that the (City/Township of \_\_\_\_\_), fully and enthusiastically supports the application of the Wayne County Road Commission to the United States Department of Transportation for a T.I.G.E.R. Discretionary Grant for the above referenced project, and strongly recommends approval of that application for the Economic, Safety, Environmental, and Quality of Life improvements that project would provide.

**RESOLUTION**  
OF THE DCC BOARD OF DIRECTORS  
May 9, 2013

**SUPPORT OF T.I.G.E.R. GRANT BY WAYNE COUNTY ROAD COMMISSION**  
**FOR GRADE SEPARATION ON ALLEN ROAD / CANADIAN NATIONAL RAIL LINE**

- WHEREAS, the Downriver Community Conference (DCC), a consortium of twenty Downriver communities in Wayne County whose total population exceeds 500,000, has joined in an effort to improve local government and enhance the quality of life for area residents through municipal cooperation; and
- WHEREAS, the Downriver Community Conference fully supports the construction of a grade separation on Allen Road under the Canadian National Rail line in the County of Wayne and fully supports Wayne County Road Commission's submission of a Department of Transportation National Infrastructure Investments Grant (referred to as T.I.G.E.R. Discretionary Grants) application for the above project; and
- WHEREAS, the City of Woodhaven, a DCC member community, has requested the board's support of this grant application; and
- WHEREAS, delays at the crossing have a negative impact on jobs and commerce of the area; Ford and Chrysler operate major assembly operations in the area and one of the largest consumer shopping districts in the area with over 1.3 million sq/ft of retail space; and
- WHEREAS, 16-18 trains pass daily on their way into Canadian National's largest Train Yard in the Metro Detroit Area, which causes commerce delays up to 45 minutes per train crossing; and
- WHEREAS, Allen Road is the first major arterial road east of I-75 (109,000 vehicles travel I-75 daily), and Allen Road is used as an Emergency/Alternate route when accidents or construction affect/close the freeway; and
- WHEREAS, there are over 29,000 vehicles a day that travel on Allen Road, which serves as a major north-south community road, and has a major impact on the residents in the area; delays at the crossing have a negative impact on jobs and commerce of the area; and
- WHEREAS, the Life & Safety of Downriver area residents is greatly impacted by the train crossing in getting to the area's only Level 2 Trauma Hospital; and
- WHEREAS, there have been 6 fatalities and 74 injuries and 175 accidents on that section of Allen Road in Woodhaven over the past several years; and

NOW THEREFORE BE IT RESOLVED, that the DCC Board of Directors fully and enthusiastically supports the application of the Wayne County Road Commission to the United States Department of Transportation for a T.I.G.E.R. Discretionary Grant for the above referenced project, and strongly recommends approval of that application for the Economic, Safety, Environmental, and Quality of Life improvements that project would provide.

**CERTIFICATION**

The undersigned duly qualified Board Secretary of the Downriver Community Conference certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Downriver Community Conference held on May 9, 2013, and that said resolution has not been rescinded.

\_\_\_\_\_  
Secretary

STATE OF MICHIGAN



10

27th District Court  
DIVISION ONE

2015 Biddle Avenue Wyandotte, Michigan 48192

Honorable Randy L. Kalmbach

Phone (734) 324-4479

Fax (734) 324-4472

May 14, 2013

Mayor Joseph R. Peterson and City Council Members  
City of Wyandotte  
3200 Biddle Ave  
Wyandotte, MI 48192

Re: 27<sup>th</sup> District Court-Probation Director

Dear Mayor and City Council Members,

As a result of Natalie Shaul retiring as Probation Director of the 27<sup>th</sup> District Court after 17 years, I have reviewed the applications and interviewed those that I felt were the best applicants to serve the court for this vital position.

I'm very pleased to announce that I have appointed Lora A. Kowatch to return to the Probation Department as Probation Director, leaving us to currently seek a permanent replacement for her as our current Court Administrator. In the interim Mrs. Kowatch will continue to perform her duties until her replacement is found.

Mrs. Kowatch is an outstanding and dedicated employee who also has a Masters of Science Degree in Criminal Justice. I'm enclosing a copy of her resume for your information.

This position and salary is already in this year's budget which has been approved by the Mayor and City Council.

I have no doubt that Mrs. Kowatch will lead the Probation Department in an exemplary manner and she is always ready for the challenges ahead.

Please advise me of the final status of this request.

Respectfully submitted,

A handwritten signature in blue ink that reads "Randy L. Kalmbach".

Randy L. Kalmbach  
27<sup>th</sup> District Court Chief Judge

cc: Todd Drysdale, City Administrator  
Lora Kowatch

Lora A. Kowatch

FILED

APR 17 2013

27th Dist. Ct.

April 17, 2013

27<sup>th</sup> District Court  
2015 Biddle Avenue  
Wyandotte, MI 48192  
Attn: Judge Randy L. Kalmbach

Dear Judge Kalmbach:

I am writing to apply for the recently available Probation Director position. I have enclosed my resume and references in regards to the position.

I believe I am a strong candidate for this position due to my many years of education and work experience, along with my personal attributes of being hard-working, communicable, passionate, and determined. I will be a great addition to the Probation team and will work hard to oversee the department. I will ensure the department works efficiently and effectively, by making any necessary changes to current practices, and keeping informed on all new or changing laws, statutes, etc.

I have a great interest in this position and I look forward to an opportunity to speak with you further on how I can be a valuable addition to your department.

I would like to thank you for considering me for this position.

Very Truly Yours,



Lora A. Kowatch

## Lora Kowatch

---

### Objective

To pursue a professional position in the Criminal Justice field that will utilize the skills obtained from my education and work experiences, particularly in the probation profession.

### Education

**Masters of Science in Criminal Justice** Graduated December 2012  
Wayne State University, Detroit, MI  
Obtained 32 credit semester hours

**Bachelor of Science- Sociology with a concentration in Criminal Justice  
With a minor in Spanish and Psychology** Graduated May 2007  
Central Michigan University, Mt. Pleasant, MI  
Obtained 129 credit semester hours

**Allen Park High School** Graduated June 2003  
Allen Park, MI

### Employment History

**Court Administrator**, Wyandotte District Court, Wyandotte, MI July 2011- present  
Supervisor: Judge Randy L. Kalmbach 734-324-4479  
Work: 40 hours per week at \$23.00 an hour  
Duties: Supervise and monitor all court employees, order and submit payments for all court supplies, submit payroll biweekly, attend and conduct staff meetings, maintain expense accounts and balance books, compose a new budget each fiscal year, work closely with each department head in the court, assign court appointed attorneys and magistrates, responsible for LEIN, SCAO, and yearly financial audit, Terminal Agency Coordinator for LEIN.

**Probation Officer**, Wyandotte District Court, Wyandotte, MI October 2009- July 2011  
Supervisor: Natalie Shaul 734-324-4465  
Work: 24 hours per week at \$14.00 an hour  
Duties: Creating new probation files, preparing and reading orders to people placed on probation, meeting with probationers on a daily basis, giving drug screens, presenting information to the Judge during probation violation hearings and making suggestions to sentencing at these hearings, and preparing violation and discharge forms, running criminal histories and driving records, knowledge using LEIN and the JIS system.

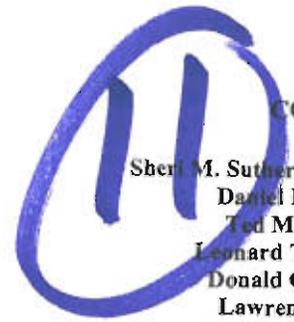
**Court Clerk**, Redford District Court, Redford, MI December 2007- July 2011  
Supervisor: Judy Timpner 313-387-2794  
Work: 16 hours per week at \$16.15 an hour  
Duties: Creating new criminal and civil files, completing and filing paperwork to present to the Judge, using SOS, assisting customers, being responsible for money received through the court, applying bonds, inputting pleas, dispositions, and fines into the computer system, and interpreting files.

**OFFICIALS**

**Thomas R. Woodruff**  
CITY ASSESSOR

**William R. Griggs**  
CITY CLERK

**Todd M. Browning**  
TREASURER



**COUNCIL**

**Sheri M. Sutherby-Fricke**  
**Daniel E. Galeski**  
**Ted Miciura, Jr.**  
**Leonard T. Sabuda**  
**Donald C. Schultz**  
**Lawrence S. Stec**

**Joseph R. Peterson**  
MAYOR

May 14, 2013

The Honorable Joseph R. Peterson, Mayor  
and City Council Members  
3200 Biddle Avenue  
Wyandotte MI 48192

Gentlemen and Madam:

I am writing to tender my resignation from the Planning and Rehabilitation Commission and Cultural and Historical Commission, effective immediately.

It has been my pleasure to serve on these two commissions and work with the outstanding dedicated individuals on both boards. I look forward to working with them in my new position as a member of City Council and wish them continued success in moving our city forward.

Sincerely,

Donald C. Schultz  
Councilmember

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

12

**MEETING DATE:** May 20, 2013

**AGENDA ITEM #** 12

**ITEM:** **Municipal Services – Quarter Ending 3/31/2013 Financial Results**

**PRESENTER:** Paul LaManes – Assistant General Manager

**INDIVIDUALS IN ATTENDANCE:** Rod Lesko – Acting General Manager, Charlene Hudson – Power Systems Supervising Engineer

**BACKGROUND:** Quarterly Financial Results (As currently required by the City Charter) are presented within 45 days after calendar quarter end. Attached are the quarterly results for the quarter ending March 31, 2013.

**STRATEGIC PLAN/GOALS:** Continued fiscally responsible operations for the Municipal Services Department.

**ACTION REQUESTED:** Receive and place on file the quarterly financial results for the City of Wyandotte – Department of Municipal Services for the quarter ending March 31, 2013.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** N/A

**COMMISSION RECOMMENDATION:** Reports were forwarded to the Commission and received and placed on file at the March 19, 2013 regular meeting.

**CITY ADMINISTRATOR'S RECOMMENDATION:** N/A – request is to receive and place on file

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** N/A – request is to receive and place on file

**LIST OF ATTACHMENTS**

- Executive Summary of Operating Results
- 3/31/2013 Municipal Services Financial Results by department

**RESOLUTION:** BE IT RESOLVED by the City Council to receive and place on file the quarterly financial results for the Department of Municipal Services for the quarter ending March 31, 2013.

I move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

YEAS

COUNCIL

NAYS

Stec  
Sabuda  
Sutherby-Fricke  
Galeski  
Schultz  
Miciura Jr.

## City of Wyandotte – Department of Municipal Service

Executive Summary – Financial Results for the Quarter Ending March 31, 2013

### Electric

- Electric operations resulted in a net loss through March 31, 2013 of approximately \$ 186,000 compared to net income last year for the same period of approximately \$ 1,294,000. The net difference can be traced almost exclusively to the Fuels, Chemicals and Commodities expenditures, specifically the Natural Gas used to make steam at the Power Plant. Although Natural Gas prices are at historical lows, greater than modeled Natural Gas usage resulted in the year to date (YTD) operating results trailing amounts budgeted for the year through the March quarter end.
- Other factors affecting the financial results for the March quarter end included:
  - The final shipment of coal under the Department's long-term contract was budgeted and modeled for a loss of \$ 150,000 (15,000 tons @ \$10/ton); the actual loss was approximately \$ 250,000 (22,285 tons at \$ 11.50/ton less BTU adjustment).
  - The main ITC connection (Outside grid connection) was out of service (Required maintenance) for a period of time during November, affecting the ability to purchase power.
  - Power Supply model projected Boiler #8 not running during October and November, actual shutdown occurred in December and January (Negated the opportunity to use coal if necessary).
- Positive trends and other matters moving forward:
  - Natural Gas usage, business plan modeling and methods by which we produce steam are being aggressively addressed by the new management team.
  - February and March finished with positive net income results of approximately \$ 385,000 and \$ 280,500 respectively.
  - Warmer months are approaching where steam demand declines, reducing our Natural Gas requirements for the production of steam.
  - Summer months approaching, historically higher electric demand with corresponding positive operating results

### Water

- Water operations resulted in net income through March 31, 2013 of approximately \$ 60,000 compared to net income last year for the same period of approximately \$ 48,000. YTD operating results relative to the allocated budgeted results YTD are also positive.
- As with the Electric Department, the summer months historically result in higher water demand with corresponding positive operating results.

## Cable Television

- Cable operations resulted in net income through March 31, 2013 of approximately \$ 491,000 compared to net income last year for the same period of approximately \$ 160,000. YTD operating results relative to the allocated budgeted results YTD are also positive.
- A primary contributor to the positive results for Cable Television and Telecommunications has been the alignment of cable rates with costs to provide the service.
- The impact of recent royalty increases will be monitored closely over the last half of the fiscal year in conjunction with continued subscriber declines. Given the changes in many of the variables used for the most recent rate study, an update of that study is being considered so that rates continue to remain in line with increasing programming costs.

Department of Municipal Services  
Statement of Revenue and Expenditures  
Cable Television Fund

	Amended Budget 2011-2012	Actual 2011-2012	Budget 2012-2013	Amended Budget 2012-2013	Allocated Budget March 2013	Actual - YTD March 2013	Annual Budget Over (under)
<b>Revenue:</b>							
Operating Revenue	594-600 \$ 9,806,629.00	\$ 9,618,610.45	\$ 9,769,453.00	\$ 9,769,453.00	\$ 4,884,726.50	\$ 4,904,724.94	\$ 19,998.44
Miscellaneous & Sundry Income	594-520 \$ 58,200.00	\$ 109,444.09	\$ 89,200.00	\$ 89,200.00	\$ 44,600.00	\$ 34,957.59	\$ (9,642.41)
Interest Income	594-540 \$ 700.00	\$ 587.93	\$ 605.00	\$ 605.00	\$ 302.50	\$ 358.11	\$ 55.61
Rental Income/Misc	594-615 \$ 24,336.00	\$ 436,310.71	\$ (34,664.00)	\$ (34,664.00)	\$ (17,332.00)	\$ (12,164.73)	\$ 5,167.27
<b>Total Revenue</b>	<b>\$ 9,889,865.00</b>	<b>\$ 10,164,953.18</b>	<b>\$ 9,824,594.00</b>	<b>\$ 9,824,594.00</b>	<b>\$ 4,912,297.00</b>	<b>\$ 4,927,875.91</b>	<b>\$ 15,578.91</b>
<b>Operating Expenditures:</b>							
Cable TV Headend	594-006 \$ 394,175.00	\$ 331,598.45	\$ 376,433.00	\$ 377,433.00	\$ 188,716.50	\$ 156,107.05	\$ (32,609.45)
Cable TV Studio	594-007 \$ 131,581.00	\$ 120,162.23	\$ 133,824.00	\$ 133,824.00	\$ 66,912.00	\$ 53,626.71	\$ (13,285.29)
Store Room	594-009 \$ 44,214.00	\$ 42,814.34	\$ 44,600.00	\$ 44,600.00	\$ 22,300.00	\$ 21,796.26	\$ (563.74)
Transmission & Distribution	594-011 \$ 689,689.00	\$ 614,840.44	\$ 717,560.00	\$ 716,560.00	\$ 358,280.00	\$ 341,695.81	\$ (16,584.19)
Customer Service	594-015 \$ 80,837.00	\$ 76,044.31	\$ 26,250.00	\$ 26,250.00	\$ 13,125.00	\$ 24,843.47	\$ 11,718.47
Commission	594-021 \$ 100.00	\$ -	\$ 100.00	\$ 100.00	\$ 50.00	\$ -	\$ (50.00)
General Manager	594-022 \$ 82,699.00	\$ 102,903.66	\$ 120,494.00	\$ 120,494.00	\$ 60,247.00	\$ 64,490.81	\$ 4,243.81
Superintendent's Office	594-023 \$ 158,191.00	\$ 168,497.48	\$ 179,297.00	\$ 179,297.00	\$ 89,648.50	\$ 82,161.80	\$ (7,486.70)
Accounting Department	594-024 \$ 28,187.00	\$ 19,347.82	\$ 20,542.00	\$ 20,542.00	\$ 10,271.00	\$ 12,740.30	\$ 2,469.30
Informational Systems Department	594-025 \$ 115,923.00	\$ 102,328.96	\$ 114,713.00	\$ 114,713.00	\$ 57,356.50	\$ 28,875.50	\$ (28,481.00)
Customer Assistance Department	594-026 \$ 78,149.00	\$ 77,723.11	\$ 85,882.00	\$ 88,332.00	\$ 44,166.00	\$ 42,165.75	\$ (2,000.25)
Special Services	594-027 \$ 23,432.00	\$ 28,665.55	\$ 24,471.00	\$ 23,550.00	\$ 11,775.00	\$ 13,132.37	\$ 1,357.37
Collection	594-028 \$ 55,818.00	\$ 56,394.61	\$ 55,919.00	\$ 55,840.00	\$ 27,920.00	\$ 29,647.95	\$ 1,727.95
Administration	594-031 \$ 1,071,850.00	\$ 763,078.68	\$ 744,070.00	\$ 744,070.00	\$ 372,035.00	\$ 341,988.63	\$ (30,046.37)
Hospitalization	594-032 \$ -	\$ (4,572.20)	\$ -	\$ -	\$ -	\$ -	\$ -
Insurances	594-033 \$ 220,277.00	\$ 230,144.59	\$ 225,849.00	\$ 225,849.00	\$ 112,924.50	\$ 106,167.49	\$ (6,757.01)
Contractual	594-034 \$ 5,433,436.00	\$ 5,061,536.85	\$ 5,339,581.00	\$ 5,336,081.00	\$ 2,669,040.50	\$ 2,633,428.07	\$ (35,612.43)
Building Maintenance	594-035 \$ 16,850.00	\$ 9,126.31	\$ 11,300.00	\$ 11,300.00	\$ 5,650.00	\$ 1,766.53	\$ (3,883.47)
Vehicles	594-071 \$ 59,900.00	\$ 41,339.21	\$ 29,300.00	\$ 29,300.00	\$ 14,650.00	\$ 11,774.75	\$ (2,875.25)
Depreciation	594-091 \$ 934,000.00	\$ 720,547.35	\$ 934,000.00	\$ 934,000.00	\$ 467,000.00	\$ 467,000.04	\$ 0.04
<b>Total Operating Expenditures</b>	<b>\$ 9,620,308.00</b>	<b>\$ 8,562,521.75</b>	<b>\$ 9,184,135.00</b>	<b>\$ 9,184,135.00</b>	<b>\$ 4,592,067.50</b>	<b>\$ 4,433,349.29</b>	<b>\$ (158,718.21)</b>
<b>Non Operating Expenditures:</b>							
Interest Expense	\$ 1,179.00	\$ 11,246.85	\$ 6,574.00	\$ 6,574.00	\$ 3,287.00	\$ 3,701.17	\$ 414.17
<b>Total expenditures</b>	<b>\$ 9,621,487.00</b>	<b>\$ 8,573,768.60</b>	<b>\$ 9,190,709.00</b>	<b>\$ 9,190,709.00</b>	<b>\$ 4,595,354.50</b>	<b>\$ 4,437,050.46</b>	<b>\$ (158,304.04)</b>
<b>Estimated Revenue over (Expenditures)</b>	<b>\$ 268,378.00</b>	<b>\$ 1,591,184.58</b>	<b>\$ 633,885.00</b>	<b>\$ 633,885.00</b>	<b>\$ 316,942.50</b>	<b>\$ 490,825.45</b>	<b>\$ 173,882.95</b>

Department of Municipal Services  
Statement of Revenue and Expenditures  
Electric Fund

	Amended Budget 2011-2012	Actual 2011-2012	Budget 2012-2013	Amended Budget 2012-2013	Allocated Budget March 2013	Actual - YTD March 2013	Annual Budget Over / (Under)
<b>Revenue:</b>							
Operating Revenue	\$ 40,170,426.00	\$ 41,082,773.43	\$ 41,442,930.00	\$ 41,442,930.00	\$ 20,721,465.00	\$ 20,330,260.37	\$ (391,204.63)
Miscellaneous Income	\$ 133,000.00	\$ 843,276.53	\$ 167,827.00	\$ 167,827.00	\$ 83,913.50	\$ 133,726.46	\$ 49,812.96
Interest Income	\$ 600.00	\$ 5,652.85	\$ 500.00	\$ 500.00	\$ 250.00	\$ 712.01	\$ 462.01
Sale of Merchandise & Sundry Income	\$ 4,898,324.00	\$ 2,834,224.18	\$ 2,568,666.00	\$ 2,568,666.00	\$ 1,284,333.00	\$ 1,003,685.23	\$ (280,647.77)
<b>Total Revenue</b>	<b>\$ 45,202,350.00</b>	<b>\$ 44,765,926.99</b>	<b>\$ 44,179,923.00</b>	<b>\$ 44,179,923.00</b>	<b>\$ 22,089,961.50</b>	<b>\$ 21,468,384.07</b>	<b>\$ (621,577.43)</b>
<b>Operating Expenditures:</b>							
Fuels, Chemicals and Commodities	\$ 7,492,078.00	\$ 8,102,190.00	\$ 6,344,500.00	\$ 6,344,500.00	\$ 3,172,250.00	\$ 4,387,343.14	\$ 1,215,093.14
General Department	\$ 15,793,523.00	\$ 15,965,397.05	\$ 18,014,271.00	\$ 18,014,271.00	\$ 9,007,135.50	\$ 9,192,354.12	\$ 185,218.62
Boilers	\$ 1,490,000.00	\$ 1,149,128.98	\$ 1,300,000.00	\$ 1,300,000.00	\$ 650,000.00	\$ 555,853.11	\$ (94,146.89)
Meter Readers	\$ 215,614.00	\$ 206,528.62	\$ 258,309.00	\$ 258,309.00	\$ 129,154.50	\$ 127,735.41	\$ (1,419.09)
Store Room	\$ 99,346.00	\$ 92,956.02	\$ 100,989.00	\$ 100,989.00	\$ 50,494.50	\$ 46,010.73	\$ (4,483.77)
Transmission & Distribution	\$ 2,106,430.00	\$ 1,802,908.21	\$ 2,132,969.00	\$ 2,132,969.00	\$ 1,066,484.50	\$ 919,821.63	\$ (146,662.87)
Customer Service	\$ 219,035.00	\$ 203,577.46	\$ 274,563.00	\$ 274,563.00	\$ 137,281.50	\$ 103,295.73	\$ (33,985.77)
Commission	\$ 2,100.00	\$ 1,892.69	\$ 5,600.00	\$ 5,600.00	\$ 2,800.00	\$ -	\$ (2,800.00)
General Manager	\$ 208,797.00	\$ 205,826.77	\$ 243,105.00	\$ 243,105.00	\$ 121,552.50	\$ 127,313.73	\$ 5,761.23
Accounting Department	\$ 10,990.00	\$ 24,170.14	\$ 25,661.00	\$ 25,661.00	\$ 12,830.50	\$ 15,925.38	\$ 3,094.88
Information Systems	\$ 205,443.00	\$ 177,623.77	\$ 201,272.00	\$ 201,272.00	\$ 100,636.00	\$ 58,058.45	\$ (42,577.55)
Customer Assistance	\$ 155,151.00	\$ 158,387.37	\$ 170,273.00	\$ 179,241.00	\$ 89,620.50	\$ 83,957.52	\$ (5,662.98)
Special Services	\$ 55,322.00	\$ 55,708.87	\$ 48,166.00	\$ 46,228.00	\$ 23,114.00	\$ 26,276.51	\$ 3,162.51
Collection	\$ 120,783.00	\$ 110,086.77	\$ 117,414.00	\$ 110,384.00	\$ 55,192.00	\$ 56,971.85	\$ 1,779.85
Administration	\$ 2,408,400.00	\$ 2,467,616.99	\$ 2,596,530.00	\$ 2,596,530.00	\$ 1,298,265.00	\$ 1,256,989.32	\$ (41,275.68)
Employees Benefits	\$ (40,000.00)	\$ (22,861.00)	\$ -	\$ -	\$ -	\$ -	\$ -
Insurances	\$ 586,900.00	\$ 602,062.38	\$ 542,701.00	\$ 542,701.00	\$ 271,350.50	\$ 268,317.64	\$ (3,032.86)
Contractual	\$ 3,849,674.00	\$ 2,401,788.02	\$ 2,511,536.00	\$ 2,511,538.00	\$ 1,255,769.00	\$ 944,013.19	\$ (311,755.81)
Building Maintenance	\$ 16,000.00	\$ 13,272.41	\$ 16,000.00	\$ 16,000.00	\$ 8,000.00	\$ 3,533.06	\$ (4,466.94)
Vehicles	\$ 87,010.00	\$ 87,456.49	\$ 86,500.00	\$ 86,500.00	\$ 43,250.00	\$ 51,780.02	\$ 6,530.02
Depreciation	\$ 5,200,000.00	\$ 4,620,557.67	\$ 5,200,000.00	\$ 5,200,000.00	\$ 2,600,000.00	\$ 2,600,000.04	\$ 0.04
<b>Total Operating Expense</b>	<b>\$ 40,282,596.00</b>	<b>\$ 38,428,275.89</b>	<b>\$ 40,190,361.00</b>	<b>\$ 40,190,361.00</b>	<b>\$ 20,095,180.50</b>	<b>\$ 20,825,550.58</b>	<b>\$ 730,370.08</b>
<b>Non Operating Expenditures:</b>							
Amortization & Interest Expense	\$ 1,967,626.00	\$ 2,001,892.30	\$ 1,652,966.00	\$ 1,652,966.00	\$ 826,483.00	\$ 828,918.82	\$ 2,435.82
<b>Total Expenditures</b>	<b>\$ 42,250,222.00</b>	<b>\$ 40,428,167.99</b>	<b>\$ 41,843,327.00</b>	<b>\$ 41,843,327.00</b>	<b>\$ 20,921,663.50</b>	<b>\$ 21,654,469.40</b>	<b>\$ 732,805.90</b>
<b>Estimated Revenue over( Expenditures)</b>	<b>\$ 2,952,128.00</b>	<b>\$ 4,337,759.00</b>	<b>\$ 2,336,596.00</b>	<b>\$ 2,336,596.00</b>	<b>\$ 1,168,298.00</b>	<b>\$ (186,085.33)</b>	<b>\$ (1,354,383.33)</b>

Department of Municipal Services  
Statement of Revenue and Expenditures  
Water Fund

	Amended Budget 2011-2012	Actual 2011-2012	Budget 2012-2013	Amended Budget 2012-2013	Allocated Budget March 2013	Actual - YTD March 2013	Annual Budget Over / (Under)
<b>Revenue:</b>							
Operating Revenue	\$ 3,898,750.00	\$ 3,704,528.80	\$ 3,942,669.00	\$ 3,942,669.00	\$ 1,971,334.50	\$ 1,780,102.36	\$ (191,232.14)
Miscellaneous Income	\$ 6,250.00	\$ 129,651.31	\$ 65,316.00	\$ 65,316.00	\$ 32,658.00	\$ 32,235.44	\$ (422.56)
Interest Income	\$ 300.00	\$ 100.28	\$ 65.00	\$ 65.00	\$ 32.50	\$ 78.23	\$ 45.73
Sale of Merchandise & Sundry Income		\$ 21,471.75	\$ 21,000.00	\$ 21,000.00	\$ 10,500.00	\$ 18,398.85	\$ 7,898.85
<b>Total Revenue</b>	<b>\$ 3,905,300.00</b>	<b>\$ 3,855,752.12</b>	<b>\$ 4,029,050.00</b>	<b>\$ 4,029,050.00</b>	<b>\$ 2,014,525.00</b>	<b>\$ 1,830,814.88</b>	<b>\$ (183,710.12)</b>
<b>Operating Expenditures:</b>							
Fuels, Chemicals, Commodities	\$ 232,600.00	\$ 143,327.55	\$ 214,400.00	\$ 214,400.00	\$ 107,200.00	\$ 65,305.83	\$ (41,894.17)
Filter Plant	\$ 570,597.00	\$ 562,720.52	\$ 679,721.00	\$ 679,721.00	\$ 339,860.50	\$ 311,021.81	\$ (28,838.69)
General Department	\$ 426,000.00	\$ 380,414.71	\$ 499,668.00	\$ 499,668.00	\$ 249,834.00	\$ 191,037.14	\$ (58,796.86)
Water Dept Maintenance	\$ 54,800.00	\$ 49,247.12	\$ 56,967.00	\$ 56,967.00	\$ 28,483.50	\$ 18,312.27	\$ (10,171.23)
Meter Readers	\$ 116,613.00	\$ 116,768.68	\$ 79,371.00	\$ 79,371.00	\$ 39,685.50	\$ 38,563.35	\$ (1,122.15)
Store Room	\$ 15,036.00	\$ 14,375.01	\$ 14,977.00	\$ 14,977.00	\$ 7,488.50	\$ 7,246.31	\$ (242.19)
Transmission & Distribution	\$ 664,092.00	\$ 620,635.87	\$ 657,615.00	\$ 657,615.00	\$ 328,807.50	\$ 314,046.48	\$ (14,761.02)
Customer Service	\$ 92,251.00	\$ 91,908.69	\$ 99,638.00	\$ 99,638.00	\$ 49,819.00	\$ 49,355.32	\$ (463.68)
Commission	\$ 50.00	\$ -	\$ 50.00	\$ 50.00	\$ 25.00	\$ -	\$ (25.00)
General Manager	\$ 26,073.00	\$ 32,387.28	\$ 38,093.00	\$ 38,093.00	\$ 19,046.50	\$ 20,517.09	\$ 1,470.59
Superintendent	\$ 209,389.00	\$ 209,001.10	\$ 215,401.00	\$ 215,401.00	\$ 107,700.50	\$ 97,041.22	\$ (10,659.28)
Accounting Department	\$ 2,412.00	\$ 4,691.35	\$ 4,975.00	\$ 4,975.00	\$ 2,487.50	\$ 3,185.08	\$ 697.58
Informational Systems	\$ 37,455.00	\$ 30,335.74	\$ 36,055.00	\$ 36,055.00	\$ 18,027.50	\$ 9,624.32	\$ (8,403.18)
Customer Assistance	\$ 25,267.00	\$ 25,894.77	\$ 28,211.00	\$ 29,011.00	\$ 14,505.50	\$ 14,340.62	\$ (154.88)
Special Services	\$ 8,579.00	\$ 9,356.62	\$ 7,985.00	\$ 7,662.00	\$ 3,831.00	\$ 4,878.68	\$ 547.68
Collection	\$ 31,054.00	\$ 18,442.20	\$ 18,134.00	\$ 17,657.00	\$ 8,828.50	\$ 9,625.43	\$ 796.93
Administration	\$ 485,950.00	\$ 386,315.95	\$ 463,546.00	\$ 463,546.00	\$ 231,773.00	\$ 223,231.91	\$ (8,541.09)
Hospitalization	\$ -	\$ (18,286.80)	\$ -	\$ -	\$ -	\$ -	\$ -
Insurance	\$ 58,109.00	\$ 59,803.39	\$ 41,209.00	\$ 41,209.00	\$ 20,604.50	\$ 20,152.62	\$ (451.88)
Contractual	\$ 60,050.00	\$ 8,790.02	\$ 64,260.00	\$ 64,260.00	\$ 32,130.00	\$ 8,904.54	\$ (23,225.46)
Building Maintenance	\$ 1,695.00	\$ 1,657.32	\$ 1,500.00	\$ 1,500.00	\$ 750.00	\$ 588.85	\$ (161.15)
Vehicles	\$ 28,000.00	\$ 27,459.95	\$ 30,500.00	\$ 30,500.00	\$ 15,250.00	\$ 9,496.59	\$ (5,753.41)
Depreciation	\$ 710,000.00	\$ 609,504.08	\$ 710,000.00	\$ 710,000.00	\$ 355,000.00	\$ 355,000.02	\$ 0.02
<b>Total Operating Expense</b>	<b>\$ 3,856,072.00</b>	<b>\$ 3,384,749.12</b>	<b>\$ 3,962,276.00</b>	<b>\$ 3,962,276.00</b>	<b>\$ 1,981,138.00</b>	<b>\$ 1,770,975.48</b>	<b>\$ (210,162.52)</b>
<b>Estimated Revenue over (Expenditures)</b>	<b>\$ 49,228.00</b>	<b>\$ 471,003.00</b>	<b>\$ 66,774.00</b>	<b>\$ 66,774.00</b>	<b>\$ 33,387.00</b>	<b>\$ 59,839.40</b>	<b>\$ 26,452.40</b>

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

13

MEETING DATE: May 20, 2013

AGENDA ITEM #

ITEM: Downtown Bike Rack Design Competition

PRESENTER: Natalie Rankine, DDA Director

INDIVIDUALS IN ATTENDANCE: Mark Kowalewski, City Engineer

BACKGROUND: As a result of the move to 3200 Biddle Avenue, the city will be installing new bike racks at the property. Instead of purchasing stock racks, we will be hosting a design competition for artists and designers to design and fabricate unique bike racks. Other cities have successfully run this program adding functional bike racks and art to their downtown areas. The first two bike racks would be installed this summer and the DDA would have a yearly call for artists to design bike racks each year. Designers are given parameters, a site plan and a budget to work within. The designs would then go to the current Design Review Committee and the Design & Promotions Committee for final selection. The City Engineer has reviewed the bike rack guidelines as written.

STRATEGIC PLAN/GOALS: This action is consistent with the Goals and Objectives identified in the City of Wyandotte's Strategic Plan 2010-2015 that identifies a commitment to *enhancing the community's quality of life*.

ACTION REQUESTED: Receive the attached information on the Downtown Bicycle Rack Design Competition and place on file.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: These bike racks have been budgeted as a result of the 3200 Biddle Avenue move.

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: OK *Indydale*

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: *AK 9/11*

LIST OF ATTACHMENTS: 1. Proposed guidelines for bike rack design competition for bike racks located at 3200 Biddle Avenue.

**RESOLUTION:**

That City Council receive the information from the Downtown Development Authority Director and place the information on file.

I move the adoption of the foregoing resolution.

MOTION by Councilmember \_\_\_\_\_

SUPPORTED by Councilmember \_\_\_\_\_

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ABSENT \_\_\_\_\_

## **DOWNTOWN BICYCLE RACK DESIGN COMPETITION FOR ARTISTS & DESIGNERS**

Presented by The Downtown Development Authority

CALL FOR ENTRIES: DUE BY 5:00 PM, JUNE 21st, 2013

The City of Wyandotte and the Downtown Development Authority is sponsoring a competition for unique bicycle racks designs to be installed at City Hall. This project seeks to add both aesthetic appeal and functional utility to Wyandotte. The City of Wyandotte welcomes the creative energy of the local artists and designers to assist in the creation of these new racks.

### **SPECIFICATIONS FOR DESIGN:**

This project will emphasize the balance between form and function. The bicycle rack must be designed to withstand the outdoor elements as well as for heavy recreational use.

### **DESIGN SPECIFICATIONS**

- Locking points must be at least 1 inch thick and no more than 4 inches thick. Rack must be able to accommodate generic, commonly available u-locks and/or chains utilized by bicyclists.
- Accommodate and support minimum of three (3) bikes and no more than five (5). Minimum height of 30 inches.
- Minimum gap of ten inches at the bottom of the rack to allow space for the pedal.
- Design must consider safety and not contain sharp edges or openings that would be dangerous. The design must comply with accessibility standards (ADA). The finished design must not have overhangs or protrusions that could be difficult for the visually impaired in the walking area. The design must not have sharp edges or protrusions.
- Space gaps within the design shall be larger than nine inches and smaller than three and one half inches to avoid the trapping of children's heads.
- The design must contain a minimum of 2 pre-drilled base plates that shall be a minimum of 3/8" thick with bolts to secure into a new or existing concrete pad.
- Constructed of painted pipe metal, primed and powder coated with exterior grade paint. Stainless Steel is also an acceptable material.
- Color: Paint may be any color, but design must not contain more than one color, for ease of touchups and maintenance.
- Fabrication will be the responsibility of selected artist/designer and utilization of a third-party for fabrication is acceptable.
- Bicycle should not have to be lifted off the ground to be secured to the rack.
- Installation will be the responsibility of the City of Wyandotte.

Designers must approach the project as a permanent installation to be installed into a concrete surface, with a minimum 10-year life expectancy and theft-resistant. All work must be safe to pedestrians and bicyclists. There must be a minimum two-point connection between the bicycle frame and the rack. In addition, artwork must allow for at least one wheel to be secured to the rack. Most sizes and shapes of

bicycle frames and must accommodate and be user-friendly for a wide range of cyclists (child through adult). In addition, designs must be safe for all pedestrians.

#### DESIGN SUBMISSION REQUIREMENTS

- Designs must be submitted on one board (poster, foam core or cardboard) not to exceed 11" x 17".
- Designs must be unique designs developed solely for the purposes of this competition.
- Artist may submit hand or electronically generated sketches, 2-D models or graphic representations of the design.
- Submissions must include a minimum of one elevation view and plan view with dimensions clearly depicted on the drawing.
- Drawings may be in color or black and white. Color designs must indicate the Pantone Match System (PMS) color desired for paint finish.
- Drawings must depict at least one view illustrating the placement of a sample bike wheel and lock.
- Designs should be unique and creative; something that will inspire, enliven and beautify the streetscape of Downtown Wyandotte.
- Interpretations of Wyandotte including its history, natural landscape, cultures and future are encouraged, but not required of the design.
- Designs must be appropriate for viewing by all ages.
- Artists/designers may submit multiple entries, but each entry must be presented separately.

Please include in your submission the following:

First and last name, Address, Phone, Email, Website (if applicable):

#### **Submission Deadline:**

All submissions must be postmarked by 5:00 pm June 21<sup>st</sup>, 2013

Submissions must be mailed or dropped off:

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

Questions regarding this competition may be directed to Natalie Rankine, [nrankine@wyan.org](mailto:nrankine@wyan.org) or 734-324-7298.

#### DESIGN SELECTION PROCESS

All designs will be reviewed by the Downtown Development Authority, The Design Review Committee and the Engineering and Building Department, which is comprised of engineers, artists, and architects. The top design will be selected for fabrication and placement in the Downtown area. For the initial phase of this project, two winners will be selected, with bike racks being placed near City Hall, 3200 Biddle Avenue. Winners will be notified no later than July 10<sup>th</sup>. Fabrication of bike racks must be complete no later than August 2<sup>nd</sup>.

## COMPENSATION

Winning submission will be awarded \$1,500.00 to be used for design and fabrication. 25% of this award will be paid to the designer upon deposit upon return of project agreement form sent at time of selection of project and the remaining 75% will be paid upon the completion and delivery of the bike rack. Winners will transfer intellectual property rights of the design to City of Wyandotte. The City of Wyandotte will reserve the right to reproduce and distribute the designs.

## HELPFUL RESOURCES

**Local Metal Fabrication:** Custom Welding & Fabrication, Del Glasser, 1814 Biddle Avenue, Wyandotte, Michigan 48192, 734-284-2592

**Bicycle Rack Design Guidelines:** [http://katana.hsrb.unc.edu/cms/downloads/BikePark\\_Guidelines.pdf](http://katana.hsrb.unc.edu/cms/downloads/BikePark_Guidelines.pdf)

## SITE PHOTOGRAPHS



**View of 3200 Biddle, looking toward Sycamore**



**View of 3200 Biddle, looking southwest. Please note: That a concrete pad will be installed at the corner to accommodate the new bike rack.**

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

14

**MEETING DATE:** May 20th, 2013

**AGENDA ITEM #** \_\_\_\_\_

**ITEM:** Market signage: Wyandotte Farmers Market

**PRESENTER:** Natalie Rankine, Downtown Development Authority

**INDIVIDUALS IN ATTENDANCE:** Natalie Rankine

**BACKGROUND:** The Wyandotte Farmers Market is scheduled to open again on Thursday, June 6<sup>th</sup>. The market will operate each Thursday from 12:00 noon to 6:00 pm at the corner of First and Elm. In an effort to promote the market, we are requesting that a site sign be placed on the grass at the corner of Elm and First Streets from June until the last day of the market in October. The sign will be removed during the winter months, when the market is not operating. The design of the sign emulates the signage of the Community Garden, the James R. DeSana Center for Arts & Culture and the Wyandotte Museums Offices.

**STRATEGIC PLAN/GOALS:** Designing and developing a city-owned and operated year-round Farmers Market in the area surrounding the site of the old Wyandotte Theatre to generate downtown activity and city revenue.

**ACTION REQUESTED:** Concur with the Downtown Development Authority Director's request to place signage at the corner of First and Elm during the Farmers Market season from June through October.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Signage funding has been accounted for from the Farmers Market 499.200.925.802 budget.

**IMPLEMENTATION PLAN:** Downtown Development Authority Director will oversee signage design; mark location of signage and Department of Public Services will install and remove site signage.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shirleydale ok*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *OK JMD*

**LIST OF ATTACHMENTS:** Farmers Market signage design drawings

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: May 20<sup>th</sup>, 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council concurs with the Downtown Development Authority in the following resolution:

Resolution to place a site sign on the southeast corner of First and Elm Streets from June through October to promote the Wyandotte Farmers Market.

I move the adoption of the foregoing resolution.

MOTION by  
Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

DeSana  
Fricke  
Galeski  
Micuire  
Sabuda  
Schultz  
Stec



Proposed Farmers Market signage: 48" wide

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

15

MEETING DATE: May 20, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM: Downriver Consolidated Assessing**

**PRESENTER:** Tom Woodruff, City Assessor and Todd A. Drysdale, City Administrator

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** The City Charter and State law specify the statutory requirements of the City Assessor's Office. In the absence of a City Assessor who is certified to perform the required tasks, it will be necessary to procure assessing services in order to meet the requirements of the Office. The City has a history of utilizing contract assessing services. The City spent between \$32k and \$92k annually for these contract assessment services (primarily Wayne County) from the 1996 Fiscal Year through the 2011 Fiscal Year with \$55k spent in the 2011 Fiscal Year. Note that the elected City Assessor performed the duties beginning with the 2012 Fiscal Year without significant assistance from the contract assessing service.

In December of 2012, the City Council was appraised of the potential for a consolidated assessing department comprised of a number of Downriver communities. This group was awarded a Competitive Grant Assistance Program (CGAP) Grant from the State of Michigan to assist in the technology needs of required to make a consolidated assessing department viable. At this time, it was noted that the decision to join the initiative would continue to be evaluated.

After much evaluation, it has been determined that the City can provide the necessary assessment services while also achieving cost savings while providing access to a greater number of certified assessors (three Level 3 Assessors) than could be done under our historical operating model. Attached is an organizational chart and proposed budget which identifies an equalized savings of a minimum of \$21k per community from the currently adopted budgets. This savings is in addition to the approximately \$55k eliminated from the budget after the 2011 FY for contractual assessment services (see above).

The Downriver Central Assessing (DCA) group will be headquartered at the Wyandotte City Hall. Note that our current deputy assessor will be integrated (titled Full Time Clerical position) into the combined organization along with an employee of the City of Southgate (Deputy Assessor) and employees of Anthony Fuoco Assessing, Inc. The initiative will be governed under an Interlocal Agreement (attached) similar to other collaborative efforts which the City participates such as the Southern Michigan Information Alliance (SMIA), Downriver Central Dispatch (DCD), and Downriver Central Animal Control (DCACA). The scope of assessment services and associated cost will be handled by the governing board of the DCA via an amendment to the City of Southgate and City of Woodhaven's existing contract with Anthony Fuoco Assessing, Inc.

**STRATEGIC PLAN/GOALS:** To provide for the finest services, excel technologically and to be financially responsible.

**ACTION REQUESTED:** Approve the Interlocal Agreement for the Downriver Consolidated Assessing.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Savings of approximately \$21k annually (various account numbers in the 209 Department of the General Fund)

**IMPLEMENTATION PLAN:** The City Administrator and City Assessor will be working with the participating communities and contract assessor.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur

**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:** 

**LIST OF ATTACHMENTS:**

1. Interlocal Agreement – Downriver Consolidated Assessing
2. Request For Council Action (Assessing Grant) – 12/13/2012
3. Proposed Contract Amendment – Fuoco Assessing, Inc.
4. Proposed Organizational Chart – Downriver Consolidated Assessing
5. Proposed Budget

**MODEL RESOLUTION:**

Resolved by the City Council that Council concurs with the recommendation of the City Assessor and City Administrator relative to the consolidation of assessing services and

Further, authorizes the Mayor to sign the Interlocal Agreement for Downriver Consolidated Assessing

## INTERLOCAL AGREEMENT FOR THE DOWNRIVER CONSOLIDATED ASSESSING

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, A.D. 2013, by and among the Cities of Riverview, Southgate, Woodhaven, and Wyandotte.

WITNESSETH:

WHEREAS the referenced cities desire to provide enhanced service to their citizens through increasing collaboration and sharing of services, and

WHEREAS the parties find it to be in their mutual interests to share the technology required and thereby average down the costs thereof and at the same time improve the quality of service which they can provide to the communities, and

WHEREAS the parties have reached agreement concerning the details of sharing of costs and responsibilities in a way which is fair and equitable for all and believe that this agreement should be set out in writing pursuant to the requirements of the Public Act 35 of 1951, the same being MCL 124.1 et seq.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration receipt of which is acknowledged, the parties agree to create a governmental entity as follows:

### **I. NAME AND PURPOSE:**

The name of the governmental entity created by this agreement shall be "Downriver Consolidated Assessing" (hereinafter, the "DCA"). The purpose of this authority is to provide assessment and equalization services for the members Cities through the sharing of technology and information resources.

### **II. DURATION:**

The DCA shall be of perpetual duration, unless dissolved by a majority vote of the members.

### **III. ORGANIZATION:**

The DCA shall be governed by a Board of Directors ("Board") which shall be comprised of the Chief Administrative Officer, of each of the governmental units which become members. The Representative shall each appoint an alternate to attend meetings when they are unavailable. Each member shall have one (1) vote. A majority of the Board shall be required to constitute a quorum for the transaction of business, and a majority vote at any meeting at which a quorum is present shall be necessary for Board action. The Board may elect such officers and appoint such committees as it determines are needed for efficient administration. There shall be an annual meeting of the Board at a time and place set by the Board. Other meetings shall be scheduled from time to time as the Board determines as needed for efficient and effective administration.

#### **IV. FUNDING:**

The members of the Alliance hereby agree to provide financial support according to a schedule and formula set out in Attachment "A" attached hereto, which is hereby incorporated by reference into this agreement. The Board shall have full authority to revise its method of allocating the operating costs to rely on any method which is fair and equitable to all participants.

#### **V. ADMITTING ADDITIONAL MEMBERS:**

Additional members may be admitted to the DCA by majority vote of the Board upon whatever terms and conditions, including an upfront membership fee, that shall be set by the Board in its sole and absolute discretion.

#### **VI. SCOPE OF SERVICES:**

The members hereby agree that the DCA shall be responsible for the following services: preparation and maintenance of real, personal, IFT assessment rolls, and all other assessment roll certification, personal property auditing, new construction assessment, re-assessment of real properties, representation at the Michigan Tax Tribunal, assessment database maintenance including BS&A Software experience, tax database preparation including BS&A software, New World Systems, and ASI systems, neighborhood sales analysis, land value mapping, legal counsel, staffing experience in uncapping, staffing experience in property transfer affidavits, staffing experience in homestead exemptions, clerical staffing.

#### **VII. WITHDRAWAL BY A MEMBER:**

Any member shall have the right to withdraw from the DCA at any time upon giving ninety (90) days advance notice. The withdrawing member shall not be entitled to recover its contribution to the equipment or any investment it may have therein and remains responsible for any obligations or liabilities entered into by the DCA while they were a member.

#### **VIII. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT:**

Each member shall control the release of any information which resides anywhere on the system, including, but not limited to, the server. The Board shall establish procedures for the handling of FOIA requests to assure that this policy is implemented.

#### **IX. ORGANIZATIONAL MODEL**

The Parties hereby adopt into this agreement Attachment B to serve as the organizational structure of the organization. The Parties further agree that the initial staff shall be comprised of the existing staff members.

#### **X. OPERATING RULES AND PROCEDURES:**

All operating procedures will be determined and governed by the Board. The Board shall adopt and implement such rules as it deems prudent for the further improvement and

refinement of the system. The DCA supervisor will submit written reports as required by the DCA board. The intention of this provision is to assure that the established structure and work-flow of the system is preserved, while at the same time allowing the Board to adopt changes from time to time to enhance the system. Each year at the expense of the DCA, a financial audit will be performed and presented to the Board.

**XI. AUTONOMY OF MEMBERS:**

Each member shall have the right to request customization of the system as much as possible without causing harm to the system as a whole. The Board shall have the authority to decide whether or not any customization will be an impairment to the system and may order the member to follow the directive of the Board.

**XII. EXPULSION OF A MEMBER**

Any member of the DCA may be expelled by a two-thirds vote of the Board for good cause shown.

**XIII. GOVERNING LAW**

This agreement shall be governed by the laws of the State of Michigan and shall be enforceable in any court of competent jurisdiction in Michigan.

**XIV. SEVERABILITY:**

In the event that one or more provisions of this agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the other provisions shall remain in full force and effect.

**XV. ARBITRATION OF DISPUTES:**

Any dispute among the members, which cannot be resolved by negotiation, shall be submitted to Binding Arbitration before an arbitrator agreed to by all parties involved in the dispute. In the event that an arbitrator cannot be agreed to, the parties shall request that the American Arbitration Association choose an arbitrator whose selection may not be challenged. All costs associated with this article will be equally shared amongst the DCD members.

**XVI. NOTICE:**

The members agree that the City Clerks of the respective cities are the persons to receive notices on behalf of their respective units of government:

**XVII. RECALCULATION OF SHARES OF EXPENSE:**

The expenses allocated to the members of the DCA shall be recalculated from time to time as set forth in schedule "A".

**XVIII. AGENCY FOR PERSONNEL MATTERS:**

The City of Wyandotte shall serve as an agent for the DCA in administering all new hires as it relates to personnel matters, including, but not necessarily limited to payroll, accounting, pension benefits, health insurance, sick pay, vacation pay, personal leave time, employee supervision and discipline. Personnel shall be employees of the City of Wyandotte. The DCA shall compensate the City of Wyandotte for its reasonable expenses related to the management of personnel matters. Any existing personnel shall remain employed by the respective member City and be entitled to wages and benefits related thereto.

**XIX. AMENDMENTS**

This agreement may be amended by a majority vote of the Board at a regularly scheduled meeting or a special meeting, provided that a notice that an amendment has been proposed is sent to the members of the board at least 30 but not more than 60 days prior to the meeting at which the vote is to be taken. The notice shall include a complete copy of the section or sections proposed for amendment and the language of the proposed amendment, preferably red-lined. Further, the rationale for the proposed amendment shall be attached to the notice.

Signed and sealed by the following units of government on the dates set out below:

City of Wyandotte

City of Riverview

City of Southgate

\_\_\_\_\_  
By: Joseph R. Peterson  
Its: Mayor  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Timothy Durand  
Its: Mayor  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Joseph G. Kuspa  
Its: Mayor  
Date: \_\_\_\_\_

City of Woodhaven

\_\_\_\_\_  
By: Patricia Odette  
Its: Mayor  
Date: \_\_\_\_\_

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: December 13, 2012

AGENDA ITEM # 11

**ITEM:** Competitive Assistance Grant Program (CGAP) - Assessing

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

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** The City of Southgate has applied to the State of Michigan under the CGAP Grant Program (formerly EVIP) for technology and equipment upgrades for the Downriver Central Assessing project. This project began in the fall of 2011 between the City of Southgate and City of Lincoln Park and was later joined by the City of Woodhaven. The project resulted in a reduction in costs and the elimination of Wayne County as the contractual assessor for their communities. The grant is intended to upgrade equipment and infrastructure in efforts to provide additional cost reductions for the initiative. Currently, the City of Wyandotte is in the process of determining if there is value in joining this project. It is required to adopt the attached resolution to receive the Grant Notice of Final Award.

**STRATEGIC PLAN/GOALS:**

**ACTION REQUESTED:** Adopt the attached resolution

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** None. After final notification of the grant is received, the City will need to determine if they wish to join the initiative.

**IMPLEMENTATION PLAN:** City Administrator will work with the neighboring communities and the Assessor-elect relative to this initiative.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** Concur with recommendation. *JMP*

**LIST OF ATTACHMENTS**

1. Notification of Intent to Award – CGAP FY 2012 (Round 2)

**MODEL RESOLUTION:**

See attached

City of Wyandotte

County of Wayne

RESOLUTION ACCEPTING THE CGAP GRANT

Minutes of the regular meeting of the City of Wyandotte of the City of Wyandotte County of Wayne, State of Michigan, (the "Municipality") held on December 17, 2012.

PRESENT: Members:

ABSENT: Members:

Member offered and moved the adoption of the following resolution, seconded by Member .

WHEREAS, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$25,000 toward reimbursement of expenditures required to implement the Downriver Central Assessing Department (project title), and

WHEREAS, the State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

WHEREAS, the State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

WHEREAS, City of Wyandotte (local unit name) acknowledges that its:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act
2. Has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act
3. Is not delinquent in making payment that are due on loans issued pursuant to the Emergency Municipal Loan Act
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a CGAP grant-funded project;

NOW, THEREFORE, BE IT RESOLVED THAT the Wyandotte City Council (governing body) hereby authorize participation in the Downriver Central Assessing Department (project title) and on behalf of the City of Wyandotte (local unit name) authorize the Mayor and City Clerk (designee) to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements.

YEAS:           Members:

NAYS:           Members:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 Public Act 267, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

---

William R. Griggs (name)

City of Wyandotte, Clerk

of           County of



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

ANDY DILLON  
STATE TREASURER

October 23, 2012

Brandon Fournier  
City Administrator  
City of Southgate  
14400 Dlx-Toledo  
Southgate, MI 48195

Dear Mr. Fournier:

Re: Notification of Intent to Award - CGAP FY 2012 (Round 2)

The Michigan Department of Treasury (Treasury) - Office of Revenue and Tax Analysis (ORTA) received your grant application for the Competitive Grant Assistance Program (CGAP), formerly known as the Economic Vitality Incentive Program (EVIP) – Grant Program. We are pleased to inform you that the project your governmental unit submitted entitled *Downriver Central Assessing Department* has been selected for a grant award in the maximum amount of \$25,000.00.

Intent to Award Approved Budget Amount

Attached is the approved budget for your grant project.

Next Step

To receive the Grant Notice of Final Award, Treasury must receive all the required Board Resolution(s), Board Meeting Minutes, or Inter-local agreements for all participating local units (as indicated in the Conditions of the grant application packet) by Thursday, December 27, 2012. If the resolutions, minutes or agreements have not been received for all participating local units, the project funding will be subject to automatic cancellation. Submission of the resolutions, minutes or agreements will be considered an agreement to all provisions specified in the grant application packet and acceptance of the grant award.

Please send the required documents by e-mail to [TreasRevenueSharing@michigan.gov](mailto:TreasRevenueSharing@michigan.gov) or by mail to:

Michigan Department of Treasury  
Office of Revenue and Tax Analysis  
PO Box 30722  
Lansing, MI 48809

City of Southgate  
October 23, 2012  
Page 2

Grant Application Conditions

For your reference, enclosed is a copy of the CGAP, formerly EVIP, Information and Conditions. Please review the conditions of the grant award. The conditions contain important information pertaining to the grant award (i.e. requirements for final award, reporting, reimbursement, etc.). Reminder, grant funds are distributed on a reimbursement basis.

Congratulations to you on the grant award. We appreciate your interest in the CGAP and look forward to working with you on this project. We ask that you inform all participating local units of this intent to award. If you have any questions, please let us know. We can be reached at (517) 373-2697.

Sincerely,



Evah Cole, Administrative Manager  
Office of Revenue & Tax Analysis

Enclosure

c: Mr. Andy Dillon, Treasurer  
Mr. Roger Fraser, Deputy Treasurer  
Ms. Claire Allard, Strategy Advisor  
Mr. Brom Stibitz, Senior Policy Advisor  
Mr. Terry Stanton, Director of Communications  
Mr. Jay Wortley, Director

City of Southgate  
 October 23, 2012  
 Attachment: Intent to Award Approved Budget Amounts

*Downriver Central Assessing Department*

Below is the approved budget for your grant project. Please note, all feasibility studies were funded at 25%. We have assigned budget categories to each of your original budget line items. Please use these categories when submitting your reimbursement requests.

Reimbursement requests must include invoices and cancelled checks supporting the costs.

Budget Category	Budget Description	Application Budget Amount	Intent to Award Budget Amount	Comments
	Building Renovation	\$96,250.00	\$ .00	Denied
Infrastructure/Equipment	Software Upgrades	\$25,000.00	\$25,000.00	
	Budget Total	\$121,250.00	\$25,000.00	

Wyandotte, Michigan  
December 17th, 2012



City of Wyandotte

County of Wayne

RESOLUTION ACCEPTING THE CGAP GRANT

Minutes of the regular meeting of the City of Wyandotte of the City of Wyandotte County of Wayne, State of Michigan, (the "Municipality") held on December 17, 2012.

PRESENT: Members: DeSana Fricke Galeski Sabuda

ABSENT: Members: Browning Stec

Member <sup>DeSana</sup> offered and moved the adoption of the following resolution, seconded by Member Fricke

WHEREAS, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$25,000 toward reimbursement of expenditures required to implement the Downriver Central Assessing Department (project title), and

WHEREAS, the State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

WHEREAS, the State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

WHEREAS, City of Wyandotte (local unit name) acknowledges that its:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act
2. Has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act
3. Is not delinquent in making payment that are due on loans issued pursuant to the Emergency Municipal Loan Act
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a CGAP grant-funded project;

NOW, THEREFORE, BE IT RESOLVED THAT the Wyandotte City Council (governing body) hereby authorize participation in the Downriver Central Assessing Department (project title) and on behalf of the City of Wyandotte (local unit name) authorize the Mayor and City Clerk (designee) to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements.

YEAS: Members: DeSana Fricke Galeski Sabuda

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Council of the City of Wyandotte, County of Wayne, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 Public Act 267, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

William R. Griggs

William R. Griggs (name)

City of Wyandotte, Clerk

of County of Wayne

I move the adoption of the foregoing resolution.

MOTION by Councilman

George R. DeSana

SUPPORTED by Councilmember

DeW. Fricke

YEAS

COUNCIL

NAYS

Browning  
DeSana  
Fricke  
Galeski  
Sabuda  
Stec

**AMENDMENT ALTERING THE JOINT SERVICES AGREEMENT BETWEEN THE  
CITY OF WOODHAVEN AND SOUTHGATE.**

The Parties have entered into an agreement for a period ending on September 30, 2013. The Parties have met and wish to modify the terms of the employment agreement as indicated in this Amendment which will serve as a written document formally modifying the terms of the service Contract.

**WHEREAS,** The parties are desirous of forming a partnership under the laws of the State of Michigan by execution of this Agreement for the purposes set forth herein and are desirous of fixing and defining between themselves their respective responsibilities, interests, and liabilities in connection with the performance of the before mentioned project; and

**WHEREAS,** State Statute, and the respective City Charters authorize City Governments to engage in partnerships for the intended purposes of cost reduction and service interest increases; and

**WHEREAS,** The Cities through their legislative action and power intend to engage in a combined assessing partnership in order to decrease the cost of operating independently and provide residents increased access to individual services; and

**WHEREAS,** The State of Michigan has set forth required benchmarks of increased collaboration and concentration of services to ensure that the highest return on value is realized by the residents of this State.

**NOW, THEREFORE,** in consideration of mutual agreements described hereinafter and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

ARTICLE I – Purpose and Scope of the Agreement

(a) General Purpose: The Assessor shall be responsible for providing the Cities any and all necessary services for the purpose of assigning value to the personal and real property located within the respective corporate boundaries. The Assessor will provide the Cities all necessary means of maintaining and preparing the annual tax roll. The Assessor will be prepared for and responsible for defending and managing any and all tax appeals through the course of this Agreement.

(b) Assessor's Obligations: The Assessor shall be responsible for establishing the work hours with the concurrence of the DCA Board as set forth in this Agreement. The Assessor shall work to maintain all of the files and storage systems of both Cities, ensuring an adequately maintained system in compliance with all state requirements. Further the Assessor shall prepare the Assessment and Tax Roll, including and all special assessment, TIFA, IFT, NEZ and any other required rolls for each community. This includes processing from the creation of the roll to the final archived roll, ensuring that all proper steps are taken and all balancing requirements are preformed. Assessing of all commercial and industrial properties, including field work for

properties where permits were issued, MTT appeals and requested inspections per complaints or concerns about field sheet data. The Assessor shall handle all commercial and industrial MTTY appeals for small claims and entire tribunal appeals, including preparation of evidence/appraisals and follow through to MTT hearing or settlement. Will assist with residential field work and MTT appeals as well as personal property issues. Shall prepare lot splits and combinations as required, support assist regarding any required assessing reports, meeting with government officials, board of review, and any other meetings as needed. Perform and or assist in all other work as needed.

ARTICLE II –Payment of Expenses

(a) The Downriver Consolidated Assessing Board shall submit payment to the contractor on a monthly basis totaling \$178,000 per year.

ARTICLE III - Policy Committee

The policy committee established in the original joint services agreement is hereby abolished. All policies and procedures shall now be established and administrated by the DCA Board of Directors.

ARTICLE VII – Accounting and Auditing

(a) It shall be the obligation of each individual party to this agreement to provide their own financial reporting and accounting.

(b) An annual audit shall be required each year and provided to the DCA Board of Directors and copies of said audit shall be furnished to all Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in their respective names by themselves or by their duly authorized corporate agents as of the day and year indicated by their signatures below. This Agreement shall become effective upon the signature of all three Parties.

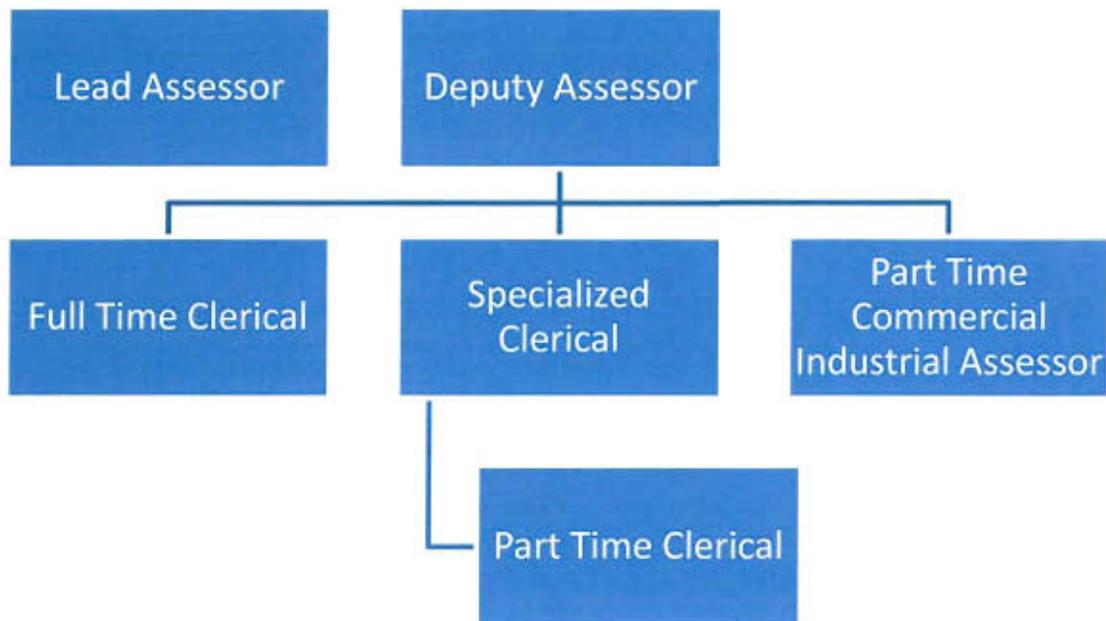
Downriver Consolidated Assessing

By: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Anthony Fuoco Assessing, Inc.

By: \_\_\_\_\_ Date: \_\_\_\_\_



Lead Assessor – Oversees ALL levels of assessment and administration. \*See attached list for list of responsibilities.

Deputy Assessor – Manage clerical department. Assists Lead Assessor. \*See attached for list of responsibilities.

Specialized Clerical – Assists Lead and Deputy Assessor. Assist with MTTs. Handles specialized county and state reports needed in order to complete assessment rolls.

Full time clerical – Assists Lead and Deputy with any clerical work that may be required. Including but not limited to PPS, PTAs, PREs, BOR info, Field Sheets, etc.

Part Time Commercial/Industrial – Works directly with Lead and Deputy Assessor. Maintain commercial and industrial records, assist in MTTs, field work, etc.

Part Time Clerical – Assists all levels of assessment with any job functions that need to be complete. Will work directly with the public.

Downriver Consolidated Assessing  
 Estimated Cost Per Community  
 5/16/2013

	Tax Parcel Count	% of Total	Estimated Annual Operating Costs 457,900.00	Current Cost	Saving
Riverview	5,000.00	15.5%	70,946	92,525	(21,006)
Southgate	11,575.00	35.9%	164,240	170,204	(21,006)
Wyandotte	11,096.00	34.4%	157,443	180,193	(21,006)
Wood Haven	4,600.00	14.3%	65,270	99,000	(21,006)
Totals	32,271	100.0%	457,900	541,922	(84,022)

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**



**MEETING DATE:** May 20, 2013

**AGENDA ITEM #**

**ITEM:** EVIP Category 3 - Compensation

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

**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** In 2011, the State passed PA 152 otherwise known as the Publicly Funded Health Insurance Contribution Act (PFHIC). This new law requires public employees to share the cost of health insurance premiums with their employees and had an effective date of January 1, 2012. As such, the City Council passed the attached resolution dated December 19, 2011, selecting the 80/20 Cost Sharing Option which limited the City from paying more than eighty (80%) of the aggregate cost of medical and prescription costs for its employees. This requirement was effective on January 1, 2012 and has remained in effect since that date.

In 2011, the State also implemented the Economic Vitality Incentive Program (EVIP). This program required local municipalities to comply with three (3) categories in order to receive EVIP funding which partially replaced statutory revenue sharing. The third category in the EVIP program involves employee compensation and a number of best practices were outlined. In late May of 2012, this legislation was clarified to allow for compliance with this EVIP category if the local elected body certified compliance with PA 152 of 2011. Using this option for compliance requires an annual resolution from the elected body. Thus, it is required to pass another resolution in 2013 for EVIP compliance purposes.

**STRATEGIC PLAN/GOALS:** N/A

**ACTION REQUESTED:** Adopt a resolution affirming the continued application of the 80/20 Cost Sharing Option allowed under PA 152 of 2011

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Compliance with EVIP Category 3 results in EVIP funding from the State of approximately \$241,000. The application of the 80/20 cost sharing of medical and prescription costs provides approximately \$400,000 in savings to the City. The effect of both of these amounts is already included in the current and future year budgets.

**IMPLEMENTATION PLAN:** N/A – already ongoing.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *OK JDS*

**LIST OF ATTACHMENTS:**

1. Council Resolution dated December 19, 2011
2. EVIP Category 3 Requirements – Michigan Dept of Treasury (email)

**MODEL RESOLUTION:**

Resolved by the City Council that Council concurs with the recommendation of the City Administrator as set forth in his communication dated May 20, 2013 to maintain the 80/20 Cost Sharing Option available under PA 152 of 2011 that was originally adopted on December 19, 2011, and

Further, acknowledges that this action will continue to limit the City from paying more than eighty percent (80%) of the aggregate cost of medical and prescription insurance costs for its employees with the remaining medical and prescription costs being borne by the employees

OFFICIALS

William R. Griggs  
CITY CLERK

Andrew A. Swiecki  
CITY TREASURER

Colleen A. Keehn  
CITY ASSESSOR



COUNCIL

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

JOSEPH R. PETERSON  
MAYOR

December 20, 2011

RESOLUTION

Todd A. Drysdale  
City Administrator  
3131 Biddle Avenue  
Wyandotte, Michigan 48192

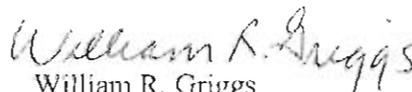
By Councilman Todd M. Browning  
Supported by Councilman Leonard Sabuda

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Administrator as set forth in his communication dated December 15, 2011 to select the 80/20 Cost Sharing Option; which limits the City from paying more than eighty percent (80%) of the aggregate cost of medical and prescription insurance costs for its employees; with the remaining twenty percent (20%) of the cost being borne by the employees as required to comply with PA 152 of 2011 effective January 1, 2012.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda Stec  
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 December 19, 2011.

  
William R. Griggs  
City Clerk

CC: Finance

## Todd Drysdale

---

**From:** TreasRevenueSharing [TreasRevenueSharing@michigan.gov]  
**Sent:** Wednesday, May 01, 2013 4:17 PM  
**Subject:** EVIP Category 3 - DUE DATE - JUNE 1, 2013  
**Attachments:** FY 13 EVIP Employee Compensation - Documentation Received 05-01-13.pdf

**The Economic Vitality Incentive Program Category 3: Employee Compensation is due June 1, 2013. Please Note: The law does not allow for flexibility in the deadline.**

Local units have TWO options to select from to comply with Category 3: Employee Compensation. Local units do not need to submit documentation for both options.

**Select ONE of the following options:**

**1. Option 1 - Employee Compensation Plan**

- Required Documentation to Submit to Treasury
  - Certification of Employee Compensation Form 4888
  - Employee Compensation Plan
    - Must address the 4 criteria which can be found on the website (see the link below)

**OR**

**2. Option 2 - 2011 Public Act 152 Compliance**

- Required Documentation to Submit to Treasury
  - Certification of 2011 Public Act 152 Compliance Form 4978
  - If selecting the Annual 80/20 or Annual Exemption for Calendar Year 2013, attach the board resolution/meeting minutes showing the annual vote of the governing body
    - For any other option, no attachment is required

**Below are the payment dates and amounts, based on when a local unit submits the required documentation to Treasury.**

**Qualification Dates/Payment Information**

- If certify on or before June 1, 2013;
  - Receive the full Employee Compensation payment amount
    - ½ paid on June 28, 2013
    - ½ paid on August 30, 2013
- If certify after June 1, 2013 but on or before July 31, 2013;
  - Receive ½ of the Employee Compensation payment amount
    - June payment forfeited
    - ½ paid on August 30, 2013

Please check the website for additional information regarding Category 3: Employee Compensation, including the required Certification Forms (Form 4888 or Form 4978). Please refer to the FAQ's for answers to commonly asked questions. The website can be found by clicking on the following link: [http://www.michigan.gov/treasury/0,4679,7-121-1751\\_2197\\_58826-259611--,00.html](http://www.michigan.gov/treasury/0,4679,7-121-1751_2197_58826-259611--,00.html).

Attached is a listing of local units which have submitted a portion, or all, of the required documentation for Category 3: Employee Compensation. Treasury staff will be in contact with local units, if additional information is required.

Thank you.

Office of Revenue and Tax Analysis  
Michigan Department of Treasury  
517 373-2697

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

17

MEETING DATE: May 20, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** Approval of Yack Arena Rental Contract – Congressman John Dingell Fundraiser Dinner

**PRESENTER:** Justin N. Lanagan, Superintendent of Recreation



**INDIVIDUALS IN ATTENDANCE:** N/A

**BACKGROUND:** Please see the attached Rental Contract and Hold Harmless Agreement for the Yack Arena. This is a new event/rental for 2013. Congressman John Dingell would like to rent the facility for a fundraiser dinner on Saturday August 3<sup>rd</sup>, 2013.

**STRATEGIC PLAN/GOALS:** Continue to utilize the Yack Arena during the off-ice season and generate additional revenue.

**ACTION REQUESTED:** Adopt a resolution and authorize the Mayor and City Clerk to sign the contract.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** Will generate a minimum of \$1300 revenue, with additional revenues TBD based on requests (chairs, tables, additional staff, etc.). 101-000-654-610-020

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to the Recreation Commission.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Shydale OK*

**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:** *OK JPP*

**LIST OF ATTACHMENTS:** 3 Rental Contracts  
3 Hold Harmless Agreements

**RESOLUTION:**

Wyandotte, Michigan  
Date: February 11, 2013

RESOLUTION by Councilman \_\_\_\_\_

Resolved by the City Council that Council hereby approves the Benjamin F. Yack  
Recreation Center rental contract for the

**Congressman John Dingell Fundraiser – August 3<sup>rd</sup>, 2013**

I move the adoption of the foregoing resolution.

MOTION by  
Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura Jr.  
Sabuda  
Schultz  
Stec

**OFFICIALS**

William R. Griggs  
CITY CLERK

Todd A. Browning  
CITY TREASURER

Thomas R. Woodruff  
CITY ASSESSOR



**MAYOR**  
Joseph Peterson

**COUNCIL**  
Sheri M. Sutherby-Fricke  
Daniel Galeski  
Ted Miciura, Jr.  
Leonard T. Sabuda  
Don Schultz  
Lawrence Stec

JUSTIN N. LANAGAN, SUPERINTENDENT OF RECREATION  
RECREATION, LEISURE & CULTURE DEPARTMENT  
jlanagan@wyan.org

May 15, 2013

Honorable Mayor Joseph Peterson  
And City Council  
City of Wyandotte  
Michigan

Dear Mayor Peterson and Council Members:

Please find attached contracts and hold harmless agreements for the following 2013 Benjamin F. Yack Recreation Center event:

August 3, 2013 – Congressman John Dingell Fundraiser  
*\*Insurance Certificates will be provided 30 days prior to their event.*

The contract has been reviewed and approved by the Department of Legal Affairs. Your approval of the above contract is appreciated.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Justin N. Lanagan". The signature is fluid and cursive, extending across the width of the page.

Justin N. Lanagan  
Superintendent of Recreation

JNL:tj

**BENJAMIN F. YACK RECREATION CENTER RENTAL CONTRACT**

City of Wyandotte, Michigan

This permit, granted this 3rd day of August 2013 by the City of Wyandotte, a municipal corporation of the State of Michigan, herein called the "Owner", to John Dingell For Congress Committee, hereinafter called the "Permittee."

**Witnesseth:**

In consideration of the fees and covenants hereinafter expressed, the Owner has agreed to grant and hereby does grant a Permit to the Permittee and Permittee has agreed to accept and hereby does accept the Permit for the use of the Benjamin F. Yack Recreation Center, hereinafter called the "Building", located 3131 Third Street in the City of Wyandotte, Michigan on the following terms and conditions:

(1) This permit shall prevail in accordance with the following schedule:

Congressman John Dingell Fundraiser Event, August 3, 2013

Building Rental is \$1,300.00 per day, plus all associated rental costs as per enclosed rental rate form. Rate is based on a "four wall" policy and includes air – conditioning, normal janitorial service, heat, lighting, water and restroom facilities.

All groups using the facility must supply:

- A Certificate of Insurance in accordance with **General Conditions** Item 5 – A.
- A copy of the Liability Insurance naming the CITY OF WYANDOTTE as ADDITIONAL INSURED must be on file in the City Clerk's Office one month prior to event. (This is not a means to relieve the City of liability based upon the sole negligent acts of its agents or employees, but to make the City whole from any liability arising from the use of the City facility by an outside organization.)
- All state, county or local licenses or permits necessary to hold the event, such as: Liquor, food, etc., are the responsibility of the group and must be obtained and displayed as required by law.
- Security people are to be agreeable with the Owner.
- One day to be allowed for moving in and one day for moving out, from 8 AM to 5 PM, any additional time needed will be charged at hourly rate for on-duty supervisor.
- \$250 Security Deposit is non-refundable in case of cancellation by Permittee.  
**Security Deposit to accompany this Contract.**
- **Special Arrangements:** Any additional arrangements must be made in advance with the Building Management. These additional arrangements may be subject to an additional fee.

(2) Upon the signing of this Contract, the Permittee agrees to pay the sum of \$1,300.00 per day plus all associated rental costs payable in full upon completion of the event.

(3) The Building shall be used by the Permittee for the following sole and exclusive purpose and for no other purpose whatsoever, viz Congressman John Dingell Fundraiser Event, August 3, 2013.

(4) In further consideration of the fees and covenants herein expressed, the Owner agrees to furnish the following without additional charge to Permittee:

- A. General room lighting, heat and ventilation appropriate to the season, toilet facilities and other sanitary accommodations with the necessary equipment, material, supplies, labor and supervision for same.
- B. Janitorial service in aisles and open spaces including one daily sweeping.
- C. Use of installed public address equipment is included, but operator for same is not.

- D. Use of lobbies, vestibules, hallways, box-office, lounges and other public rooms and facilities appropriate to the exclusive use of that part of the Building above described, during the hours and on the dates listed in Paragraph (1) above.
- E. Office space for use by show management.

(5) The General Conditions and Rules and Regulations:

- A. Permittee shall assume all risk of operation and shall indemnify Owner for any loss or damage occasioned to Owner or to any person or property, caused by any act of Permittee, its agents or employees in the use of any of the premises by Permittee, its agents or employees in the conduct of Permittee's business. Permittee shall procure at its own cost and expense Workmen's Compensation as required by law and such public liability and property damage insurance as will protect Permittee, Owner and its officers and employees from any claims for damage to property, including Owner's property, and for personal injuries, including death, which may arise from the use of the premises by Permittee. A duplicate copy of all insurance policies or certificates of insurance must be furnished Owner with the premiums paid before the start of any operations by Permittee. All policies shall be subject to the approval of Owners for adequacy and form of protection and name owner as an additional insured party. All policies shall contain an endorsement providing for furnishing owner ten (10) days written notice of termination of insurance for any cause.

Permittee shall provide insurance **at least 30 days in advance of the event** as follows, **naming the City of Wyandotte as Additional Insured:**

- A. **Workmen's Compensation Insurance as required by the laws of the State of Michigan;**
- B. **Public Liability with a minimum of \$ 1,000,000.00 for each occurrence;**
- C. **Property Damage with a minimum of \$ 1,000,000.00 for each occurrence;**
- D. **Dram Shop and Alcohol Liability coverage with minimum of \$1,000,000.00.**

- B. The Permittee shall indemnify and save harmless the Owner from and against all claims, suits, actions and damages, and/ or causes of action arising during the period of use and occupancy by the Permittee and for the term of this Permit for any personal injury, loss of life and/or damages to property, including Owner's property, sustained in or about the premises or that portion of the Building and improvements thereof, or appurtenances thereto, used by the Permittee, occurring during such time as the Permittee may be using or renting said premises, and from and against all costs, legal fees, expenses and liabilities in and about any such claim or the defense of any action or proceedings thereon, and from and against any order, judgment and/or decrees which may be entered therein when any of the aforesaid are caused or occasioned by negligence of the Permittee, its agents sub-contractors or employees, or persons attending the Building by reason of the use thereof by the Permittee.
- C. Permittee agrees not to use nor to permit any person to use in any manner whatsoever that part of the premises used by Permittee in its operations hereunder for any illegal purpose or for any purpose in violation of any Federal, State or municipal law, ordinance, rule, order or regulation or of any reasonable rule or regulation of Owner now in effect or hereafter enacted or adopted and will protect, indemnify and forever save and keep harmless Owner and the individual representatives thereof and their agents from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed or incurred for any violation or breach of any law, ordinance, reasonable rule, order or regulation occasioned by any act, neglect or omission of Permittee, or any employee, person or occupant in Permittee's employ or control for the time being on said premises and engaged in the Permittee's operations hereunder.
- D. The Permittee agrees to furnish a sufficient number of ushers, ticket takers, special policemen, doorkeepers or other employees to properly handle and supervise the conduct of all persons in attendance at functions conducted by the Permittee, and to adopt, promulgate and enforce rules and regulations governing the conduct of such attendants. It is further understood and agreed that such attendants shall for all purposes be the agents of the Permittee.
- E. The Permittee shall furnish all service required to conduct its business in the Building. In the event of any violation or in case Owner or its authorized representative shall deem any conduct on the part of Permittee or any person or occupant on Permittee's employ or control for the time being on the premises (and engaged in the operation thereof) to be objectionable or improper, the responsibility for such conduct shall be deemed prima facie to be that of the Permittee. Permittee will, at the written request of Owner or its

- authorized representative, have removed from the premises any employee whom owner or its representative consider detrimental to the best interests of Owner or the public using the Premises.
- F. The Permittee agrees not to assign, transfer, convey, sublet or otherwise dispose of this Permit or its right, title or interest therein, to any other person, company or corporation without the previous consent in writing of the Owner.
  - G. The Permittee shall have the complete control of so much of the premises exclusively granted to it during the periods aforesaid, and of admission to the portion of such premises during such periods subject to the requirements of any City Ordinances or State Laws including the Yack Arena Rules and Regulations.
  - H. The Permittee agrees to conform to the Rules and Regulations of the Yack Arena for the use of said premises in effect when this Permit is granted or hereafter enacted or adopted, and a copy of any such Rules and Regulations in effect at the signing of this Permit shall become a part hereof.
  - I. Upon the breach of any term, covenant or condition of this Permit, or of any rule or regulation governing the use of the premises, this Permit, at the option of the Owner, upon notice to the Permittee, shall terminate with the same force and effect as if the original term has come to an end.
  - J. Upon termination of this Permit or its prior cancellation, Permittee shall remove from the premises such property and equipment as Permittee may have provided for its operations. In the event that the Permittee fails to vacate the premises upon such termination, the Owner may, in its discretion, remove from the premises at the expense of the Permittee, all goods, wares and merchandise, and property of any and all kinds and descriptions which may then be occupying the portion of the Building on which the Permit has terminated and Owner shall not be liable for any damages or loss of such goods, wares, merchandise or other property which may be sustained either by reason of such removal or of the place to which it may be removed, and Owner is hereby expressly released from any and all such claims for damages of whatsoever kind or nature.
  - K. The Owner may terminate any assignment of space to Permittee if, in the judgment of the owner the occupancy or entertainment would in any respect be detrimental to the best interests of the City of Wyandotte or the Yack Arena. The City of Wyandotte shall not be responsible for any loss or damage occasioned to Permittee, its agents, and employees or other by reason of such termination.
  - L. Notwithstanding anything in this Permit contained, it is further mutually agreed that in the event of any default, non-performance or breach of the provisions of this permit on the part of the Owner, the liability of the Owner therefore shall be and is hereby limited solely to the repayment of the amount of the fee or portion thereof paid by the Permittee for the particular day, occasion or time when said default, non-performance or breach occurs.
  - M. It is agreed that the premises may be inspected at any time by authorized representatives of the Owner, or by a representative of the Department of Health, Fire Department, and Police Department, Department of Buildings and Safety Engineering and any other law enforcing agencies. Permittee shall obtain at its own cost and expense such licenses and permits as may be required by law to conduct its business in the building. Permittee agrees that if notified by the Owner, or its representatives, that the condition of any part of the premises occupied by Permittee of the facilities thereof is unsatisfactory; it will immediately remedy the condition.
  - N. Permittee hereby waives any and all claims for compensation for any and all losses or damage sustained by reason of any lawful action by any public agency or official in the exercise of this Permit. Any such action shall not relieve Permittee from any obligation hereunder, even if it may result in an interruption of Permittee's activities.
  - O. Permittee shall not make any alterations in the premises without written approval of the Owner.
  - P. Permittee shall not conduct within or upon said premises any other operations except those herein described. Permittee agrees not to interfere with any other Permittee of Owner or any employee's of any other Permittee.
  - Q. Permittee acknowledges that Owner has not made or caused to be made any representations of any nature whatsoever in connection with this Permit except as herein stated, and in particular has made no representations dealing with such matters as anticipated revenue to Permittee or related issues. Permittee acknowledges that it has accepted this Permit as the result solely of its own business judgment and not as a result of any representations whatsoever, direct or indirect made by Owner, its agents or employees, except as herein stated.
  - R. Permittee shall not advertise any of its activities in the Building in any manner objectionable to the Owner.

- S. Permittee agrees not to discriminate in its use of the premises among law-abiding members of the public.
- T. The policy of the Owner is to serve the public in the best possible manner and Permittee agrees that both it and its employee's and agents shall at all times cooperate to this end.
- U. No decorations shall be placed in or on the Building, walls or corridors, nor shall any advertising signs be supported by nails, tack, screws or adhesive tape on walls or woodwork, without the consent and approval of the Owner and all decorations, sets, scenery or other properties shall be of flame-proofed material and conform with requirements of the Fire Department.
- V. The custodian of the Building, watchmen and maintenance crew of the Owner shall have free access at all times to all space occupied by Permittee.
- W. The premises shall be accepted by Permittee as is and the cost of any additional equipment and fixtures shall be the responsibility of the Permittee.
- X. If the time of Owner's employees is required by the Permittee in the exercise of this Permit, other than as specified herein, it shall be paid for by the Permittee at rates then in effect.
- Y. Except as provided for by Owner, this Permit does not authorize Permittee to furnish liquid refreshments or food in any part of the Building, or to operate checkrooms or other concessions.
- Z. The Owner shall not be responsible for payment of any Federal, State or local taxes, nor for any loss by theft or otherwise, damage by accident, fire, riot or strike, action of the elements or any other damage to machinery, equipment, paraphernalia, costumes, clothing, trunks, exhibit material, scenery, music, musical instruments or cases for same, and other property of the Permittee or its agents or employees or the patrons of the Permittee.
- AA. Should the premises or any part thereof be destroyed or injured by fire or the elements, mob, riot, war or civil commotion, or any part of the premises be interfered with by strikes or other causes, prior to or during the time for which the use of said premises is granted, the Owner may, in the exercise of its discretion, terminate the Permit, in which event the Owner shall return to the Permittee any payments that have been made for the period of the permit prevented or interrupted and the Permittee hereby expressly waives any claim for damage or compensation should the Permit be so terminated. The Owner shall in no way be liable for any personal property or other damage, inconvenience or intervention to the Permittee arising from or on account of strikes, lockouts or other labor difficulties, or any force majeure event.
- BB. Amounts and contents of Permittee's display of advertising material at the Building shall be at the discretion of the Owner or its authorized representative.
- CC. The Permittee further agrees to turn the demised premises back to the Owner in the same condition as when it first occupied same, natural wear and tear excepted. Permittee is responsible to immediately reimburse owner for any damages caused to the premises.
- DD. Should any questions arise as to the proper interpretation of the terms and conditions of this Permit, the decision of the Owner shall be final.
- EE. It is expressly understood and agreed by between the parties hereto that the Employees, Representatives, Recreation Commissioners, and the Owners and its officers and agents are acting in a representative capacity and not for their own benefit and that neither the Permittee nor any occupant of the demised premises shall have any claim against them collectively or individually in any event whatsoever.
- FF. All notices and orders given to the Permittee may be served by mailing the same to the Permittee at the address hereinbefore set forth or by delivering a copy thereof to the Permittee in person, or by leaving it at its place of business in the demised premises with any person then in charge of the same.
- GG. All rights remedies of the Owner shall be cumulative and none shall exclude any other right or remedy allowed by law.
- HH. There are not agreements not expressly covered herein, and nothing is included unless specified.
- II. Inspection of Building will occur prior to the rental, with a complete report of condition of building taken into account.
- JJ. Permittee shall execute an agreement which indemnifies and holds the City of Wyandotte, its officers, agents and employees harmless from all damages, claims, liability and responsibility whatever for injury (including death) to persons and for any damages to any property owned by the City of Wyandotte or others arising out of Permittee's use of the Yack Arena.
- KK. Permittee, its members, agents, employees, independent contractors and volunteers promise to comply with all state laws, regulations, and local ordinances with regards to their use of the Yack Arena. If it becomes

necessary for the owner to commence legal proceedings against Permittee to enforce the terms of the permit of the General Conditions, Permittee shall be responsible to fully reimburse owner all of owner's attorney fees and court costs.

- LL. Permittee shall abide by the Wayne County Clean Indoor Air Regulation as amended, which was originally adopted on March 17, 2005, and requires Wayne County (excluding the City of Detroit) public and private worksites to create and implement a smoke-free policy that prohibits smoking in enclosed areas. Public Health Code, Act 368 states in MCL333, Section 12605, a smoking area may be designated by the state or local government agencies or the person who owns or operates a public place except in a public building in which smoking is prohibited by law.

In Witness Whereof, the parties hereto have caused these presents to be signed by their duly authorized officers, the day and year first above written.

PERMITTEE:

John Dingell For Congress Committee  
authorized to sign this agreement on  
behalf of the Permittee

By

Zinnia Karubatt  
Signature

ZINNIA KARUBAT  
Printed Name

Administrator  
Title or Position if signing  
on behalf of the Permittee

OWNER:

The undersigned represents he/she is CITY OF WYANDOTTE,  
a municipal corporation of the State of Michigan

By

\_\_\_\_\_  
Mayor Joseph Peterson

\_\_\_\_\_  
City Clerk William R. Griggs

I hereby certify that the within document is correct as to legality and form, subject to receipt of proper insurance.

Name William R. Griggs  
Department of Legal Affairs

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**



**MEETING DATE:** May 20<sup>th</sup> 2013

**AGENDA ITEM #**     

**ITEM:** Special Event Application – RHS Track and Field Event

**PRESENTER:** Heather A. Thiede, Special Events Coordinator

**INDIVIDUALS IN ATTENDANCE:** Heather A. Thiede, Special Events Coordinator

**BACKGROUND:** Attached please find a letter from the Roosevelt High School Track and Field Coach, David Lustig, regarding the Division 1 MITCA Track and Field State Championships. Mr. Lustig is requesting the use of the Yack Arena and Chase Bank parking lots for overflow traffic during the event. They would also like to utilize metal fencing during the event. The Chief of Police, Recreation Superintendent, Department of Public Service and Fire Chief have reviewed and approved these requests. (Please see the attached letter)

**STRATEGIC PLAN/GOALS:**

**ACTION REQUESTED:** It is requested the City Council concur with the support of the Chief of Police, Fire Chief, Department of Public Service and Recreation Superintendent and support the use of city parking lots/property for their event held May 25<sup>th</sup> 2013.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to the Chief of Police, Department of Public Service, Recreation, Fire Department and Special Event Coordinator.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur with recommendation, signature on file.

**LEGAL COUNSEL'S RECOMMENDATION:** Concur with recommendation, signature on file.

**MAYOR'S RECOMMENDATION:** Concur with recommendation, signature on file.

**LIST OF ATTACHMENTS**

Special Event Letter – RHS Track and Field State Championship

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan

Date: May 20<sup>th</sup> 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator, Fire Chief, Police Chief, Superintendent of Public Service and Recreation Superintendent to support the use of city parking lots/property for their event held May 25<sup>th</sup> 2013.

I move the adoption of the foregoing resolution.

MOTION by Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec



# WYANDOTTE ROOSEVELT TRACK & FIELD

Dave Lustig Men's & Head Coach  
[lustigd@wy.k12.mi.us](mailto:lustigd@wy.k12.mi.us) 734.837.4363



April 16<sup>th</sup>, 2013

Good Day Miss Thiede.

On Saturday, May 25<sup>th</sup>, 2013, Wyandotte Roosevelt High School will be hosting the Division 1 MITCA Track & Field Team State Championships. It is quite an honor to be selected and our community should be proud.

In anticipation of an extremely large crowd and not enough parking spaces at Roosevelt High School we would like to request the following:

To use the following city parking lots for overflow traffic:

1. Yack Arena Parking Lot – Primary Bussing Lot
2. City Lot behind City Building
3. City Lot on Oak Street South of Wyandotte Post Office

We would also like to request the following from the Department of Public Works:

- 50 metal pedestrian retaining fences to use on May 25<sup>th</sup>.

These fences would be used as barriers on the football field for athlete area restriction and to post a large 'Welcome to Wyandotte' sign.

I look forward to working with you this spring

David Lustig  
Head Men's Track & Field Coach  
Wyandotte Roosevelt High School

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

19

**MEETING DATE:** May 20<sup>h</sup> 2013

**AGENDA ITEM #** \_\_\_\_\_

**ITEM:** Wyandotte Street Art Fair Event Approval

**PRESENTER:** Heather A. Thiede, Special Event Coordinator

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

**BACKGROUND:** The 52<sup>nd</sup> Annual Wyandotte Street Art Fair will be held on July 10-13, 2013. This letter is sent to request that the Public Works Department be notified to close Biddle Avenue, from Oak to Eureka, for the 2013 Wyandotte Street Art Fair from Sunday, July 7, starting at 12:01 AM through Monday, July 15, 8 AM. North and southbound traffic will be rerouted on Third Street with detours at Oak Street and Eureka, all truck traffic to be rerouted to M-85 (Ford Street) via Eureka or Ford (Northline).

**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 bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

**ACTION REQUESTED:** The Chief of Police is requested to apply to the Wayne County Office of Public Service for a road closing permit; he should be designated and authorized to sign said street closing permit document on behalf of the City of Wyandotte. Responsibility for all damage claims which may arise from the road closing must be assumed by the City of Wyandotte. The Fire Department should also be notified of this event to reroute emergency vehicles.

Also, the Wyandotte Street Art Fair would like to request the following:

1. Permission to allow the city sidewalks listed below to be used during the Art Fair only, July 10-13, and by those merchants who are issued permits from the Art Fair Committee:

Biddle Avenue, Eureka to Chestnut Street  
Oak Street, Van Alstyne to Third Street  
Elm Street, Van Alstyne to Third Street  
Maple Street, Van Alstyne to Third Street  
Sycamore Street, Van Alstyne to Third Street  
Eureka Road, Van Alstyne to Third Street  
First Street, Oak to Maple

Further, this permission should extend only to those merchants who have been issued a permit. They are not authorized to sub-contract their space. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 32-1.

2. Permission for the use of First Street from Oak to Maple Street for the display and sale of handmade craft items as authorized by the Wyandotte Street Art Fair Committee/Staff and the utilization the Parking Lot # 10 on First Street for their crafter parking.

3. Permission for a non-profit group/organization to have paid parking in parking lot # 11 from July 10 through July 13 funds from this lot are to return to the non-profit/organization.

4. The Wyandotte Street Art Fair Committee request that outdoor sale and drinking of all alcoholic beverages be done by licensed vendors which have been authorized by the Art Fair Committee. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 25-9. It is to be prohibited for any person to bring in their own alcoholic beverages at the Wyandotte Street Art Fair.

5. Permission to utilize the Chase Bank Building Parking Lot, area closest to Third Street, July 10 through July 13, as a parking lot for with a charge for the benefit of the Wyandotte Goodfellows and Old Time Ballplayers.

6. Permission to utilize the waterfront parking lot #1, grassy area, and adjacent between Elm and Oak, for entertainment and refreshment area.

7. Permission to utilize Biddle Avenue, from Eureka to Plum Street, to be utilized as a designated parking area, under the control of the Wyandotte Boat Club, subject to approval and coordination of the Department of Legal Affairs, Engineering Dept. and Police Department.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** None

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to the necessary departments.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *ok sandale*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *ok [signature]*

**LIST OF ATTACHMENTS:** None

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: May 20, 2013

RESOLUTION by Councilman \_\_\_\_\_

Resolved by City Council to approve the request of the Special Event Coordinator to approve of the road closure for the City of Wyandotte Street Art Fair scheduled for July 10<sup>th</sup> through the 13<sup>th</sup>.

I move the adoption of the foregoing resolution.

MOTION by Councilmen\_\_\_\_\_

Supported by Councilman\_\_\_\_\_

YEAS

COUNCIL

NAYS

- Fricke
- Galeski
- Miciura
- Sabuda
- Schultz
- Stec

**CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION**



**MEETING DATE:** May 20<sup>th</sup> 2013

**AGENDA ITEM #** \_\_\_

**ITEM:** Special Event – Symon Rental

**PRESENTER:** Heather A. Thiede, Special Events Coordinator

**INDIVIDUALS IN ATTENDANCE:** Heather A. Thiede, Special Events Coordinator

**BACKGROUND:** Attached please find the contract for Symon Rental for the use of tents, tables, etc. for the 2013 Wyandotte Street Art Fair, July 10<sup>th</sup> – 13<sup>th</sup>. We have worked with Symon Rental for many years and would like to continue to work with them once again for the 2013 WSAF.

**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 bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

**ACTION REQUESTED:** It is requested the City Council concur with the recommendation of the Special Event Coordinator and support the contract for Symon Rental for the 2013 Wyandotte Street Art Fair. Please consider authorization of this contract by Mayor Peterson and the City Clerk, Mr. Griggs.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

WSAF Expense Account – 285-225-925-730-860

\$3,570

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to the Special Event Coordinator.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concurs with recommendation, signature on file.

**LEGAL COUNSEL'S RECOMMENDATION:** Concurs with recommendation, signature on file.

**MAYOR'S RECOMMENDATION:** Concurs with recommendation, signature on file.

**LIST OF ATTACHMENTS**

Symon Rental Invoice

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: May 20<sup>th</sup> 2013

RESOLUTION by Councilman \_\_\_\_\_

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator, to approve of the contract for Symon Rental for the event to be held July 10<sup>th</sup> through the 13<sup>th</sup> 2013.

I move the adoption of the foregoing resolution.

MOTION by Councilmen\_\_\_\_\_

Supported by Councilman\_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

Symon Rental  
 1918 Ford Ave.  
 Wyandotte, MI 48192

Delivery Date:	Invoice #
7/8/2013	Confirm

Phone #	734-283-5374
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Fax #	734-283-5355
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Deliver to:
City of Wyandotte / hthiede@wyan.org 3200 Biddle Ave. Wyandotte, MI 48192 734-324-4502 Heather / Steve Seward 734-324-7283 Fax# / 734-341-5630 Cell#

Bill to:
Parks & Rec, Dept. 734-324-7292 Wyandotte Street Fair Delivery on: 7/8 or 9/2013 Use Dates: 7/10-11-12-13/2013 Pick up on: 7/13/2013 After 11:00 PM

Pick Up Date	Use Date	PO #	Customer Pick Up
7/13/2013	7/10/2013	3/15/2013	

Qty	Description	Rate	Amount
3	20' x 30' Frame Tent ( 2 - Water Front Steel / 1 - White Alum on Biddle Ave. )	400.00	1,200.00
2	20' x 20' Frame Tent White ( 1 - Biddle Ave. / 1 - Behind Nana's Kitchen )	300.00	600.00
14	10' x 10' EZ-UP Frame Tent ( No Sides )	100.00	1,400.00
25	60" Round Tables ( Water Front )	9.00	225.00
4	42" Round Umbrella Table W/Umbrella ( Water Front )	30.00	120.00
	Delivery & Pick up Charge	25.00	25.00

<b>Total</b>	<b>\$3,570.00</b>
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E-mail	symonrent@aol.com
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**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

21

MEETING DATE: May 20<sup>th</sup> 2013

AGENDA ITEM # \_\_\_

**ITEM:** Special Event – Animal Oasis Contract

**PRESENTER:** Heather A. Thiede, Special Events Coordinator

**INDIVIDUALS IN ATTENDANCE:** Heather A. Thiede, Special Events Coordinator

**BACKGROUND:** Attached please find the contract for Animal Oasis mobile zoo for the 2013 Wyandotte Kids Expo to be held June 6<sup>th</sup> in conjunction with the Wyandotte Farmers Market Opening Day. We feel that the mobile zoo will once again enhance the event and be educational for all the children who attend.

**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 bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

**ACTION REQUESTED:** It is requested the City Council concur with the recommendation of the Special Event Coordinator and support the contract for Animal Oasis for the 2013 Wyandotte Kids Expo. Please consider authorization of this contract by Mayor Peterson and the City Clerk, Mr. Griggs.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

Fishing Derby/Kids Expo Expense Account – 285-225-925-730-814 \$1,000

**IMPLEMENTATION PLAN:** The resolutions and all necessary documents will be forwarded to the Chief of Police, Department of Public Service, Recreation, Fire Department and Special Event Coordinator.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** Concur with recommendation, signature on file.

**LEGAL COUNSEL'S RECOMMENDATION:** Concur with recommendation, signature on file.

**MAYOR'S RECOMMENDATION:** Concur with recommendation, signature on file.

**LIST OF ATTACHMENTS**

Animal Oasis Contract

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: May 20<sup>th</sup> 2013

RESOLUTION by Councilman\_\_\_\_\_

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator, to approve of the contract for Animal Oasis mobile zoo for the event held June 6<sup>th</sup> 2013.

I move the adoption of the foregoing resolution.

MOTION by Councilmen\_\_\_\_\_

Supported by Councilman\_\_\_\_\_

YEAS

COUNCIL

NAYS

- Fricke
- Galeski
- Miciura
- Sabuda
- Schultz
- Stec



Event date(s): June 6, 2013 Start time: 4 pm End time: 6 pm

Organization/Event: City of Wyandotte Kids Expo, 2624 Biddle Ave, Wyandotte, 48192

Contact person: Heather Thiede

Contact phone: (734) 324-7100 ext 4502 Email: hthiede@wyan.org

Contact cell phone: \_\_\_\_\_ Fax: 734-324-7283

Event location address: (To be determined)

Price: \$ 1000.00 x 1 days = Total: \$1000.00

Special provisions/notes: \_\_\_\_\_

**\*Please note: Payment in full is due on the day of (or final day of) event.**

Petting Farm (32' x 40')  Camel Rides (30' x 30')  Exotic Exhibit (85' x 20')  Bird Encounter (20' x 30')

**Event holder shall supply:**

- Electricity: Two (2) 110v minimum, 30-50 amp service
- Water: **access** to water at ALL times; **hook up** at events over 2 days

**Animal Oasis shall supply:**

- Variety of healthy, unique, well-behaved exotic and farm animals\*
- Knowledgeable and courteous staff
- \*Due to the nature of this business, animals may be subject to change.

Engagements are rain or shine and are guaranteed to take place, by both parties, on the date(s) specified, unless a rain date is included in this contract. A cancellation fee of 100% of the event fee will be imposed if the event is cancelled within 10 business days of the scheduled event. Strobel Enterprises, LLC maintains valid comprehensive general liability insurance. Neither Animal Oasis nor Strobel Enterprises, LLC's name or likeness may be used as an endorsement of any product, service, or event, without its prior written consent. This contract will become null and void if it is not returned within 30 days of the Animal Oasis representative signature below.

**Please return a signed copy of this contract to: Animal Oasis, 11936 Hogan Highway, Clinton, MI 49236**

*I have read and agree to the terms of this contract.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Event Representative

Signature: Donald Strobel Date: 4/2/13

**Animal Oasis Representative (Strobel Enterprises, L.L. C., by Donald Strobel, Member)**

Don Strobel  
Clinton, MI.  
TheAnimalOasis.com  
[info@TheAnimalOasis.com](mailto:info@TheAnimalOasis.com)  
734-368-1649 or 517-456-4128

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

22  
AGENDA ITEM #

MEETING DATE: May 20, 2013

AGENDA ITEM #

**ITEM:** Neighborhood Stabilization Homes (NSP2) - Sales Price

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski 5-14-13*

**BACKGROUND:** On, November 12, 2012, the City held the Lottery Drawing for the sale of the Vinewood Village Condominiums. The City received offers on all the units except two (2) – 655 Vinewood and 659 Vinewood. At this time, the City has not received any offers on these properties. In accordance with the NSP2 Single-Family Sales Program Guidelines, Adjustment in Asking Price, the Engineering Department is requesting to reduce the sales price of these units by 10% or from \$75,150 to \$67,635.00.

**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:** Adopt a resolution approving the listing of the homes at 655 Vinewood and 659 Vinewood with Downriver Real Estate Group for the above amounts.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** Continue to advertise homes at a reduced sales price with Downriver Real Estate Group.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *ok shuyda*

**LEGAL COUNSEL'S RECOMMENDATION:** *ok William R. Cook*

**MAYOR'S RECOMMENDATION:** *ok [Signature]*

**LIST OF ATTACHMENTS:**

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: May 20, 2013

RESOLUTION by Councilperson \_\_\_\_\_

RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the City Engineer to reduce the listing price for the NSP2 properties at 655 Vinewood and 659 Vinewood to \$67,635.00 in accordance with the NSP2 Single Family Sales Program Guidelines. All buyers also receive a minimum of 17.5% or \$11,836.13 in homebuyer subsidy. Therefore, the maximum required mortgage amount would be \$55,798.87.

I move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

YEAS

COUNCIL

NAYS

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
Stec

cc: Jerry Miller, Downriver Real Estate Group  
DMC Construction  
Claude Marcoux, Engineering Department  
Ralph Hope, Engineering Department

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

23

MEETING DATE: May 20, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** Sale of the part of the former 704 6<sup>th</sup> Street (47.86' x 101.91')

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski*  
5-14-13

**BACKGROUND:** This property was purchased with TIFA Funds. Recommendation is to sell 17.56 feet to the adjacent property owners Michael and Kimberly Skotnicki, who live at 720 6<sup>th</sup> Street. The sales price of this property is \$878.00 which is \$50 per front footage. The additional property will make Mr. and Mrs. Skotnicki's lot size 70.29' x 95.38'.

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

**ACTION REQUESTED:** Approve Purchase Agreement to sell property to the adjacent property owners.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

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

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:**

*ok Sanyal*

**LEGAL COUNSEL'S RECOMMENDATION:**

*ok within 2 weeks*

**MAYOR'S RECOMMENDATION:**

*OK [Signature]*

**LIST OF ATTACHMENTS:** Sales Agreements

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: May 20, 2013

RESOLUTION by Councilperson \_\_\_\_\_

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the communication from the City Engineer regarding the sale of the Former 704 6<sup>th</sup> Street, Wyandotte; AND

BE IT FURTHER RESOLVED that Council accepts the offer from Michael and Kimberly Skotnicki, to acquire 17.56 feet of the former 704 6<sup>th</sup> Street in the amount of \$878.00; AND

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

**LOOK, MAKOWSKI and LOOK**  
 ATTORNEYS AND COUNSELORS AT LAW  
 PROFESSIONAL CORPORATION  
 2241 OAK STREET  
 WYANDOTTE, MICHIGAN 48192-5390

William R. Look  
 Steven R. Makowski

(734) 285-6500  
 FAX (734) 285-4160

Richard W. Look  
 (1912-1993)

PURCHASE AGREEMENT

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the City of

Wyandotte County, Michigan, described as follows:  
South 17.56 feet of the north 17.84 feet of Lot 251 Ford Manor Subdivision No. 1 as recorded in Liber 38 Page 52 WCR being  
known as part of the former 704 6<sup>th</sup> Street, and to pay therefore the sum of Eight Hundred Seventy-Eight & 00/100  
(\$878.00) Dollars, subject to the existing building and use restrictions, easements, and zoning ordinances, if any, upon the  
 following conditions:

**THE SALE TO BE CONSUMMATED BY  
 PROMISSORY NOTE/MORTGAGE SALE**

<i>PROMISSORY/ MORTGAGE SALE</i>	1. The Purchase Price of <u>\$878.00 plus closing costs to be determined at closing</u> shall be paid to the Seller when the above described property is sold, refinanced, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property and the adjacent property currently owned by Purchaser. Purchaser is responsible to pay for the recording costs of the mortgage and discharge of mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. Should this property or the property at <u>720 6<sup>th</sup> Street, Wyandotte, MI</u> be foreclosed on by any Financial or County Entity this property shall be returned to the Seller.
<i>Evidence of Title</i>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
<i>Time of Closing</i>	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close.
<i>Purchaser's Default</i>	4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
<i>Seller's Default</i>	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
<i>Title Objections</i>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$____ _____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$____ _____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
<i>Taxes and Prorated Items</i>	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with <u>due date</u> (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. <b>Due dates are August 1 and December 1.</b>
<i>Broker's Authorization</i>	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.

9. The Broker is hereby authorized to make this offer and the deposit of N/A Dollars may be held by him under Act No. 112. P.A. of 1960 Sect. 13. (j) and applied on the purchase price if the sale is consummated.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

The closing of this sale shall take place at the office of \_\_\_\_\_ . However, if a new mortgage is being

applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: Contingent upon the following: 1. City Council approval, 2. Seller agrees, at closing, to combine this property with property currently owned by Purchaser known as 720 6<sup>th</sup> Street. Purchaser will be responsible for closing fees including, but not limited, to engineering & tax mapping services of Wayne County in the amount of \$150.00, title premium and recording fees. Closing fees will be included into the Promissory Note/Mortgage amount. Further, a deed restriction will be placed on the deed which will indicate that if the property at 720 6<sup>th</sup> Street is foreclosed on by any entity the property being purchased under this Agreement will revert back to the City of Wyandotte.

CHECK BOX IF CLOSING FEE OF \$200.00 IS TO BE PAID BY PURCHASER IS REQUIRED.

IN PRESENCE OF:

Michael J. Skotnicki L.S.  
Michael Skotnicki Purchaser

Kimberly Skotnicki L.S.  
Kimberly Skotnicki Purchaser

Address 720 6<sup>th</sup> Street, Wyandotte, Michigan 48192

Phone: 734-285-5788

Dated \_\_\_\_\_

**BROKER'S ACKNOWLEDGMENT OF DEPOSIT**

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address \_\_\_\_\_  
Phone \_\_\_\_\_ By: \_\_\_\_\_  
This is a co-operative sale on a \_\_\_\_\_ basis with \_\_\_\_\_  
Broker

**ACCEPTANCE OF OFFER**

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of ( \_\_\_\_\_ Dollars) ( \_\_\_\_\_ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if unconsummated, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

CITY OF WYANDOTTE:

IN PRESENCE OF:

\_\_\_\_\_  
Joseph R. Peterson, Mayor Seller L.S.

\_\_\_\_\_  
William R. Griggs, City Clerk Seller L.S.  
Address 3131 Biddle Ave., Wyandotte

Dated: \_\_\_\_\_ Phone 734-324-4555

**PURCHASER'S RECEIPT OF ACCEPTED OFFER**

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

Dated \_\_\_\_\_ L.S.  
Purchaser

THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: May 20, 2013

AGENDA ITEM # 24

**ITEM:** Establish a procedure for the planting of trees on city property between the sidewalk and curb.

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski, 5-14-13*

**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:** Previous to budget reductions, the City had an annual city wide tree planting program wherein property owners paid one-half the cost to plant a tree on the public right-of-way between the sidewalk and curb in front of their house. The Engineering Department procured a contractor and the City paid the other one-half of the tree planting cost. Residents have requested to plant trees and pay 100% of the cost.

**STRATEGIC PLAN/GOALS:** The City is committed to maintaining and developing excellent neighborhoods.

**ACTION REQUESTED:** Adopt proposed resolution to provide residents an opportunity to hire someone to plant a tree in front of their house between the sidewalk and curb.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Place information regarding City's tree planting requirements on the City's website. Coordinate tree planting with residents that have already contacted the city.

**COMMISSION RECOMMENDATION:** *N/A*

**CITY ADMINISTRATOR'S RECOMMENDATION:** *Dunphy OK*

**LEGAL COUNSEL'S RECOMMENDATION:** *OK within A-20th*

**MAYOR'S RECOMMENDATION:** *OK MB*

**LIST OF ATTACHMENTS**

Procedure for tree planting in right-of-way  
Bill of Sale  
Hold Harmless  
Tree planting list

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan

Date: \_\_\_\_\_, 2013

RESOLUTION by Councilman \_\_\_\_\_

RESOLVED by Mayor and Council that residents may plant a tree in front of their property at their expense in accordance with procedures adopted and available at the Department of Engineering and Building. For more information, contact 734-324-4551.

I move the adoption of the foregoing resolution.

MOTION by

Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

- Fricke
- Galeski
- Miciura
- Sabuda
- Schultz
- Stec

**PROCEDURE FOR TREE PLANTING  
IN RIGHT-OF-WAY BETWEEN SIDEWALK AND CURB**

Property owners may request the planting of trees in the public right-of-way between the sidewalk and curb.

Species of tree should be in accordance with the attached list of approved trees. Trees may not be planted underneath overhead wires.

Complete the Hold Harmless Agreement and submit same to the Department of Engineering and Building. Once the Hold Harmless is submitted and approved by the City Engineer, then you may plant a tree from the City's approved list of trees. Contract MISS DIG at 1-800-482-7171 or 811 before planting tree to avoid underground utilities.

You must complete the Bill of Sale form once tree is planted and return same to the Department of Engineering and Building.

BILL OF SALE

That \_\_\_\_\_, hereby swear that on \_\_\_\_\_ day of \_\_\_\_\_, 2013, they planted a \_\_\_\_\_ tree in the City Right-of-Way in front of \_\_\_\_\_, Wyandotte, Michigan. The (Property Owner) \_\_\_\_\_ further swear that they hereby convey said tree to the City of Wyandotte and has full right and power to convey the same.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

By: \_\_\_\_\_

HOLD HARMLESS AGREEMENT

In consideration of the City of Wyandotte granting permission to the undersigned to plant a tree in the city right-of-way adjacent to (property address) \_\_\_\_\_, Wyandotte, the undersigned hereby assumes all risk and liability relating to the planting of said tree and agrees to hold harmless and indemnify the City of Wyandotte and all City Officials and employees from all liability or responsibility whatever for injury (including death) to persons and for any damage to City of Wyandotte property or to the property of others arising out of, or resulting either directly or indirectly, from the planting of said tree.

The undersigned further it's successor and assigns, further does hereby remise, release, and forever discharge the City of Wyandotte its Officers, agents and employees from any and all claims, actions, causes of action, damages and liabilities to the extent caused by the planting of said tree.

The undersigned represents personally that he/she is authorized to execute this Agreement as the owner of the real property known as \_\_\_\_\_. The undersigned further agrees to repair any damage done to the City owned properties as described and appurtenances its original condition that existed prior to said activity.

Further, the undersigned agrees to plant a tree, the type to be from the approved list, which is attached.

Agreed to this \_\_\_ day of \_\_\_\_\_, 20\_\_.

BY: \_\_\_\_\_ BY: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

Telephone: \_\_\_\_\_

Attachments: Types of Trees

## TREE PLANTING LIST

Kentucky Coffy  
White Oak  
Red Oak  
Red Maple  
Ginko  
Amur Cork  
Bradford Pear  
October Glory  
Honey Locust

Golden Rain  
Swamp White Oak  
Little Leaf Linden  
Hackberry  
Zeklova  
Japanese Pogoda  
Norway Maple  
Crimson King  
Sugar Maple

Recommend 1-1/2" to 2" diameter. Trees may be planted between the sidewalk and the curb, but not under any electrical lines.

05/2013

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

25

MEETING DATE: May 20, 2013

AGENDA ITEM # \_\_\_\_\_

**ITEM:** Title VI Non-Discrimination Plan

**PRESENTER:** Mark A. Kowalewski, City Engineer

*Mark Kowalewski*  
4-29-13

**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:**

Title VI of the Civil Rights Act of 1964, Executive Order 12898 - Limited English Proficiency, and, Executive Order 13166 - Environmental Justice, were enacted to ensure non-discrimination against low-income populations, minority populations and persons who have limited ability to speak, write or understand English. The Civil Rights Restoration Act of 1987 requires that all federal-aid recipients and sub-recipients, whether their programs or activities are federally funded or not, have a Title VI Plan. The City of Wyandotte does not have an adopted Title VI Plan, and therefore, puts the City in jeopardy of being denied any Federal financial assistance.

**STRATEGIC PLAN/GOALS:**

To encourage and respect citizen participation and provide transparency in all City matters, and, to stand for all the requirements of our laws and regulations.

**ACTION REQUESTED:**

Approve and adopt the attached City of Wyandotte Title VI Non-Discrimination Plan and authorize the Mayor and Greg Mayhew to sign said Plan, and designate Greg Mayhew as the Title VI Plan Coordinator.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:**

Failure to have a Title VI Plan would jeopardize receipt of Federal financial assistance.

**IMPLEMENTATION PLAN:**

Publish City of Wyandotte Title VI Plan on the City's website, distribute to Department Heads and review policy with employees, include in all City contracts with contractors.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: OK *update*

LEGAL COUNSEL'S RECOMMENDATION: OK *wrl*

MAYOR'S RECOMMENDATION: *OK*

LIST OF ATTACHMENTS:

City of Wyandotte Title VI Non-Discrimination Plan  
Model Resolution

**MODEL RESOLUTION:**

RESOLUTION

Wyandotte, Michigan  
Date: May 20, 2013

RESOLUTION by Councilperson \_\_\_\_\_

BE IT RESOLVED, that Council concurs with the communication from the City Administrator and City Engineer and hereby adopts the City of Wyandotte Title VI Non-Discrimination Plan, and authorizes the Mayor and Gregory J. Mayhew, Assistant City Engineer, to sign said Plan, and, that Gregory J. Mayhew shall be designated as the Title VI Coordinator, and,

FURTHER RESOLVED that the City of Wyandotte Title VI Non-Discrimination Plan be published on the City's website, distributed to all Department Heads, included in all City contracts with contractors, and that the Plan be reviewed with all employees.

I move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

YEAS

COUNCIL

NAYS

Browning  
DeSana  
Fricke  
Galeski  
Sabuda  
Stec

**CITY OF WYANDOTTE**

**TITLE VI**

**NON-DISCRIMINATION PLAN**

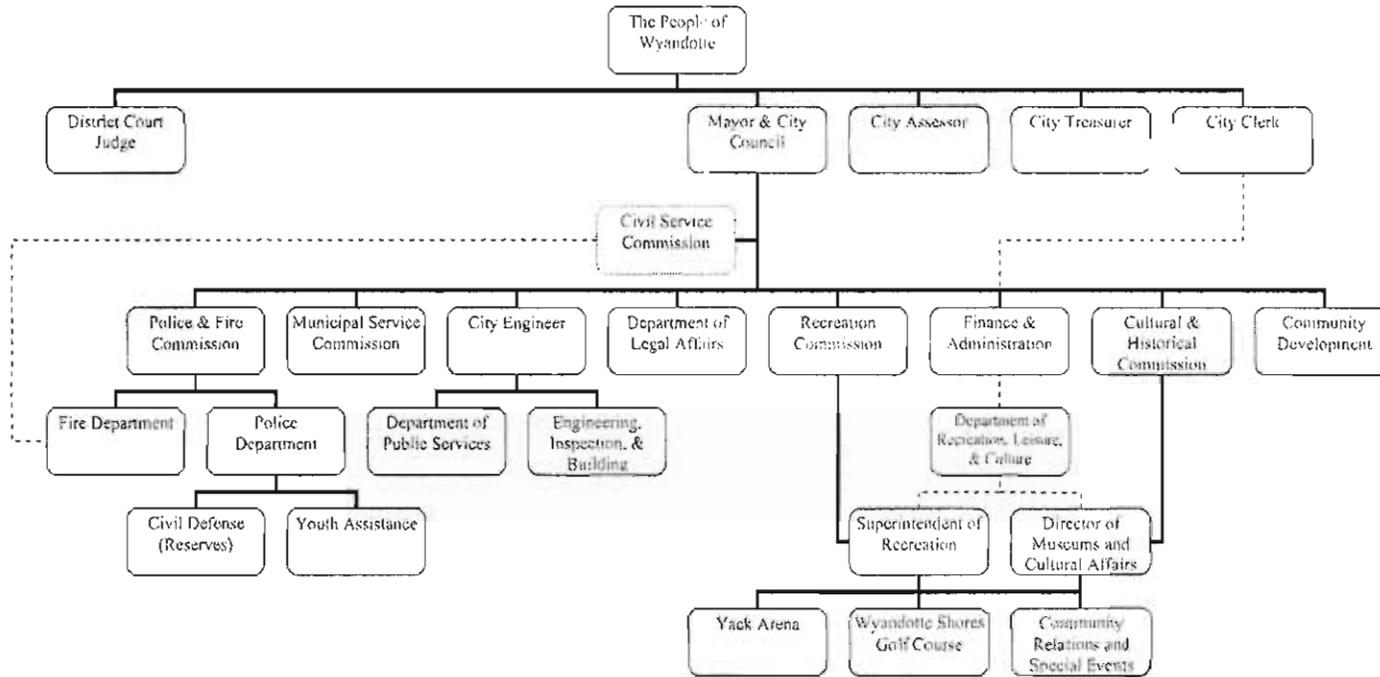
**3200 Biddle Avenue**  
**Suite 200**  
**Wyandotte, Michigan 48192**  
**Phone: 734-324-4550**  
**Fax: 734-324-4535**  
**Website: [www.wyandotte.net](http://www.wyandotte.net)**

**Title VI Coordinator:**  
**Gregory J. Mayhew, Assistant City Engineer**  
**Phone: 734-324-4558**  
**Email: [gmayhew@wyan.org](mailto:gmayhew@wyan.org)**

## TABLE OF CONTENTS

<b>Organization Chart.....</b>	<b>3</b>
<b>Introduction.....</b>	<b>4</b>
<b>Policy Statement.....</b>	<b>7</b>
<b>Standard Title VI Assurance.....</b>	<b>9</b>
<b>Authorities .....</b>	<b>11</b>
<b>Definitions .....</b>	<b>12</b>
<b>Administration .....</b>	<b>14</b>
<b>Limited English Proficiency .....</b>	<b>15</b>
<b>Environmental Justice .....</b>	<b>21</b>
<b>Filing a Complaint .....</b>	<b>23</b>
<b>Appendix A – Required Contract Language .....</b>	<b>26</b>
<b>Appendix B – Transfer of Property .....</b>	<b>28</b>
<b>Appendix C – Permits, Leases, and Licenses .....</b>	<b>30</b>
<b>Appendix D – Title VI Complaint Form .....</b>	<b>31</b>
<b>Appendix E – Determine/Distinguish Significant/Non-Significant Effects .....</b>	<b>33</b>
<b>Appendix F – Program Compliance/Program review Goals for Current Plan Year .....</b>	<b>34</b>

City of Wyandotte  
 Organization Chart  
 October 1, 2008



ORGANIZATION CHART

Board of Electrical Examiners and Review  
 Beautification Commission  
 Building Board of Appeals  
 Plumber Code Board of Appeals  
 Downtown Development Authority  
 Planning and Rehabilitation Commission  
 Retirement Commission

Zoning Board of Appeals and Adjustment  
 Solid Waste and Recycling Committee  
 Economic Development Corporation  
 Tax Increment Finance Authority  
 Workman's Compensation Board  
 Brownfield Redevelopment Authority  
 Wyandotte Building Authority

## INTRODUCTION

The City of Wyandotte was incorporated in 1867. In the 1700s, the site where Wyandotte sits today was a village for the Native American tribe known as the Wyandot, a part of the Huron Nation. A waterfront community, Wyandotte is rich in history and is known for its distinctive architecture, downtown district and variety of cultural offerings. The City has been awarded the designation of a Preserve America Community by the Federal Government. The City of Wyandotte prides itself on our community, excellent schools, quality public services, safe neighborhoods, a downtown business district, and a scenic waterfront. Wyandotte is well known for its community events, beautiful historical museum, festivals and our annual Wyandotte Street Art Fair. Our cultural and special events combined with our appreciation for the arts makes Wyandotte a dynamic city for a both residents and visitors.

The City of Wyandotte serves all people of the City, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the state of Michigan. The City of Wyandotte recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law which prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” signed in February of 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Environmental Justice Initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” provides that no person shall be subjected to

discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

As a recipient of federal financial assistance, the City of Wyandotte must provide access to individuals with limited ability to speak, write, or understand the English language. The City of Wyandotte will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the City of Wyandotte's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by City programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City of Wyandotte's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in City services, programs or activities.

As the sub-recipient of federal transportation funds, the City of Wyandotte must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City of Wyandotte shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The City of Wyandotte as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

### **Discrimination under Title VI**

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is “disparate treatment.” Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is “disparate impact.” Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City of Wyandotte’s efforts to prevent such discrimination must address, but not be limited to, a program’s impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City of Wyandotte has developed this Title VI Plan to assure that services, programs, and activities of the City are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

**CITY OF WYANDOTTE  
NON-DISCRIMINATION POLICY STATEMENT**

The City of Wyandotte reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the City and its sub-recipients of federal funds shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;

11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The City of Wyandotte will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of Wyandotte designates Gregory J. Mayhew, Assistant City Engineer, as the Title VI Coordinator. The Title VI Coordinator will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Wyandotte complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of Wyandotte and Title VI may be directed to: Gregory J. Mayhew, Assistant City Engineer, 3200 Biddle Avenue, Suite 200, Wyandotte, Michigan 48192; Phone: 734-324-4558; Fax: 734-324-4535; E-mail: [gmayhew@wyan.org](mailto:gmayhew@wyan.org).

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Joseph R. Peterson  
Mayor

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Gregory J. Mayhew  
Assistant City Engineer/Title VI Coordinator

**CITY OF WYANDOTTE  
TITLE VI ASSURANCE**

The City of Wyandotte (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

"The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

City of Wyandotte

\_\_\_\_\_  
 Gregory J. Mayhew, Title VI Coordinator

\_\_\_\_\_  
 Date

## AUTHORITIES

**Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);**

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Federal Aid Highway Act of 1973, 23 USC 324:** No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

**Age Discrimination Act of 1975, 42 USC 6101:** No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

**Americans With Disabilities Act of 1990 PL 101-336:** No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

**Section 504 of the Rehabilitation Act of 1973:** No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

**USDOT Order 1050.2:** Standard Title VI Assurances

**EO12250:** Department of Justice Leadership and coordination of Non-discrimination Laws.

**EO12898:** Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

**28 CFR 50.3:** Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

**EO13166:** Improving Access to Services for Persons with Limited English Proficiency.

## DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;

- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or
- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

## **ADMINISTRATION – GENERAL**

The City of Wyandotte designates Gregory J. Mayhew, Assistant City Engineer, as the Title VI Coordinator (hereinafter referred to the “Title VI Coordinator”). Mr. Mayhew shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City’s programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does not have any special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5<sup>th</sup>.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City will disseminate Title VI Program information to the City employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of Title VI

language in contracts and publishing the Title VI Plan on the City of Wyandotte's internet website, at [www.wyandotte.net](http://www.wyandotte.net).

**Remedial Action:** The City through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

### **LIMITED ENGLISH PROFICIENCY (LEP)**

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency<sup>1</sup>, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter<sup>ii</sup>. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The City of Wyandotte receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient Person* in the December 14<sup>th</sup>, 2005 Federal Register.<sup>iii</sup>

The Guidance implies that the City of Wyandotte is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

### **Elements of an Effective LEP Policy**

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing and LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

### **Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy**

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the City of Wyandotte and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of

that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The DOT guidance is modeled after the Department of Justice's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

**The Four-Factor Analysis**

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to the City of Wyandotte's services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

**Factor 1: The Proportion, Numbers and Distribution of LEP Persons**

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For our planning purposes, we are considering people that speak English less than 'very well' as Limited English Proficient persons.

As seen in Table #1, the Census 2011 Data for the City of Wyandotte shows that 634 people, or 2.6% of the population, speak English less than 'very well.'

**TABLE #1**

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	24,749	24,749
English only	22,824	92.2%
Language other than English	1,925	7.8%
Speak English less than "very well"	634	2.6%
Spanish	974	3.9%
Speak English less than "very well"	452	1.8%
Other Indo-European languages	850	3.4%
Speak English less than "very well"	158	0.6%
Asian and Pacific Islander languages	35	0.1%
Speak English less than "very well"	10	0.0%

Other languages	66	0.3%
Speak English less than "very well"	14	0.1%

**Factor 2: Frequency of Contact with LEP Individuals**

The City has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that employees have had encounters with LEP individuals. We have offices accessible to the public and therefore accessible to LEP individuals and we have staff that work in the field that could encounter LEP individuals. Additionally, regular public meetings are held weekly which would potentially bring LEP individuals to these meetings. Given the minimal concentration of LEP individuals, as displayed in Table #1 (above) the probability of our employees to encounter and LEP individual is low.

**Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP**

The City of Wyandotte serves individuals throughout the City in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to citizens of the City of Wyandotte and individuals from outside of the city, such as visitors and those traversing the state. The nature of the services that Wyandotte provides is very important to an individual's day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Although the LEP population in the City is minimal, we will ensure accessibility to all of our programs, services, and activities.

**Factor 4: The Resources Available to the City of Wyandotte and Overall Cost**

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

*"Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan."*

The City of Wyandotte does serve a minimal number of LEP persons, and has very limited resources; however, it has decided to include a LEP section in its Title VI Plan in order to comply with the Executive Order.

**Safe Harbor Stipulation**

Federal law provides a "Safe Harbor" situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A "Safe Harbor" means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient's written translation obligations under "Safe Harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This "Safe Harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the minimal number of LEP language group members, the City of Wyandotte budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for the City of Wyandotte to proceed with oral interpretation options for compliance with LEP regulations.

### **Providing Notice to LEP Persons**

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals those persons requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the City of Wyandotte.

## Options and Proposed Actions

### Options:

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.<sup>iv</sup>

The City of Wyandotte is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.<sup>v</sup>

Considering the relatively small size of Wyandotte, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services.

### What the City of Wyandotte will do. What actions will the City of Wyandotte take?

- Notify the public that interpreter services are available upon request, with seven day advance notice.
- With advance notice of seven calendar days, the City will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The City will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation.
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services.
- Publications of the city’s complaint form will be made available online and upon request.
- In the event that a City employee encounters a LEP individual, they will follow the procedure listed below:

#### OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT’s *Translators Resource List*.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

#### ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI coordinator for assistance, and provide an I-speak language identification card to the LEP individual to determine the language spoken of the individual.

2. Once the foreign language is determined, provide information to Title VI coordinator who will contact an interpreter from MDOT's *Translators Resource List* to provide telephonic interpretation.
3. If the need is for a document to be translated, the Title VI coordinator will have the document translated and provided to the requestor as soon as possible.

#### IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator.
2. The Title VI Coordinator will contact a translator from the MDOT's *Translators Resource List* to determine the specifics of the letter request information.
3. The Title VI Coordinator will work with the selected agency to provide the requested service to the individual in a timely manner.

#### OVER THE PHONE

1. If someone calls into our office speaking another language every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and if possible determine the language spoken of the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

#### **The City of Wyandotte's Staff Training**

The City of Wyandotte's staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

### **ENVIRONMENTAL JUSTICE**

Compliance with Title VI includes ensuring that no minority or low income population suffers "disproportionately high and adverse human health or environmental effect" due to any "programs, policies and activities" undertaken by any agency receiving federal funds. This obligation will be met by the City of Wyandotte in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City of Wyandotte will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City of Wyandotte will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project's impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of project on minority and/or low income population groups:

**STEP ONE:** Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population and/or low income population groups present, proceed to Step Two.

**STEP TWO:** Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

**STEP THREE:** Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

**STEP FOUR:** If after mitigation, enhancements and off setting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

**STEP FIVE:** Include all findings, determinations or demonstrations in the environmental document prepared for the project.

## **FILING A TITLE VI COMPLAINT**

### **I. Introduction**

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City's programs, activities, and services as required by statute.

### **II. Purpose**

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

### **III. Roles and Responsibilities**

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

### **IV. Filing a Complaint**

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City programs, activities, and services; including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

## **V. Investigation**

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of Wyandotte, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Wyandotte, the complaint and

any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

#### Investigation Reporting Process:

- Complaints made against the City of Wyandotte's sub-recipient should be investigated by the City following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of Gregory J. Mayhew, Title VI Coordinator, for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of "probable cause" or "no probable cause" and prepares the decision letter.

#### Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact the City's Title VI Coordinator:

Gregory J. Mayhew, Assistant City Engineer  
3200 Biddle Avenue, Suite 200  
Wyandotte, Michigan 48192  
Phone: 734-324-4558  
Fax: 734-324-4535  
E-mail: [gmayhew@wyan.org](mailto:gmayhew@wyan.org).

#### **Reporting Requirements to an External Agency**

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

#### **Records**

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

## APPENDIX A - [TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]

During the performance of this contract, the contractor, for itself, its assignees and successors, in interest (hereinafter referred to as the “contractor”) agrees, as follows:

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor’s noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the contractor under the contract until the contractor complies and/or
  - b. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

## **APPENDIX B - TRANSFER OF PROPERTY**

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

### **(GRANTING CLAUSE)**

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

### **(HABENDUM CLAUSE)\***

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)\*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and

the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

## APPENDIX C - PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, “as a covenant running with the land”) that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

APPENDIX D - TITLE VI COMPLAINT FORM

CITY OF WYANDOTTE  
TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance."

This form may be used to file a complaint with the City of Wyandotte based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

*If you need assistance completing this form due to a physical impairment, please contact Gregory J. Mayhew, Assistant City Engineer via phone: 734-324-4558 or via email at [gmayhew@wyan.org](mailto:gmayhew@wyan.org).*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Please explain your relationship with the individual(s) indicated above: \_\_\_\_\_

Name of agency and department or program that discriminated:

Agency or department name: \_\_\_\_\_

Name of individual (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date(s) of alleged discrimination:  
Date discrimination began \_\_\_\_\_ Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:**

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

- |                 |                      |
|-----------------|----------------------|
| ____ Race       | ____ Religion        |
| ____ Color      | ____ National Origin |
| ____ Age        | ____ Sex             |
| ____ Disability | ____ Income          |

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please return completed form to:** Gregory J. Mayhew, Assistant City Engineer, 3200 Biddle Avenue, Suite 200, Wyandotte, Michigan 48192; Phone: 734-324-4558; Fax: 734-324-4535; E-mail: [gmayhew@wyan.org](mailto:gmayhew@wyan.org).

**Note:** *The City of Wyandotte prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.*

## APPENDIX E - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) *Context.* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) *Intensity.* This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
  - (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the City Administrator.

## APPENDIX F - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The City of Wyandotte's Title VI Plan will be communicated to each City Department Head who will review the plan with departmental employees.
2. The City of Wyandotte's Title VI Plan will be published on the main page of the City's website.
3. Appendix A will be included in all City contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the City of Wyandotte's Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. All City of Wyandotte employees will be trained or made aware of the LEP procedure and the Title VI complaint procedure.
7. A review of the City's facilities will be conducted in reference to compliance with the American Disabilities Act.
8. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
  - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
  - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
  - c. **Construction Projects:** The number of construction projects, number of minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
  - d. **LEP Needs:** The number of requests for language assistance that were requested or required and the outcome of these requests.
  - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
  - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
  - g. **Right of Way/Imminent Domain:** The number of such actions and diversity of individual affected.
  - h. **Program Participants:** Racial Data of program participants where possible.

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<sup>1</sup> The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

<sup>ii</sup> Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

<sup>iii</sup> The DOT has also posted an abbreviated version of this guidance on their website at <http://www.dotcr.ost.dot.gov/asp/lep.asp>.

<sup>iv</sup> <http://www.dotcr.ost.dot.gov/asp/lep/asp>

<sup>v</sup> Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.