

Wyandotte, Michigan September 22, 2014

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

ROLL CALL

Present: Councilpersons Fricke, Miciura, Sabuda, Schultz, Stec

Absent: Councilperson Galeski

COMMUNICATIONS MISCELLANEOUS

September 18, 2014

Mayor and Council, 3200 Biddle Avenue, Wyandotte, MI 48192

Dear Mayor and Council:

As you are aware, Love Wyandotte (The Wyandotte Independent Business Alliance) has spearheaded the 3rd Annual Paint the Town Pink campaign. Thank you for your approval and support for this series of events that Educates, Celebrates and Remembers, and which also raises some money that helps fund efforts to provide mammograms and information to those that need the help. It is so appreciated by the volunteers, beneficiaries and all that work to make this a significant effort in the City of Wyandotte. However, we failed to request one important recurring feature:

One of the most visible elements of this campaign is what the entire initial idea was in the first place: Decorating and Lighting the town pink in as many ways as possible to create a real Wyandotte signature. Two years ago we wrapped trees, as we did last year when the problem of the new DDA white light tree wrapping program was initiated. This year, we thought a better option would be to wrap the pedestrian light poles so as to create PINK impact with no reduction of the white which will be back up to speed by the end of October. Each pole features an electrical outlet, presumably enabling relatively simple power-up of the lighting effort. Should this request be granted, the poles would be wrapped and lit the weekend of September 27th, and removed before the end of October by the TaTas Task Force. Obviously, this important detail needs resolution ASAP - - - sorry for the lateness of the request!

As you are all clearly so aware, this campaign has grown to mean a great deal to a great many people that have dealt with breast cancer either directly or indirectly. Both experiences are scary and solemn, and all measures of bonding and banding together is heartfelt and appreciated by these people and just about everyone, so we sincerely hope we can continue the tradition.

You will see a broad variety of efforts on the part of businesses and residents to Paint the Town Pink in one way or another. We're all so eager to see what everyone does! We encourage EVERYONE to enjoy these efforts, and to pull out as many stops as possible throughout the City to join in. Have fun as you share in a very worthy cause.

Lastly, this letter cordially and sincerely invites the attendance of all City officials and staff at any and all of the events planned. Being a part of it all is gratifying - - - you would enjoy yourselves, so we hope to see all of you at some or all of the events. They are highly visible events, and your physical presence would be noted and valued by one and all.

Thank you for your consideration again!

Sincerely, Peter Rose, Love Wyandotte & Paint the Town Pink

September 8, 2014

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

Dear Mayor and City Councilmembers:

My neighbors and I are requesting to have additional street lights installed on 9th Street between Oak and Superior Blvd. I recently had a relative visiting my home one evening and upon leaving mentioned how PITCH DARK it was in front of my home. I told them it has been a dangerous problem for years.....

I have conducted a study involving adjacent streets and recorded the following information:

Three (3) street lights on 9th Street between Oak and Superior Blvd
Seven (7) street lights on 10th Street between Oak and Superior Blvd
Five (5) street lights on Electric Street between Oak and Superior Blvd

As taxpaying citizens I feel we deserve the same opportunity for SAFE GUARDING our property as well as ourselves and families.

Please give consideration to this request for the additional installation of street lights on ninth street; between Oak and Superior Blvd.

Sincerely yours, Bernadette Gosselin, 2752-9th Street, Wyandotte, Michigan 48192

PERSONS IN THE AUDIENCE

Alice Ugljesa, 2278 – 21st, regarding wonderful care provided to her father-in-law by the community prior to his death.

Renee Tarnoski, 2312 – 1st, regarding purchase of City lot for disabled husband's ramp denied and NSP homes on Vinewood discussed at last Monday's Meeting, Vinewood Village. Main contractor was not providing services to the condo owners. Maintenance fees increased to condo owners.

William Howard Thomas, 1615 Lindbergh, why am I paying an administration fee on my taxes?

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: September 22, 2014 AGENDA ITEM #3

ITEM: City Council Resolution dated 9/15/14 - Request from Michael and Debora Cutrell

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: A request for consideration for reimbursement was made by Michael and Debora Cutrell relative to the rain event of August 11, 2014. Specifically, the Cutrell's indicate that they, and others who do not join a potential lawsuit against the City, be considered for reimbursement along with those who do file a lawsuit against the City. They qualify this request by including "if funding is available now or in the future".

A basement claim was submitted by Michael and Debora Cutrell for the rain event of August 11th. The city has received approximately 450 claims. The city insurance coverage is a total of \$250,000 and will only pay if it is determined the city was at fault. The rainfall received on August 11, 2014, was an historic amount which exceeded the capacity of the Downriver Treatment Plant. At this time, there is no indication that the city was negligent in operation of its facilities.

Also, PA 222 of 2001 establishes the standard of liability relative to a "sewage disposal system event" or the overflow or backup of a sewage disposal system onto real property. A claimant can seek damages from the municipality if ALL of the following is proved to exist at the time of the event:

1. The governmental agency at the time of the event owned, or operated, or directly or indirectly discharged into, the portion of the sewage disposal system that allegedly caused damage or injury (an "appropriate government agency");
2. The sewage disposal system had a construction, design, maintenance, operation, or repair defect (a "defect");
3. The governmental agency knew, or in the exercise of reasonable diligence should have known, about the defect;
4. The governmental agency, having the legal authority to do so, failed to take reasonable steps in a reasonable amount of time to repair, correct, or remedy the defect; and
5. The defect was 50 percent or more the cause of the event and the damage or injury (a "substantial proximate cause").

It is not apparent that the standards of liability established under PA 222 have been met.

STRATEGIC PLAN/GOALS: To encourage and respect citizen participation and provide transparency in all city matters. To stand for all requirements of our laws and regulations.

ACTION REQUESTED: Receive and place on file the communications from the Cutrell's and deny the request for reimbursement.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: Concur

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS:

- 1 - City Council Resolution dated September 15, 2014
- 2 - Communication from City Attorney

**CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: September 22, 2014 AGENDA ITEM #4**

ITEM: Roof Maintenance at 3rd Street Fire Station

PRESENTER: Mark Kowalewski – City Engineer Jeff Carley – Fire Chief

INDIVIDUALS IN ATTENDANCE: Mark Kowalewski – City Engineer Jeff Carley – Fire Chief

BACKGROUND: The 3rd Street Fire Station is in need of roof maintenance. Three (3) bids were solicited by the Engineering Department. These bids were received, reviewed and Wm. Molnar Roofing Inc. of Riverview, Michigan was determined to be the lowest and most qualified bidder. See attached bid summary indicating this low bid at \$3,735.00.

STRATEGIC PLAN/GOALS: We are committed to creating fiscal stability, streamlining government operations; make government more accountable and transparent to its citizens and making openness, ethics and customer service the cornerstones of our City government.

ACTION REQUESTED: Adopt a resolution concurring with the selection Wm. Molnar Roofing Inc. as the best bid meeting specifications.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 101-448-750-270

IMPLEMENTATION PLAN: Wm. Molnar Roofing Inc. will enter into a contract and complete the work.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Summary of Bids Received

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: September 22, 2014 AGENDA ITEM #5

ITEM: Sewer Tap Repairs on 22nd Street from Oak Street to Eureka Avenue

PRESENTER: Mark Kowalewski - City Engineer

INDIVIDUALS IN ATTENDANCE: Mark Kowalewski - City Engineer

BACKGROUND: The City of Wyandotte is considering repaving 22nd Street next summer from Oak Street to Eureka Avenue. The sewer main is located under 22nd Street. Upon televising of the sewer main it has been found that 24 service taps are in poor condition. This creates an opportunity to the homeowners to have their taps repaired without the additional expense of pavement repair. The City could repair the service tap and spread the owners' cost over a 10 year special assessment, if they were to choose to have repair made. The road repaving would be completed after the sewer taps are done. The City of Wyandotte has solicited bids for this work receiving a low bid of a maximum per service of \$6,000.00 from Quint Plumbing

STRATEGIC PLAN/GOALS: We are committed to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas, ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; and promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Adopt a resolution concurring with the City Engineer to create a Special Assessment District for 22nd Street from Oak Street to Eureka Avenue to provide an opportunity for the homeowners to have their sewer taps repaired and special assessed over a 10 year period.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Future expense and revenue from Special Assessment Fund if approved.

IMPLEMENTATION PLAN: A letter would be sent to the homeowners including a picture indicating the condition of their tap from video taken by the televising of the main line by the City of Wyandotte's Televising and Sewer Cleaning contractor. The homeowner would then have an opportunity to make a decision if they would want this work to be done and 60 days to make a final decision. Those requesting the work to be completed would be included in a special assessment district with appropriate hearings at a future Council meeting.

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS Summary of bids; List of affected homes on 22nd Street between Oak Street and Eureka Avenue

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: September 22, 2014 AGENDA ITEM #6

ITEM: Sexton Kilfoil Drain Apportionments

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The Wayne County Drain Commissioner sent the attached notice to Wyandotte's property owners located in Area 1 and Area 2 on the attached Wyandotte Watershed Map. These areas are within the Sexton Kilfoil Drain. The Sexton Kilfoil Drain starts in Romulus and ends in Wyandotte. The drain is approximately 14 miles long. There are approximately 12,000 parcels that could be assessed in this drain. There are approximately 1,000 parcels in Wyandotte.

In accordance with the law, a maximum of \$70,000 can be assessed for maintenance work per year or approximately \$5.83/parcel. Since property owners in Wyandotte are already paying for the Southgate-Wyandotte Drainage District (SWDD) this cost should be paid by the City from the SWDD collected fees.

I recommend the City pay the Sexton Kilfoil Drain Apportionments as a City cost.

STRATEGIC PLAN/GOALS: The City is committed to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas, ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; and promoting the finest in design, amenities and associated infra-structure improvements in all new developments

ACTION REQUESTED: Approve Sexton Kilfoil Drain Apportionments for Wyandotte in the estimated amount of \$6,000.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 403-200-925-790

IMPLEMENTATION PLAN: Inform Wayne County Drain Commissioner that the City of Wyandotte will pay Sexton Kilfoil Drain Apportionments for Wyandotte's Residents in Areas 1 and 2 on the Wyandotte Watershed Map.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION: Joseph R. Peterson

LIST OF ATTACHMENTS: Notice from Wayne County Drain Commissioner, Wyandotte Watershed Map

AUTOMATIC REFERRALS:

1. Request to hold the annual Life chain Respect Life Sunday, Sunday, October 5, 2014 from 2:00 p. m. until 3:30 p.m. on FORT STREET from Lincoln Park, Wyandotte, Southgate and Riverview.

REPORTS AND MINUTES:

Fire Fighter's Civil Service Commission	June 11, 2014
Fire Fighter's Civil Service Commission	June 30, 2014
Wyandotte Cultural & Historical Commission	July 17, 2014
Wyandotte Cultural & Historical Commission	August 14, 2014

CITIZENS PARTICIPATION:

None

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Fricke, Miciura, Sabuda, Schultz, Stec

Absent: Councilperson Galeski

RESOLUTIONS

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

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

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

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the request from Peter Rose, Committee member of Love Wyandotte & Paint the Town Pink to wrap the pedestrian light poles down town Wyandotte in pink lights commencing on September 27, 2014 through the end of October, 2014 is hereby APPROVED by Mayor and Council and the General Manager of the Department of Municipal Service; subject to all applications filed and approved through Special Events Coordinator; Heather A. Thiede.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec
NAYS: None

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the communication from Bernadette Gosselin, 2752-9th Street, Wyandotte, Michigan and others regarding the installation of additional street lights between Oak and Superior Blvd is hereby referred to the Department of Municipal Service for a review and report back in two (2) weeks.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec
NAYS: None

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Administrator and Department of Legal Affairs and DENIES the request for reimbursement from the August 11, 2014 flooding event in the City of Wyandotte from Michael and Debora Cutrell, 1752-12th Street, Wyandotte.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec
NAYS: None

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that Council CONCURS in the recommendation set forth by the City Engineer and Fire Chief in their communication dated September 22, 2014 and hereby ACCEPTS the bid from W. Molnar Roofing, Inc., Riverview, Michigan for roof maintenance at the Third Street Fire Station in the amount of \$3,735.00 as being the best bid meeting specifications with funds derived from account # 101-448-750-270.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec
NAYS: None

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the City Engineer is authorized to contact 23 owners on 22nd Street between Oak Street and Eureka Avenue to determine their desire to be included in a Special Assessment District to repair their sewer service taps at a maximum of \$6,000.00 per tap utilizing Quint Plumbing of Wyandotte. The proposed Special Assessment District would provide an avenue for the homeowners to have their sewer taps repaired and the cost assessed to them over a 10 year period.

I move the adoption of the foregoing resolution.
MOTION by Councilperson Sheri M. Fricke
Supported by Councilperson Lawrence S. Stec
YEAS: Councilmembers Fricke, Schultz, Stec, Mayor Peterson
NAYS: Councilmembers Miciura, Sabuda

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that the City of Wyandotte hereby authorizes the payment of the assessments levied to property owners for the maintenance of the Sexton Kilfoil Drain from the Wayne County Drain Commissioner within the municipal boundaries of the City of Wyandotte, in addition to the payment of the City's at-large assessment for the Sexton Kilfoil Drain. This authorization shall include future annual at-large and property owner assessments provided that the assessments are for non-petitioned maintenance. If assessments are levied for a petitioned project under MCL 280.191, or for maintenance requiring Municipal approval pursuant to MCL 280.196(5), then separate authorization for payment of property owner assessments by the City must be obtained from account # 403-200-925-790.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec

NAYS: None

Wyandotte, Michigan September 22, 2014

RESOLUTION by Councilperson Sheri M. Fricke

RESOLVED by the City Council that regarding issues of the Wayne County Condo Sub Plan No. 877 (AKA Vinewood Village) (L43591 of Deeds P. 102-153) is hereby referred to the City Assessor to report it's findings back to Council in two (2) weeks; (October 6, 2014). AND FURTHER the Assessor is to meet and discuss all issues with Renee Tarnoski or any/all legal property owners. AND FURTHER the City Engineer is requested to contact all current residents and Board Officers of Vinewood Village to schedule a meeting at City Hall with all legal owners in two (2) weeks (October 6, 2014) at 6:00 p.m.; before Mayor and Council prior to the regular Council Meeting; AND FURTHER the City Engineer is to send invitations to Kramer Triad and a HUD Representative.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Sheri M. Fricke

Supported by Councilperson Lawrence S. Stec

YEAS: Councilmembers Fricke, Miciura, Sabuda, Schultz, Stec

NAYS: None

ADJOURNMENT

MOTION by Councilperson Sheri M Fricke

Supported by Councilperson Lawrence S. Stec

That we adjourn.

Carried unanimously

Adjourned at 8:47 PM

September 22, 2014

William R. Griggs, City Clerk