

Wyandotte, Michigan November 24, 2014

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

ROLL CALL

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

Absent: Councilperson Miciura

UNFINISHED BUSINESS

THE SHOW CAUSE HEARING FOR 222 ANTOINE IS HELD IN ABEYANCE UNTIL MONDAY, DECEMBER 8, 2014 (due to the sale of the property at auction and the necessity to notify the new owner 10 days prior to the hearing).

PERSONS IN THE AUDIENCE

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 24th, 2014 AGENDA ITEM #1

ITEM: Appointment to the Cultural & Historical Commission

PRESENTER: Mayor Joseph R. Peterson

INDIVIDUALS IN ATTENDANCE: Mayor Joseph R. Peterson

BACKGROUND: Due to the resignation of David Kostelnik, a vacancy now exists on the Cultural & Historical Commission. Mayor Peterson is recommending the appointment of Jesse Rose as Dave Kostelnik's replacement on the board.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Adopt a resolution supporting the appointment of Jesse Rose, 1775 4th St., Wyandotte, MI 48192, as a member of the Cultural & Historical Commission. Term to expire December 2018.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: n/a

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION

LIST OF ATTACHMENTS:

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 24th, 2014 AGENDA ITEM #2

ITEM: City Purchasing 603 Lincoln, Wyandotte

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: This property is blight on the neighborhood and is need of extensive repairs. The Engineering Department has negotiated a sales price of \$25,000. The property information is as follows:

Lot Size: 90' x 100.85'

Demolition Cost Estimated at: \$6,000.00

2014 SEV: \$32,200

Market Value: \$72,400.00 2013

Taxes: \$1,884.63

This property would be sold for the construction of a new single family dwelling.

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

ACTION REQUESTED: Approve the Purchase Agreement for the City to acquire property and authorize the Mayor and City Clerk to execute same.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 492-200-850-519 TIFA Area Funds

IMPLEMENTATION PLAN: Mayor and City Clerk execute the Purchase Agreement and close on property.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: ok jrp

LIST OF ATTACHMENTS: Purchase Agreement and Map

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 24th, 2014 AGENDA ITEM #3

ITEM: 3247 Biddle Avenue (former Austin Hyde Park/Damon's Restaurant) -Determination that Property is Blighted

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE:

BACKGROUND:

To facilitate redeveloping the property at 3247 Biddle Avenue, the developer, GLPMR, LLC, has requested that the City determine that the site "has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use." The City must make such a determination if the property is to qualify as "blighted," as defined in the Brownfield Redevelopment Financing Act, Act 381 of 1996, as amended (see Attachment 1).

Based upon my review of the enclosed information submitted by the developer, titled "Summary of Subsurface Soil Conditions at 3247/3249 Biddle Avenue, Wyandotte, MI" dated July 15, 2014, (see Attachment 2), I recommend that the Mayor and Council make the determination as requested.

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: (1) downtown revitalization and an economic development strategy that emphasizes commercial expansion in the area; and (2) fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas.

ACTION REQUESTED: Approve the attached resolution determining that the property is blighted.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: ok jrp

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: 1. Excerpt of "Blighted" language from the Brownfield Act
2. Summary of Subsurface Soil Conditions

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 24th, 2014 AGENDA ITEM #4

ITEM: Adoption of the 2012 Mechanical Code

PRESENTER: William R. Look, City Attorney

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: City Engineer requested adoption of 2012 Mechanical Code.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: First reading of 2012 Mechanical Code

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: William R. Look

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS

REPORTS AND MINUTES

Daily Cash Receipts	November 18, 2014	\$1,396.00
Plumbing Board	November 10, 2014	
Municipal Service Commission	November 12, 2014	
Zoning Board of Appeals & Adjustments	November 5, 2014	
Beautification Commission	October 8, 2014	
Beautification Commission	November 12, 2014	

CITIZENS PARTICIPATION

None

RECESS

RECONVENING

ROLL CALL

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

Absent: Councilperson Miciura

HEARING

SHOW CAUSE HEARING FOR 446 PINE

Mayor and City Council, City Hall
3200 Biddle Ave., Wyandotte, MI 48192

November 15, 2014

Mayor and City Council

This communication is to notify you that I, Christine Kraft, have received notice of a show-cause hearing on November 24, 2014, regarding my family's property located at 446 Pine, in the city of Wyandotte. I would like to inform you that I am currently working on this property and doing my best to resolve all issues but have been deterred in my efforts by the unseasonably frigid weather.

I would like to discuss this personally at the afore-mentioned hearing, however, I have long-standing plans, reservations, et-al for the Thanksgiving holiday to visit out-of-state family and cannot attend this hearing as scheduled for November 24, 2014 as I will be out of town*

I therefore request that you PLEASE reschedule this hearing for a later date so that I may attend. I have been present at all other hearings that I have been notified of and it should be obvious that I do not regard this matter casually!

I request that this letter be read aloud at the November 24, 2014 City Council meeting and that I be notified immediately of an alternate date.

Thank you.

Sincerely, Christine Kraft

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: November 24th, 2014 AGENDA ITEM #HEARING

ITEM: 446 Pine Street, Wyandotte, Michigan

PRESENTER: Mark A. Kowalewski, City Engineer and William R. Look, City Attorney
INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer and William R. Look, City Attorney

BACKGROUND: The City has had numerous show cause hearings regarding the condition of 446 Pine Street. The Owner is deceased and a Probate Case has not been filed to nominate a personal representative of the estate. MCL: 700.3203 describes the appointment of a personal representative for estates. After 42 days of the decedent's death, the nominee of a creditor can be identified if the Court finds the nominee suitable. Therefore, we recommend the City Attorney proceed to Court and request Christine Kraft or some other suitable person as the nominee of the estate. This will legally provide a representative to the estate.

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

ACTION REQUESTED: City Attorney to proceed to Court to have the Court appoint a personal representative for the estate of the property at 446 Pine.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Filing Fee \$162, Inventory Fee and/or other fees approximately \$300.

IMPLEMENTATION PLAN: Notify children and grandchildren of deceased in line for estate. (See attached).

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: OK JRP

LIST OF ATTACHMENTS: List of Interested Parties

FIRST READING OF AN ORDINANCE

AN ORDINANCE ENTITLED
"AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
CODE OF ORDINANCES BY ADOPTING BY REFERENCE
THE 2012 EDITION OF THE MICHIGAN MECHANICAL CODE"

RESOLUTIONS

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

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 Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that WHEREAS a show cause hearing has been held in the Office of the Engineer in the Department of Engineering and Building, 3200 Biddle Avenue, Wyandotte, Michigan on October 22, 2014, and WHEREAS the property owner or other interested parties, have been given opportunity to show cause, if any they had, why the structure at 222 Antoine has not been demolished in accordance with the City's Property Maintenance Ordinance, and WHEREAS the Hearing Officer has filed a report of his findings with this Council; NOW, THEREFORE BE IT RESOLVED that this Council shall hold a public hearing in accordance with Section PM-107.7 in the Council Chambers of the Wyandotte City Hall, 3200 Biddle Avenue, Wyandotte on DECEMBER 8, 2014 at 7:00 p.m. at which time all interested parties shall show cause, if any they have, why the structure has not been demolished or why the City should not have the structure demolished and removed at 222 Antoine. AND BE IT FURTHER RESOLVED that the City Clerk shall given notice of said hearing ten (10) days before the hearing by certified mail, return receipt requested, and first class mail, in accordance with the provisions of Section PM-107.4 of the Property Maintenance Ordinance.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council hereby ACCEPTS the resignation of David Kostelnik from the Cultural & Historical Commission and thanks Mr. Kostelnik for his service; and BE IT FURTHER RESOLVED that Council hereby CONCURS with the recommendation of Mayor Peterson to appoint Jesse Rose of 1775-4th Street, Wyandotte, Michigan 48192 to the Cultural & Historical Commission. Term to expire December 2018.

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

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to acquire the property at 603 Lincoln in the amount of \$25,000.00 to be appropriated from TIFA Area Funds; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase agreement; AND FURTHER that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk; AND BE IT FURTHER RESOLVED that the City Engineer is directed to DEMOLISH same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte.

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

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the City Engineer regarding the proposed development by GLPMR, LLC, at 3247/3249 Biddle Avenue, Wyandotte, Michigan, is hereby received and placed on file; AND BE IT FURTHER RESOLVED that the City Council, based on the City Engineer's communication and the "Summary of Subsurface Soil Conditions at 3247/3249 Biddle Avenue, Wyandotte, MI." dated July 15, 2014, hereby determines that the property at 3247/3249 Biddle Avenue, Wyandotte, Michigan, has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use, and is therefore blighted property as defined in Section 2 (e) (vii) of the Brownfield Redevelopment Financing Act, Act 381 of 1996, as amended. AND BE IT FURTHER RESOLVED that progress reports be submitted by the owner and developer to the City Engineer on a monthly basis.

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

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from the Department of Legal Affairs relative to the adoption of the 2012 Mechanical Code is hereby received and placed on file as the First Reading of the Ordinance shall take place at tonight's meeting.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

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

NAYS: None

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the communication from Christine Kraft regarding 446 Pine is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer and City Attorney regarding the property at 446 Pine Street and authorizes the City Attorney to proceed to Probate Court to have a personal representative appointed and any cost associated to appoint a personal representative will be placed as a lien on the property.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

YEAS: Councilmembers Schultz, Stec, Mayor Peterson

NAYS: Councilmembers Fricke, Galeski, Sabuda

RESOLUTION FAILED TO PASS

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the Show Cause Hearing for 446 Pine is hereby held in abeyance for two (2) weeks (December 8, 2014) and FURTHER that Council will proceed on that date. BE IT FURTHER RESOLVED that Christine Kraft be notified of the new date and is also sent a copy of the City Engineer's communication to Council which recommends that the City file a petition with the probate court requesting the appointment of a personal representative.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

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

NAYS: None

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the Council Meeting of Monday, December 1, 2014 is hereby CANCELLED due to the Thanksgiving Day Holiday.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

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

NAYS: None

Wyandotte, Michigan November 24, 2014

RESOLUTION by Councilperson Lawrence S. Stec

RESOLVED by the City Council that the total bills and accounts in the amount of \$949,776.70 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Lawrence S. Stec

Supported by Councilperson Sherri M. Fricke

That we adjourn.

Carried unanimously

Adjourned at 8:08 PM

November 24, 2014

William R. Griggs, City Clerk