

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 10, 2014

AGENDA ITEM #

14

ITEM: Sale of the former 3425 5th Street (50' x 50')

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 10-29-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: This property was purchased and demolished with TIFA funds. Recommendation is to sell this property to the adjacent property owner at 465 Orange, Todd and Carol Theisen, for the amount of \$1,225.00 which is based on \$50 per front footage price. The combination of the two (2) parcels will result in one (1) parcel measuring 50' x 140'.

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 Agreements 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:

Shirley Dale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

Joseph R. Peterson

LIST OF ATTACHMENTS: Sales Agreement, property map and Resolution for the Policy for the Sale of Non-Buildable Lots.

LOOK, MAKOWSKI and LOOK
 ATTORNEYS AND COUNSELORS AT LAW
 PROFESSIONAL CORPORATION
 2241 OAK STREET
 WYANDOTTE, MICHIGAN 48192-5390
 (734) 285-6500
 FAX (734) 285-4160

William R. Look
 Steven R. Makowski

Richard W. Look
 (1912-1993)

OFFER TO PURCHASE REAL ESTATE

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the Wyandotte County, Michigan, described as follows: South 50 feet of Lot 1, Block 129 Plat of Part of Wyandotte as recorded in Liber 1, Page 56 and 57 of Plate WCR being known as part of the Former 3425th Street, together with all improvements and appurtenances, including all lighting fixtures, shades, Venetian blinds, curtain rods, storm windows and storm doors, screens, awnings, TV antenna, gas conversion unit and permit if any, now on the premises, and to pay therefore the sum of One Thousand Two Hundred Twenty-Five Dollars and 00/100 (\$1,225.00) 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: Paragraph A
 (Fill out one of the four following paragraphs, and strike the remainder)

<i>Cash Sale</i>	A. Delivery of the usual Warranty Deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check.
<i>Cash Sale with New Mortgage</i>	B. Delivery of the usual Warranty Deed conveying a marketable title. Payment of Purchase money is to be made in cash or certified check. Purchaser agrees that he will immediately apply for a _____ mortgage in the amount of \$ _____, and pay \$ _____ down plus mortgage costs, prepaid items and adjustments in cash. Purchaser agrees to execute the mortgage as soon as the mortgage application is approved, a closing date obtained from the lending institution, and, if applicable, final inspection of the property approved by the Veterans Administration or F. H. A.
<i>Sale to Existing Mortgage</i>	C. Delivery of the usual Warranty Deed conveying a marketable title, subject to mortgage to be deducted from the purchase price. Payment of the purchase money is to be made in cash or certified check less the amount owing upon an existing mortgage now on the premises, with accrued interest to date of consummation, held by _____ upon which there is unpaid the sum of approximately _____ Dollars, with interest at _____ per cent, which mortgage requires payment of _____ Dollars on the _____ day of each and every month, which payments DO, DO NOT include prepaid taxes and insurance. If the Seller has any accumulated funds held in escrow for the payment for any prepaid items, the Purchaser agrees to reimburse the seller upon proper assignment of same. The Purchaser agrees to assume and pay said mortgage according to the terms thereof.
<i>Sale on Land Contract</i>	D. Payment of the sum of _____ Dollars, in cash or certified check, and the execution of a Land Contract acknowledging payment of that sum and calling for the payment of the remainder of the purchase money within _____ years from the date of Contract in monthly payments of not less than _____ Dollars each, which include interest payments at the rate of _____ per cent per annum; and which DO, DO NOT include prepaid taxes and insurance.
<i>Sale to Existing Land Contract</i>	If the Seller's title to said land is evidenced by an existing by an existing land contract with unperformed terms and conditions substantially as above set forth and the cash payment to be made by the undersigned on consummation hereof will pay out the equity, an assignment and conveyance of the vendee's interest in the land contract, with an agreement by the undersigned to assume the balance owing thereon, will be accepted in lieu of the contract proposed in the preceding paragraph. If the Seller has any accumulated funds held in escrow for the payment of prepaid taxes or insurance, the Purchaser agrees to reimburse the Seller upon the proper assignment of same.
<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 to pay premium for title insurance policy at time of closing.
<i>Time of Closing</i>	3. If this offer is accepted by the Seller and Purchaser 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; however, if the sale is to be consummated in accordance with paragraph B, then the closing will be governed by the time there specified for obtaining a mortgage. In the event of default by the Purchaser hereunder, the Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.
<i>Purchaser's Default</i>	
<i>Seller'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>Title Objections</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>Possession</i>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: <u>None</u> If the Seller occupies the property, it shall be vacated on or before _____ closing From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ <u>NA</u> per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ <u>NA</u> 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.

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

Taxes and Prorated Items	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. Due dates are August 1 and December 1.
Broker's Authorization	8. It is understood that this offer is irrevocable for five (5) 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 Seller is hereby authorized to accept this offer and the deposit of <u>0.00</u> 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.

10. APPLICABLE TO F. H. A. SALES ONLY:

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner

setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ _____ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ _____.

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 the City Engineer, 3200 Biddle Avenue, Wyandotte, MI. 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: This Agreement is contingent upon the following: 1. City Council approval; 2. Purchaser combining this property with property currently owned by Purchaser known as 465 Orange, 3. Purchaser is responsible for all closing fees including title premium, Wayne County Fee of \$150.00 and recording fees. Closing fees will be due at time of closing. 4. Property is being purchased in an "as is" condition.

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

IN PRESENCE OF:

Marc Wojtowicz
Maria de Perre
Dated 10-24-14

Todd A. Theisen L. S.
Purchaser
Carol M. Theisen L. S.
Purchaser
Address 465 Orange, Wyandotte, Michigan 48192
Phone: (734) 676-5967

SELLER'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: _____ Seller
This is a co-operative sale on a _____ basis with _____

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:

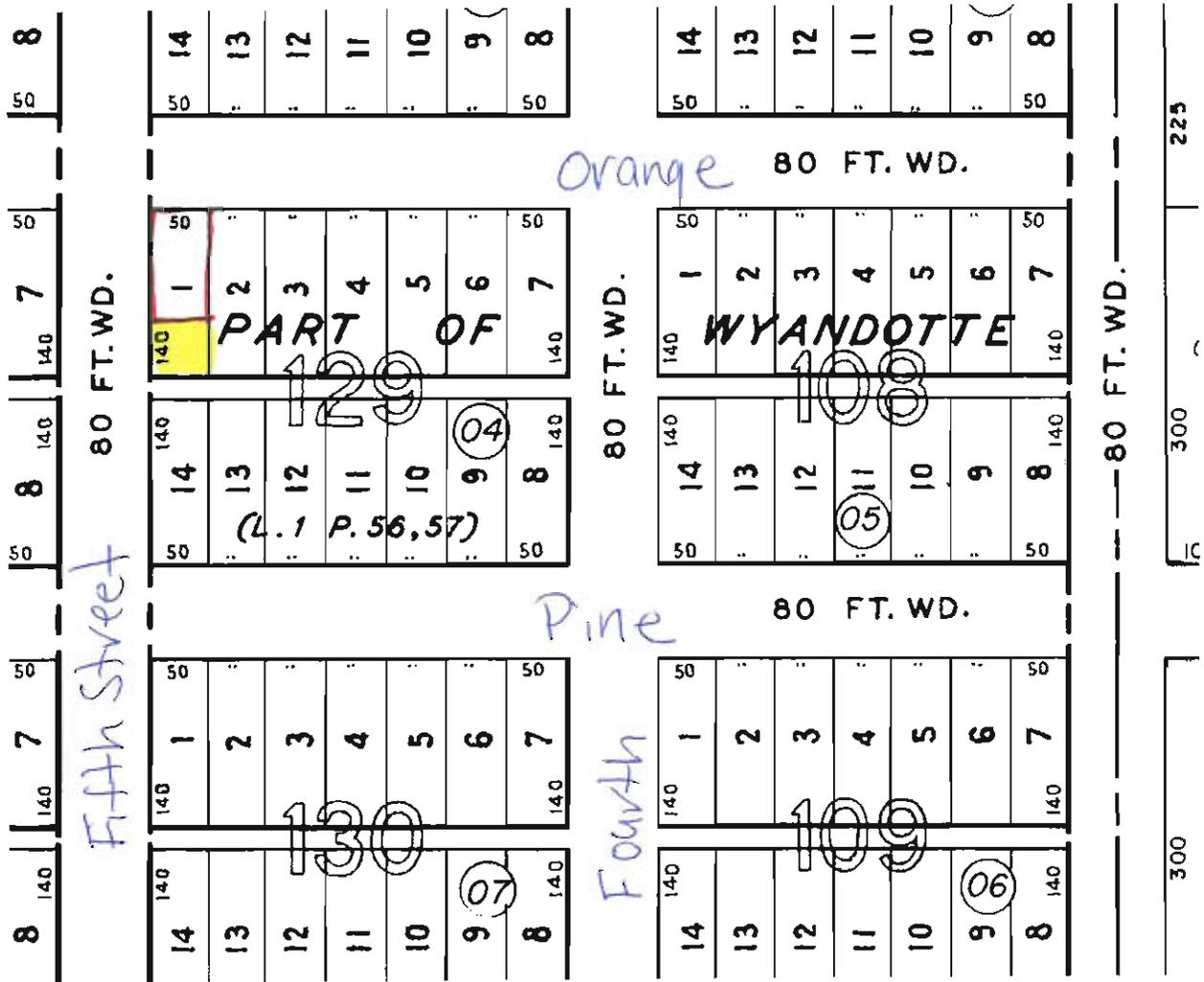
Joseph R. Peterson, Mayor L. S.

William R. Griggs, City Clerk L. S.
Address 3200 Biddle Avenue, 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



465 Orange – North 90 feet of Lot 1 Block 129

3425 5th Street – All of Lot 1 except the north 90 feet of Lot 1, Block 129

POLICY FOR THE SALE OF NON-BUILDABLE LOTS

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Kechn
CITY ASSESSOR



COUNCIL

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

September 11, 2012.

JOSEPH R. PETERSON
MAYOR
RESOLUTION

Marjorie Griggs
2442-9th Street
Wyandotte, Michigan 48192

By Councilman Leonard Sabuda
Supported by Councilman Todd M. Browning

RESOLVED by the City Council that the communication from Marjorie Griggs, 2442-9th Street, Wyandotte relative to the purchase of adjacent property is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer's office is directed to offer for sale all non-buildable lots at the cost of \$50.00 per front foot and to permit the purchase to be made by deferred payment. This resolution applies to any pending sales that have not yet closed.

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 September 10, 2012.

William R. Griggs
William R. Griggs
City Clerk

CC: City Engineer, City Assessor

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 10, 2014

RESOLUTION by Councilperson _____

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that Council approves the Purchase Agreement to sell the former 3425 5th Street to the adjacent property owners at 465 Orange, Todd and Carol Theisen, for the amount of \$1,225.00; 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	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: *November 10, 2014*

AGENDA ITEM #

15

ITEM: Sales Agreements for NPS2 Home 459 Ford Avenue

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski - 10-29-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City received NSP2 Funds to develop the property at 459 Ford Avenue. Lottery Drawing was held in accordance with the Sale Policy Guidelines with no offers received. Council approved the listing price of this property and also there has been three (3) price reductions since listed. The City has received the following offer:

Kyle Frazier, 7862 Pine Street, Taylor, Michigan 48180 in the amount of \$78,732.00. Mr. Frazier is 50% or lower of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$26,944 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage is in the amount of \$51,788.

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; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods

ACTION REQUESTED: Approval of sale agreement between Kyle Frazier and the City.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *Support*

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Sale Agreement

Joseph R. Peterson

cc: Jerry Miller, Wyandotte Realty
Lindsay Hager, Capital Access
Emanuel Odom, MSHDA
Mr. Frazier

LOTTERY FORM TO ACQUIRE NSP2 HOME

Date: 9/29/2014

TO: The Honorable Mayor and City Council
City Hall
Wyandotte, Michigan

RE: File No. 4611

DUE DATE: Monday, February 25, 2013

451 Ford Avenue, 459 Ford Avenue
(Please place an "X" next to the home you are submitting a Purchase Agreement on)

In order of preference: 1st _____ 2nd _____

THE UNDERSIGNED HEREBY CERTIFY AS FOLLOWS:

- NSP2 SINGLE – FAMILY SALES PROGRAM GUIDELINES: has read and understands policy.
- INSPECTION: Familiarity with the present condition of premises based on recent inspection.
- COMPREHENSION: Understanding that Purchase Agreement is subject to the Wyandotte City Council approval prior to closing
- PURCHASE PRICE : Seventy Eight Thousand Seven Hundred Thirty^{Two} Dollars
(\$78,732.00)
- DEPOSIT: One Percent (1%) of above amount enclosed. Check No. 1007
Make check payable to the Minnesota Title Agency
- Enclosed Purchase Agreement
- Enclosed Housing counseling Certificate
- Enclosed Pre-Qualified Mortgage Letter
- Written approval from MSHDA if Homebuyer Assistance exceeds \$30,000.00

*****ONE HOME MUST BE SOLD TO 50% OR BELOW AMI*****

50% or Below of Area Median Income

NA 120% or Below of Area Median Income

I/We hereby certify that income for the household has not changed since receiving the Certificate of completion of 8 hours of housing counseling.

SIGNATURE: [Signature]

NAME: Kyle Stazius
Please print

ADDRESS: 7862 Pine Street Taylor MI 48180
Please print

Please print

Phone: _____

Appendix B

CITY OF WYANDOTTE
 3131 Biddle Avenue
 Wyandotte, Michigan 48192
 Telephone: (734) 324-4551
 Fax: (734) _____



OFFER TO PURCHASE REAL ESTATE

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the { City of Wyandotte, Wayne County, Michigan, described as follows: LOT 58 except 17' and lot 57 of The Wyandotte Home Company's sub and being known as 459 Ford Street, together with all improvements and appurtenances, including all lighting fixtures, shades, Venetian blinds, curtain rods, storm windows and storm doors, screens, awnings, TV antenna, gas conversion unit and permit, ALL APPLIANCES if any, now on the premises, and to pay therefore the sum of Seventy Eight Thousand Seven Hundred Thirty Two dollars (\$78,732.00) 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:

(Fill out one of the four following paragraphs, and strike the remainder)

Cash Sale	A. Delivery of the usual Warranty Deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check.
Cash Sale with New Mortgage	B. Delivery of the usual Warranty Deed conveying a marketable title. Payment of Purchase money is to be made in cash or certified check. Purchaser agrees that he will immediately apply for a <u>FHA</u> mortgage in the amount of \$ <u>TBD</u> , and pay ONE PERCENT (1%) down including mortgage costs, prepaid items and adjustments in cash. Purchaser agrees to execute the mortgage as soon as the mortgage application is approved, a closing date obtained from the lending institution, and, if applicable, final inspection of the property approved by the Veterans Administration or F. H. A. Purchaser understands that this Offer to Purchase is being submitted contingent upon Purchaser meeting the following requirements in each category listed below as established by the City of Wyandotte Neighborhood Stabilization Program (NSP): (1) Minimum Percentage of Down Payment: 1% (2) Minimum Credit Score: 640 (3) Employment Status: Employed or being able to show a reliable income source (4) Minimum Debt-Income Ratio: 40%
Evidence of Title	2. As evidence of title, Seller agrees to furnish Purchaser, at Purchaser's cost, as soon as possible Policy of Title Insurance in an amount not less than the purchase price as determined by Purchaser, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement and tax history certified to a date later than the acceptance thereof.
Time of Closing	3. If this offer is accepted by the Seller and Purchaser 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; however, if the sale is to be consummated in accordance with paragraph B, then the closing will be governed by the time there specified for obtaining a mortgage.
Purchaser's Default	4. In the event of default by the Purchaser hereunder, the Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.
Seller's Default	5. 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.

14F

Title Objections	6. 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.
Possession	7. The Seller shall deliver and the Purchaser shall accept possession of said property AT CLOSING.

Taxes and Prorated Items	8. 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 Due Date 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. Due dates are August 1 and December 1.
Acceptance	9. It is understood that this offer is irrevocable for five (5) 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. The Seller is hereby authorized to accept this offer and the deposit of _____ (\$787.32) 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. Said check shall be made payable to: MINNESOTA TITLE INSURANCE AGENCY.

10. APPLICABLE TO F. H. A. SALES ONLY:

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ 78,732.00 which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ 1.00.

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

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

13. The closing of this sale shall take place at the office of the City Engineer, 3131 Biddle Avenue, Wyandotte, MI. 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.

14. THE PURCHASER MUST CLOSE THIS TRANSACTION WITHIN 90 DAYS OF THE EXECUTION OF THIS PURCHASE AGREEMENT. FAILURE TO COMPLY WITH THIS REQUIREMENT WILL RESULT IN THIS PURCHASE AGREEMENT BECOMING AUTOMATICALLY NULL AND VOID AND FORFEITURE OF DEPOSIT.

Additional conditions, if any: See Addendum attached hereto and incorporate herein for additional Paragraphs

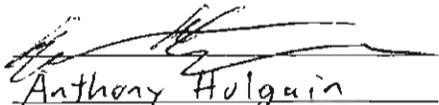
14E

Witness:

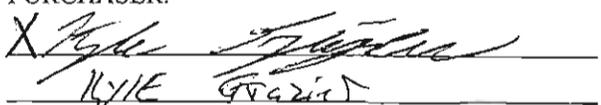
Dated: _____, 2013

SELLER: City of Wyandotte

By: _____
Its: _____
By: _____
Its: _____



Anthony Holguin
Dated: Sept 29, 2014

PURCHASER:


KYLE FRAZIER

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

ADDENDUM TO PURCHASE AGREEMENT
FOR PROPERTY KNOWN AS 459 Ford Wyandotte MI 48192
Wyandotte, Michigan

- KF 15. The Purchaser acknowledges that The City of Wyandotte (Seller) has provided the Purchaser a "Fair Housing and Equal Opportunity for All" pamphlet issued by the U.S. Department of Housing and Urban Development (HUD).
- HF 16. The Purchaser does hereby grant permission to the City of Wyandotte to use his/her photo and name in any lawful publication for the promotion of the City's Neighborhood Stabilization Program or any other approved City programs by signing photo release labeled Attachment A."
- HF 17. Household includes all persons residing at the current residence or persons living at the current residence during the past twelve (12) months. Purchaser acknowledges that the number of household members or income has not changed since his/her submission of NSP2 application.
- HF 18. Any proposal submissions exceeding one (1) per household will be disqualified. Purchaser acknowledges that they will have not submitted any other proposals for the same NSP2 home.
- HF 19. Purchaser will be responsible for title premium and recording fees, which will be deducted at time of closing.
- HF 20. This Agreement is contingent upon the approval of the Wyandotte City Council and Michigan State Housing Development Authority (MSHDA) approval including if required, a mortgage buy down exceeding Thirty Thousand (\$30,000.00) Dollars.
- KF 21. Purchaser will cooperate with the seller to provide seller access to Purchaser's monthly utility bills for the next five (5) years.
- HF 22. Purchaser will be required to sign a Homebuyer Certification and Program Agreement at time of closing.
- HF 23. At closing, the City of Wyandotte will assign to the Purchaser all warranties it has received from the Contractor. It is understood that the term of the warranties began at the agreed upon "Substantial Completion Date." Therefore, the term of such warranties will be less than one(1) year.

PURCHASER:

Kyle Frazier
KYLE FRAZIER

Dated: 9/29/14

SELLER: The City of Wyandotte

By: _____

Its: _____

By: _____

Its: _____

Dated: _____



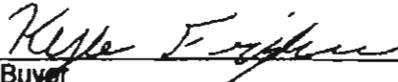
ADDENDUM TO CONTRACT TO PURCHASE

Attached to and made a part of the Contract to Purchase dated: September 29, 2014

For the property located at: 459 FORD AVE, WYANDOTTE, MI 48192

Additional conditions: All parties agree that the items on Walk thru will be corrected prior to closing and the home is being sold as-is where-is without Warranty.

Seller
JOSEPH R. PETERSON, MAYOR


Buyer
KYLE D. FRAZIER

Seller
WILLIAM R. GRIGGS, CITY CLERK

Buyer

Witness


Witness

Dated: _____

Dated: 10/23/14

All other terms and conditions shall remain the same.

NOTE: This is a legal document. You should seek legal advice.

Rev. 06/02

Downriver Real Estate Group 1644 Ford Ave Wyandotte, MI 48192
Phone: 734.284.8888 Fax: 734.284.8307 Jerald Miller

Produced with ZipForm™ by RE FormNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035 www.zipform.com



451 FORD AVE

Attachment "A"

Photo Release Form

I hereby grant the City of Wyandotte, its successors and those acting under its authority permission to use the likeness and name of my family and myself in a photograph in any and all of its publications, including website entries, without payment or any other consideration.

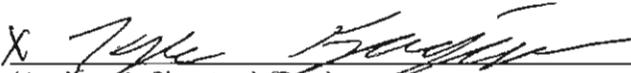
I understand and agree that these materials will become the property of the City of Wyandotte and will not be returned.

I hereby irrevocably authorize City of Wyandotte to edit, alter, copy, exhibit, publish or distribute this photo for purposes of publicizing the City of Wyandotte's programs or for any other lawful purpose. In addition, I waive the right to inspect or approve the finished product, including written or electronic copy, wherein likeness of my family or myself appears.

Additionally, I waive any right to royalties or other compensation arising or related to the use of the photograph.

I hereby hold harmless and release and forever discharge the City of Wyandotte, its successors and those acting under its authority from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my estate have or may have by reason of this authorization.

I am 18 years of age and am competent to contract in my own name and in the names of my family members which are not competent. I have read this release before signing below and I fully understand the contents, meaning, and impact of this release.

X  _____
(Applicant's Signature) (Date)
15/16 50215 _____
(Printed Name) (Date)

(Co-Applicant's Signature) (Date)

(Printed Name) (Date)

If the person signing is under age 18, there must be consent by a parent or guardian, as follows:
I hereby certify that I am the parent or guardian of _____, named above,
and do hereby give my consent without reservation to the foregoing on behalf of this person.

(Parent/Guardian's Signature) (Date)

(Parent/Guardian's Printed Name)

Certificate of Completion

THIS CERTIFICATE OF COMPLETION IS PRESENTED TO THE FAMILY OF

KYLE FRAZIER

By

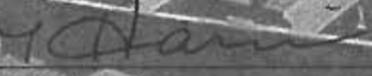
National Faith HomeBuyers

For successful completion of:

8 hours of homeownership workshops, which include:

- (1) Are you ready to buy a home, (2) Budgeting and Credit
- (3) Understanding Your Credit, (4) Getting A Mortgage Loan
- (5) Shopping For A Home, (6) Closing On Your Home
- (7) Insurance, (8) Foreclosure Prevention
- (9) Down Payment Assistance

Recognized and Acknowledged By:


Signature
Dina Harris, Chief Executive Officer

January 25, 2014,

Date

National Faith HomeBuyers is a MSHDA & Freddie Mac Certified Counseling Agency

****COMPLETION OF EDUCATION ONLY SATISFIES 8 HOURS OF CLASS TIME AND DOES NOT ENSURE ABILITY TO OBTAIN A MORTGAGE OR DOWNPAYMENT ASSISTANCE****



Freddie
Mac

Investing in People.
Investing in Places.
MSHDA
MISSISSIPPI STATE HOUSING DEVELOPMENT AUTHORITY

Date: Monday, September 29, 2014

Re: Pre-Approval Letter

Dear Kyle Frazier:

We are pleased to inform you, after reviewing your recent application information which you provided to Capital Mortgage Funding, we have determined that you will qualify for a FHA mortgage with a maximum sale price in the amount of \$78,732.

The application is subject to the following conditions and terms:

- The mortgage premises and purchaser must meet all the terms and conditions of the lenders underwriting guidelines, including the following:
 1. **Acceptable appraisal and purchase agreement of suitable property with up to 6% seller contribution**
 2. **Any other conditions that may arise from this transaction**
 3. **All utilities must be on and in working order prior to appraisal**
 4. **All fees charged by all parties must be disclosed prior to last underwriting submission or closing may be delayed**
- Matters of title and survey must be acceptable to Capital Mortgage Funding
- Acceptable proof of all insurances needed in accordance to underwriting guidelines
- There can be no adverse change in your financial condition (in the sole judgment of the CMF) or creditworthiness prior to closing

This is not a guaranty of an interest rate or fees. This letter is valid through December 27, 2014.

Sincerely,

Peter Zuk

Peter Zuk
Mortgage Banker
CAPITAL MORTGAGE FUNDING
A Division of Shore Financial Services
Phone: 248-LOW-RATE
NMLS# 90290
pzuk@lowrateonline.com

FINAL WALK THRU

Purchaser, Kyle Frazier, conducted a final inspection walk thru of 459 Ford, Wyandotte on 10/13/2014

Attached Exhibit A identifies all items that the Seller, City of Wyandotte, agrees to repair. There is no other warranty or limited warranty that applies to this purchaser and Purchaser agrees that the only repairs required to be made by the City are those listed on Exhibit A.

Purchaser:



City of Wyandotte: _____

Date: _____

Disclosure Regarding Real Estate Agency Relationships

Before you disclose confidential information to a real estate licensee regarding a real estate transaction, you should understand what type of agency relationship you have with that licensee. A real estate transaction is a transaction involving the sale or lease of any legal or equitable interest in real estate consisting of not less than 1 or not more than 4 residential dwelling units or consisting of a building site for a residential unit on either a lot as defined in section 102 of the land division act, 1967 PA 288, MCL 560.102, or a condominium unit as defined in section 4 of the condominium act, 1978 PA 59, MCL 559.104.

- (1) An agent providing services under any service provision agreement owes, at a minimum, the following *duties* to the client:
- (a) The exercise of reasonable care and skill in representing the client and carrying out the responsibilities of the agency relationship.
 - (b) The performance of the terms of the service provision agreement.
 - (c) Loyalty to the interest of the client.
 - (d) Compliance with the laws, rules, and regulations of this state and any applicable federal statutes or regulations.
 - (e) Referral of the client to other licensed professionals for expert advice related to material matters that are not within the expertise of the licensed agent.
 - (f) An accounting in a timely manner of all money and property received by the agent in which the client has or may have an interest.
 - (g) Confidentiality of all information obtained within the course of the agency relationship, unless disclosed with the client's permission or as provided by law, including the duty not to disclose confidential information to any licensee who is not an agent of the client.

(2) A real estate broker or real estate salesperson acting pursuant to a service provision agreement shall provide the following *services* to his or her client:

- (a) When the real estate broker or real estate salesperson is representing a seller or lessor, the marketing of the client's property in the manner agreed upon in the service provision agreement.
- (b) Acceptance of delivery and presentation of offers and counteroffers to buy, sell, or lease the client's property or the property the client seeks to purchase or lease.
- (c) Assistance in developing, communicating, negotiating, and presenting offers, counteroffers, and related documents or notices until a purchase or lease agreement is executed by all parties and all contingencies are satisfied or waived.
- (d) After execution of a purchase agreement by all parties, assistance as necessary to complete the transaction under the terms specified in the purchase agreement.
- (e) For a broker or associate broker who is involved at the closing of a real estate or business opportunity transaction, furnishing, or causing to be furnished, to the buyer and seller, a complete and detailed closing statement signed by the broker or associate broker showing each party all receipts and disbursements affecting that party.

Michigan law requires real estate licensees who are acting as agents of sellers or buyers of real property to advise the potential sellers or buyers with whom they work of the nature of their agency relationship.

SELLER'S AGENTS

A seller's agent, under a listing agreement with the seller, acts solely on behalf of the seller. A seller can authorize a seller's agent to work with subagents, buyer's agents and/or transaction coordinators. A subagent of the seller is one who has agreed to work with the listing agent, and who, like the listing agent, acts solely on behalf of the seller. Seller's agents and their subagents will disclose to the seller known information about the buyer which may be used to the benefit of the seller.

Individual services may be waived by the seller through execution of a limited service agreement. Only those services set forth in paragraph (2)(b), (c), and (d) above may be waived by the execution of a limited service agreement.

BUYER'S AGENTS

A buyer's agent, under a buyer's agency agreement with the buyer, acts solely on behalf of the buyer. A subagent of the buyer is one who has agreed to work with the buyer's agent with who, like the buyer's agent, acts solely on behalf of the buyer. Buyer's agents and their subagents will disclose to the buyer known information about the seller which may be used to benefit the buyer.

Individual services may be waived by the buyer through execution of a limited service agreement. Only those services set forth in paragraph (2)(b), (c), and (d) above may be waived by the execution of a limited service agreement.

DUAL AGENTS

A real estate licensee can be the agent of both the seller and the buyer in a transaction, but only with the knowledge and informed consent, in writing, of both the seller and the buyer.

In such a dual agency situation, the licensee will not be able to disclose all known information to either the seller or the buyer. As a dual agent, the licensee will not be able to provide the full range of fiduciary duties to the seller or the buyer.

The obligations of a dual agent are subject to any specific provisions set forth in any agreement between the dual agent, the seller and the buyer.

TRANSACTION COORDINATOR

A transaction coordinator is a licensee who is not acting as an agent of either the seller or the buyer, yet is providing services to complete a real estate transaction. The transaction coordinator is not an agent for either party and therefore owes no fiduciary duty to either party.

DESIGNATED AGENCY

A buyer or seller with a designated agency agreement is represented only by agents specifically named in the agreement. Any agents of the firm not named in the agreement do not represent the buyer or seller. The named "designated" agent acts solely on behalf of his or her client and may only share confidential information about the client with the agent's supervisory broker who is also named in the agreement. Other agents in the firm have no duties to the buyer or seller and may act solely on behalf of another party in the transaction.

LICENSEE DISCLOSURE (Check one)

I hereby disclose that the agency status of the licensee named below is:

- Seller's agent
- Seller's agent – limited service agreement
- Buyer's agent
- Buyer's agent – limited service agreement
- Dual agent
- Transaction coordinator (A licensee who is not acting as an agent of either the seller or the buyer.)
- None of the above

AFFILIATED LICENSEE DISCLOSURE (Check one)

- Check here if acting as a designated agent. Only the licensee's broker and a named supervisor broker have the same agency relationship as the licensee named below. If the other party in a transaction is represented by an affiliated licensee, then the licensee's broker and all named supervisory brokers shall be considered disclosed consensual dual agents.
- Check here if not acting as a designated agent. All affiliated licensees have the same agency relationship as the licensee named below.

Further, this form was provided to the buyer or seller before disclosure of any confidential information.

Licensee

Licensee

Date 9/25/14

Date

ACKNOWLEDGMENT

By signing below, the parties acknowledge that they have received and read the information in this agency disclosure statement and acknowledge that this form was provided to them before the disclosure of any confidential information. **THIS IS NOT A CONTRACT.**

Potential Buyer/Seller (circle one)

Date 9/25/2014

Potential Buyer/Seller (circle one)

Date

Disclaimer This form is provided as a service of the Michigan Association of REALTORS®. Please review both the form and details of the particular transaction to ensure that each section is appropriate for the transaction. The Michigan Association of REALTORS® is not responsible for use or misuse of the form, for misrepresentation, or for warranties made in connection with the form.

Subject: 459 Ford Walk Thru
From: Jerry Miller (jerry@downriverrealestategroup.com)
To: mkowalewski@wyan.org; kroberts@wyan.org; cmarcoux@wyan.org; rhope@wyan.org;
Date: Tuesday, October 14, 2014 9:47 AM

Here are the items from the walk thru on 459 Ford from 10/13/2014.

As per the conversation between us and the city rep(s) below are the items that we agreed would be on the punch list:

- 1) Missing screen on the egress well
- 2) Water staining on the ceiling and wall underneath the skylight
- 3) Large scratch/gouge on the countertop in the main floor bath
- 4) Water staining on the wall/base molding in the main floor bath next to the sink
- 5) Water staining on the wall base molding in the 2nd floor bath

JERRY MILLER, Broker/Owner
DOWNRIVER REAL ESTATE GROUP
734-284-8888
734-284-8307 fax
734-341-0718 cell

EXHIBIT "A"

KYLE D FRAZIER
7862 PINE ST.
TAYLOR, MI 48180-2256

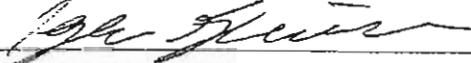
6-7041/2410

1007

DATE 09/09/2014

PAY TO THE ORDER OF Minnesota Tire Company \$ 787.32
SEVEN hundred and eighty seven dollars and
thirty three cents

 Charter One®

MEMO 17 claim document  NP



MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: NOV 10, 2014

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND COUNCIL that Council concurs with the recommendation of the City Engineer regarding the sale of the NSP2 home at 459 Ford Avenue; AND

BE IT RESOLVED that Council hereby accepts the offer for 459 Ford Avenue from Kyle Frazier, Taylor, Michigan in the amount of \$78,732.00. Mr. Frazier is 50% or below of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy of \$26,944.00 (which will be a lien with Michigan State Housing Development Authority (MSHDA)). If the home is maintained as owner occupied for ten (10) years this lien will not have to be repaid. The final mortgage amount is in the amount of \$51,788.00; AND

BE IT FURTHER RESOLVED that this offer is contingent upon MSHDA approval of the subsidy; AND

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

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

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 10, 2014

AGENDA ITEM # 16

ITEM: Department of Engineering – Re-Cable HVAC Controls at 3200 Biddle Avenue

PRESENTER: Mark A. Kowalewski, City Engineer



INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND:

The HVAC system at 3200 Biddle has been modified over time and as a result the system's communication system is now comprised of multiple types of cable. This situation is causing problems within the system causing communication drops, unreliable data and inconsistent heating and cooling throughout the building.

Expert Mechanical Service, Inc., who has been contracted by Daly Merritt Properties, Inc., to provide HVAC analysis for 3200 Biddle, investigated the communication issues and developed a scope of work to address and correct the communication issues. Attached is their scope of work and proposal to perform the work in the amount of \$9,500 to \$11,500.

Paragraph 5, on pages 3 and 4 of the 3200 Biddle Management Agreement between the City of Wyandotte and Daly Merritt Properties, Inc., requires that repairs of the non-emergency nature which "The Management Company" anticipates will be in excess of the base budget amount and in excess of the greater of \$5,000.00 or the Charter's spending limit, shall be authorized by the "Owner" in writing prior to contracting for the work.

STRATEGIC PLAN/GOALS:

This proposed work is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in insuring that the City is providing the finest services and quality of life for employees and citizens at City Hall, and, being technologically and financially responsible.

ACTION REQUESTED:

Accept the proposal from Expert Mechanical Service, Inc. and authorize Daly Merritt Properties, Inc. to accept the proposal and expedite the work.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

The HVAC re-cabling and re-commissioning work would be funded from Building Rental Fund.

IMPLEMENTATION PLAN:

If approved by Council, provide an approved resolution to Daly Merritt Properties, Inc. authorizing the acceptance of the proposal from Expert Mechanical Service, Inc.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *Shimpdale*

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

Joseph R Peterson

LIST OF ATTACHMENTS:

Proposed Resolution
Proposal from Expert Mechanical Service, Inc.
Email Regarding Proposal Cost Breakdown



October 2, 2014

Quote # 14560

Daly Merritt Properties, Inc.
100 Maple St.
Wyandotte, MI 48192
Attention: Wayne Dutton

SUBJECT: City Hall Wyandotte, Mi. – Control Network Communications Bus Reconstruct Proposal

Dear: Wayne

Per your request, Expert Mechanical Service, Inc. is pleased to provide the following *time and material not to exceed* proposal. The following scope of work will apply.

Controls Network Communications Bus Reconstruct

- Provide qualified labor and materials necessary to perform a complete network wiring reconstruct for the purpose of eliminating the numerous communication failures between field application specific controllers (RTUs and VAVs) and the host panel in the 3rd floor electrical closet.
- Includes off – hours’ work to accommodate occupant work schedules.
- Includes daily clean-up of work areas. *To the extents reasonable: removing and replacing ceiling tiles and working above ceiling creates significant dust. All care will be exercised to respect the facilities and produce minimum impact.*
- Furnish and install communication bus wiring utilizing industry best practices for material and workmanship. All cabling and termination devices to be Lon FTT-10 compatible. All segments to limited to node and distance standards per Lon FTT-10. Cabling to avoid any potential communication bus interferences (i.e. close proximity to electronic ballasts or high wattage inductive loads).
- Verify the integrity of new communications bus wiring and document architecture for improved serviceability in the future. Setup additional alarm logs as needed. Audit and monitor communication alarm logs to verify specific failures.
- **Note:** Communications problems were discovered pursuant to the completion of the Tridium Host panel upgrade. The communication failures are creating intermittent operational issues and impeding reliable operation of network controlled devices. We will provide defined cost solutions to any problems discovered beyond our defined scope.

1. *Work to be phased by segment. Upon completion of individual segments, network communications to be analyzed for functionality and reliability. If significant improvements are achieved post completion of a segment, a decision to delay further segments can be reviewed. 1st and 2nd floor consist of one segment and 3rd and 4th floor consist of one segment.*

2. Each segment cost to be accounted for individually. May allow for progressive approach with staggered costs.
3. All segments are degraded due to materials and methods utilized during installation and service.
4. Work to begin on 3rd and 4th floors, where the most obvious deficiencies are located. A time frame of 1 to 2.5 days per floor is anticipated. **Note:** although the 4th floor is vacant, this segment is critical to reconstruct due the roof-top HVAC equipment being connected to this segment. Performing this work while the floor is vacant allows the greatest opportunity cost efficiency.
5. We will make every effort to mitigate the cost as circumstances allow.

TOTAL INVESTMENT budget (All Network Segments)..... \$9,500.00 - \$11,500.00
 (Eleven Thousand Five Hundred Dollars) Price valid for 30 days.

Purchaser to provide

Free access for labor and materials.

Not included in this proposal

We do not include any additional repairs or system upgrades.

Availability

5-7 days upon approval.

Hours of work

This proposal assumes free access to the site to perform our work within normal working hours, 8:00 a.m. - 4:30 p.m., Monday through Friday.

TERMS

Net 30 days.

Warranty

Material warranty as allowed by manufacturer. Labor warranty is 1 year from completion of work.

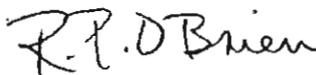
Thank you for the opportunity to quote on the above. If you have any questions, please feel free to contact me at anytime.

Respectfully,

Expert Mechanical Service, Inc.



Kelly J. O'Brien
 General Manager
Kelly@expertmechanicalservice.com



Robert P. O'Brien
 Solutions Advisor
Rob@expertmechanicalservice.com

RPO/rpo

If this is agreeable to you, please sign and return one copy to our office.

City Hall Wyandotte, Mi. – Controls Network Communications Bus Reconstruct

Accepted for: Daly Merritt

Purchase Order No. _____

Signature: _____

Date: _____

Printed Name: _____

Title: _____

mkowalewski mkowalewski

Subject: FW: 3200 Biddle: Resolving HVAC system communication issues.

From: Wayne Dutton [mailto:Wayne.Dutton@DalyMerritt.com]
Sent: Tuesday, October 28, 2014 8:06 AM
To: 'mkowalewski mkowalewski'
Subject: RE: 3200 Biddle: Resolving HVAC system communication issues.

Mark,
Here below is the response from Expert Mechanical regarding the breakdown of their proposed fee.

Wayne Dutton
Properties Manager & Senior Architectural Designer
Daly Merritt Properties, Inc.
100 Maple
Wyandotte, MI 48192

Direct: 734-282-2529
Fax: 734-324-3225

Wayne,

Some clarification of budget costs associated with re-cabling and commissioning the control network at 3200 Biddle ave

- *Service hours (programming/commissioning and cabling)* 96 hrs
@ \$90.00 \$8,640.00
- *Wire and devices (hangers and termination materials)* lot \$1,050.00
- *Equipment and tooling* lot \$150.00
- *Service hours (as built and database documentation)* 10 hrs
@ \$92.50 \$950.00

These costs are budgeted and we anticipate we can achieve lower total service hours than the allotted 106 aggregate service hours. If we go over our allotted total we absorb the additional costs, if we come in under the benefit is passed on with actual hours invoiced. I am certain this is a somewhat difficult cost to warm up to, and even more difficult to see the tangible benefits, it is unfortunate that the original installation was not performed to the standards necessary.

I hope this is helpful, please let me know if I can provide anything else.

Thank you

Robert P. O'Brien
p) 734.282.2250

PROPOSED RESOLUTION

Wyandotte, Michigan
Date: November 10, 2014

RESOLVED BY MAYOR AND COUNCIL that Council hereby concurs in the recommendation of the City Engineer to authorize Daly Merritt Properties, Inc., to accept the proposal from Expert Mechanical Service, Inc, of Wyandotte, Michigan, for re-cabling and re-commissioning the HVAC communication system in Wyandotte City Hall, 3200 Biddle Avenue, in the amount not to exceed \$11,500.00, and, the costs of such work will be paid from the Building Rental Fund; FURTHER, this recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in insuring that the City is providing the finest services and quality of life for employees and citizens at City Hall, and, being technologically and financially responsible.

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, Jr.	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 10, 2014

AGENDA ITEM # 17

ITEM: Dumpster Pick-Up Fees

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 11-5-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: Enclosed are the existing dumpster pick-up charges and proposed dumpster pick-up charges. The increases are in line with the Hauling Contract with Waste Management.

The proposed dumpster changes will take effect February 1, 2015.

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

ACTION REQUESTED: Approved increase to the dumpster pick-up charges.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Adopt proposed changes to dumpster pick-up charges effective February 1, 2014.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION:

Shupdale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

Joseph R Peterson

LIST OF ATTACHMENTS: Existing and Proposed Dumpster Pick-Up Charges

2014 MONTHLY DUMPSTER FEES

	<u>Pick-up Once a Week</u>	<u>Pick-up Twice a Week</u>	<u>Pick-up Three Times a Week</u>
2 c.y.	\$ 41.00	\$ 63.00	\$ 91.00
3 c.y.	\$ 47.00	\$ 80.00	\$ 117.00
4 c.y.	\$ 53.00	\$ 98.00	\$ 145.00
Special: 3 c.y. Pick-up 4 Times a Week	\$162.00		
4 c.y. Pick-up 5 Times a Week	\$291.00		

Corrugated Cardboard

6 c.y.	\$ 38.00	\$ 58.00	\$ 89.00
--------	----------	----------	----------

- Extra Fee of \$16.00 per month if a dumpster does not have a secure lid.
- Any unscheduled extra pick-ups will be charged \$48.00.
- If purchasing a dumpster from the City the minimum monthly payment will be \$25.00 per month until the dumpster is paid off.

PROPOSED 2015 MONTHLY DUMPSTER FEES

	<u>Pick-up Once a Week</u>	<u>Pick-up Twice a Week</u>	<u>Pick-up Three Times a Week</u>
2 c.y.	\$ 41.50	\$ 64.00	\$ 92.00
3 c.y.	\$ 48.00	\$ 81.50	\$ 118.50
4 c.y.	\$ 54.50	\$ 99.50	\$ 146.50
Special: 3 c.y. Pick-up 4 Times a Week	\$165.00		
4 c.y. Pick-up 5 Times a Week	\$295.00		

Corrugated Cardboard

6 c.y.	\$ 38.50	\$ 59.00	\$90.50
--------	----------	----------	---------

- Extra Fee of \$16.00 per month if a dumpster does not have a secure lid. Any unscheduled extra pick-ups will be charged \$49.00.
- If purchasing a dumpster from the City the minimum monthly payment will be \$25.00 per month until the dumpster is paid off.

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: November 10, 2014

RESOLUTION by Councilperson _____

BE IT RESOLVED that Council concurs in the recommendation of the City Engineer and in accordance with Chapter 14, Garbage, Trash and Weeds, Section 14-5 Commercial Rubbish;
AND

BE IT FURTHER RESOLVED that Council approves the charges for non-portable receptacles (dumpster) effective February 1, 2015, as outlined in said communication.

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	_____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

18

MEETING DATE: November 10, 2014

AGENDA ITEM #

ITEM: Neighborhood Stabilization Homes (NSP3) - Sales Price

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 11-5-14

BACKGROUND: On, October 29, 2013, the City Council approved the listing of the NSP3 Home at 1749 2nd Street for the amount \$119,900. On March 31, 2014; June 30, 2014; and September 8, 2014; Council approved reducing the sales price 10% in accordance with the NSP2 Single Family Sales Program Guidelines. The house is currently listed at \$87,407.10. As of the date of this communication, no offers have been received. Since no offers have been received, Wayne County has authorized the City to remove the requirement that this home be sold to a Veteran. All other NSP3 requirements must be met including the buyer be a household that earns 50% of Area Median Income or less.

Therefore, the Engineering Department is recommending reducing the sales price by 10% to an asking price of \$78,666.39, advertise the property for sale, and hold a Lottery Drawing on December 1, 2014. If no offers are received at the lottery drawing, this property will be available to the first person meeting the NSP3 requirements.

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 home at 1749 2nd Street with Downriver Real Estate Group for \$78,666.39 and remove the requirement that the home be sold to a Veteran.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Advertise home at a reduced sales price with Downriver Real Estate Group and hold the Lottery Drawing on December 1, 2014.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: *Dupdale*

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: *Joseph R Peterson*

LIST OF ATTACHMENTS: Resolution approving listing price; NSP2 Single-Family Sales Program Guidelines, NSP3 Requirements



*NSP2 SINGLE-FAMILY SALES
PROGRAM GUIDELINES*

Purpose

The purpose of this Manual is to govern the sales of single-family homes being carried out under Neighborhood Stabilization Program 2 (NSP2). This Manual includes policies and procedures to be followed regarding intake/applications, counseling and sales control mechanisms.

Definitions

Applicant: A person or persons who have applied to the City for approval of an NSP2 home purchase and homeowner financial assistance. Eligible applicants must be low- moderate-, or middle- income (LMM) household (households with incomes at or below 120% of area median income. NPS2 also requires that 25% of funding go to households that are low income at or below 50% of the area median income).

NSP2: The Department of Housing and Urban Development (HUD)'s Neighborhood Stabilization Program, established by the Housing and Economic Recovery Act of 2008, and authorized by Title XII of Division A of the American Recovery and Reinvestment Act of 2009. The purpose of these funds is to stabilize neighborhoods whose viability has been and continues to be damaged by the economic effects of properties that have been foreclosed upon and abandoned. For more information. See the NSP2 website

<http://hud.gov/offices/cpd/landBankdevelopment/programs/neighborhoodspq/>

Housing Counselor: Light House of Oakland County

NSP2 Buyer: The buyer of an NSP2 Home

NSP2 Property: A property that is rehabilitated or newly constructed with NSP2 Funding

NSP2 Home: An NSP2 property that is being sold to an owner-occupant.

Project Funding: Any and all governmental funds used to pay for the costs to carry out the redevelopment of a particular NSP2 assisted property

Selling Agent: Downriver Real Estate Group





Pricing of Homes

As required by the Grant Agreement the City will set an asking price for NSP2 homes that is the lesser of the after-construction and or rehabilitation market value, or total development cost.

a. **After Construction and Rehabilitation Market Value**

The City will obtain an after-construction/rehabilitation appraisal from *Silverwood Appraisal Services*. The appraised value will be the asking price for the home unless it is higher than the estimated total development cost of the home, in which case the price will be the same amount as the total development cost. Total development cost includes all acquisition, rehabilitation/construction and soft costs.

b. **Adjustment in Asking Price**

If no qualified offer is received within 60 days of first marketing a home, the City may reduce the asking price by 10%. If no qualified offer is received after an additional 60 days of best efforts in marketing a home, City may reduce the original asking price by up to an additional 10% including previous adjustments, if any. City may make additional price reductions only with the written approval by the City Council. In any case, city may reduce asking prices only after making diligent and continuous efforts to market and sell a home.

Homebuyer Application and Prequalification

City is responsible for the prequalification tasks for a prospective buyer.

a. **Application for NSP2 Assistance**

Before a prospective buyer is referred to counseling or to execute a sales agreement for an NSP2 assisted property, the buyer must complete the Application for NSP2 Assistance attached as Appendix A. The information obtained in the application will be used- along with verifications- to determine a buyer's eligibility to purchase an NSP2 home and to receive NSP2 Homeowner Assistance. A minimum credit score of 640 is required. **If no proposals are received during the Lottery Selection then the minimum credit score will be waived. (See Page 6) Added 1/23/12**

b. **Homebuyer Education**

If the applicant meets initial thresholds for assistance, and has not been through the required homebuyer education and counseling, then the City will refer the applicant to the selected homebuyer counselor: Lighthouse of Oakland County, 4615 Woodward Avenue , Pontiac, MI 48342. 248-920-6000. www.lighthouseoakland.org



c. **Pre-approval for First Mortgage Loan**

Once the applicant, with the assistance of the housing counselor, has obtained pre-approval for a first mortgage loan, they will return to City. The first mortgage must be a 30 year fixed-rate mortgage from a reputable lending institution, and the annual percentage rate and closing costs must be reasonable. The lending institution must create and service an escrow account for the receipt of property tax and insurance payments for the buyer. The homebuyer shall obtain a standard homeowners insurance policy in the amount of the full replacement costs of the home and include general liability coverage as required by the lender. The housing counselor will assist in this process.

d. **Certifying the Income Eligibility of Prospective Buyers**

The City will obtain the income eligibility documentation from the housing counselor. All income calculations are to be conducted utilizing the (24 CFR Part 5, IRS Form 1040) method.

If more than six months has elapsed since the income was initially verified, or if the income documentation is weak or calculations are incorrect, then the income should be re-verified by the City. Required documentation (copies of driver's licenses, pay stubs, etc) will be kept in City's files. The income certification may be no more than six months old at the time that the buyer and City enter into a purchase agreement. If older, the buyer must be recertified. An Applicant whose application fails to meet the NSP2 eligibility requirements will be given a written notice of denial.

Income requirements are as follows:

2011 Area Median Income: Wayne County, Michigan

Low-Income Limit (50%)

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
\$23,250	\$26,600	\$29,900	\$33,200	\$35,900	\$35,550	\$41,200	\$43,850

Moderate-Income Limit (120%)

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
\$55,800	\$63,840	\$71,760	\$79,680	\$86,160	\$92,520	\$98,880	\$105,240

This chart may change on an annual basis.

e. **Prequalifying for NSP2 Homeowner Financial Assistance**

Once applicants (prospective homebuyers) have received counseling, are prequalified by a financial institution and have been certified as income eligible, the applicant is eligible to enter into the Cities lottery for an NSP2 home.





f. Mortgage Buy Down Assistance

The NSP2 Program will offer mortgage buy downs which reduce the sales price of the home to a value which is affordable to the low or moderate income buyer. This buy down will be eligible to all NSP2 home buyers. The current maximum mortgage buy down is thirty thousand dollars (\$30,000). The program will offer a minimum of 17.5% off the sales price. Buy downs exceeding thirty thousand dollars (\$30,000) must be presented to MSHDA for approval.

Potential homebuyers on the Qualified Homebuyer List (QHL) may submit proposals that require more than the \$30,000 mortgage buy down assistance if the City's Homebuyer Counselor recommends more than \$30,000. If a proposal exceeds \$30,000 mortgage buy down assistance then MSHDA shall approve the amount before the offer to purchase is approved by the City. If MSHDA recommends a different mortgage amount at its discretion and the potential buyer does not agree to this new amount the offer to purchase will be denied by the City.

Homebuyer Assistance	Affordability Period	Amount forgiven
Less than \$15,000 per unit	5 years	1/5 of homebuyer assistance amount per year over five years
\$15,000 - \$40,000 per unit	10 years	1/10 of homebuyer assistance amount per year over 10 years
More than \$40,000 per unit	15 years	1/15 of homebuyer assistance amount per year over 15 years

*Homebuyer assistance totaling more than \$30,000 will be presented to MSHDA for approval.

Homebuyer Counseling and Education

Each homebuyer will be required to complete at least eight (8) hours of home counseling from a HUD-certified home counseling agency before making an offer on and purchasing a home. Wyandotte has procured Lighthouse of Oakland County to perform these services. The housing counselors will screen potential new homeowners for NSP2 homes and provide the tools and skills necessary to maintain mortgages. In addition, they will provide support services to help at-risk families remain stably housed. Specific classroom and one-on-one counseling may include pre-purchase education, credit education, budgeting concepts, mortgage products, real estate closing process, foreclosure prevention, etc.



Post-Purchase Counseling

The Buyers will be required to attend post-purchase counseling with the Housing Counselor

Submitting Proposals for NSP2 Home

Upon meeting income requirements, qualifying for a mortgage product and completing the required amount of housing counseling by October 1, 2012, each homebuyer will be placed on the City's Qualified Homebuyer List (QHL). Each homebuyer on the QHL may then submit a proposal with the price that they can afford to purchase the NSP2 home for. This will happen each time a home becomes listed on the real estate market. The City will then select a proposal by drawing randomly. This ensures that the City and all parties involved follow the fair housing opportunity guidelines. Only one proposal per household may be submitted on any prospective property. "Household" includes all persons residing at the current residence or persons living at the current residence during the twelve (12) months prior to filing an application. Any proposal submissions exceeding one (1) per household will be disqualified.

When the City has more NSP2 homes under construct than there are potential QHL buyers then additional buyers will be added to the QHL based on the chronological date that the potential buyer completed the requirements contained in this Policy. There will be separate lists for low income and moderate income buyers.

Example of homebuyer assistance:

If a family of seven (7) has a total household income of \$42,000 per year, they are considered low-income. They are income-eligible to purchase an NSP2 home. They have completed eight (8) hours of home counseling and qualified for a mortgage because they also have good credit and reliable income.

The next step is for the housing counselor to determine the price per month the family can afford to spend on housing payments. MSHDA requires that the home buyer's Principal, Interest, Taxes and Insurance (PITI) not exceed 30% of the household monthly income. For this particular low-income family, that means that PITI cannot exceed \$1,050 per month. Working backwards with estimated taxes and insurance at \$291.66 and \$66.66 per month respectively, the housing counselor concludes that \$691.68 is the most this family can allocate for principal and interest on a mortgage. On a thirty-year mortgage at 5% they can afford to purchase the home for \$120,000 because the monthly principal and interest payment will be \$644.19. Monthly PITI will come to \$1,002.52 which is under their limit of \$1,050.

The particular home this family is purchasing costs \$180,000 to build and is appraised for \$125,000. The listing price was the lower of the two (\$125,000), as per NSP2 requirements. The minimum home buyer assistant is 17.5% or 21,875.00. The family will have a ten (10) year lien on the home in the amount of \$21,875.00 which will dissolve after they have lived in the home for ten (10) years. If the family should move out or sell prior to this, a percentage of the lien is due to MSHDA at the time of closing. Further Purchaser must sign the Homebuyer Certification and Program Agreement which outline the terms and conditions which will remain in effect for the full affordability period, even if the lien is discharged due to early repayment. This document is an attachment to the Purchase Agreement. Add 05/21/12.





The purchaser is required to provide one (1) percent of the sales price at closing as a down payment. This would be \$1,250 in the above example. Other closing costs may be eligible for subsidies as well. Additionally, purchaser will be required to pay fee for housing counseling which is estimated to be \$247.00 (\$35.00 Credit Report and \$212.00 Housing Counseling).

Advertising of NSP2 Homes

The City has selected Downriver Real Estate Group as the Seller Agent. The NSP2 home will be placed in the Multiple Listing Service (MLS) for a minimum of seven (7) days before receiving any proposals. There will be a minimum of two (2) open houses for each house being sold. Open houses shall take place on either a Saturday or a Sunday and last at least three (3) hours each. The two open houses shall not be on the same weekend.

Sealed proposals will be received by the City Clerk. They will be publicly drawn in the Council Chambers on Mondays at 2:00 pm.

The Selling Agent directs any interested party to prepare sealed proposals in accordance with the Standard Purchase Agreement (Appendix B). The City reserves the right to modify and update this Standard Purchase Agreement. Proposals as a minimum shall include the following:

- Completed Standard Purchase Agreement
- Certificate of Completion of Home Counseling from Lighthouse of Oakland County
- Affidavit attesting to Prospective Purchaser's income level
- Listing of all current family members and their ages
- Contact information regarding Prospective Purchaser's current employment as well as any family members' employment information who is 18 years of age and older
- Pre-approved mortgage letter from financial institution
- Ability to provide a minimum deposit of 1% of sales price within 24 hours of City's request before City accepts offer. It is not necessary to include deposit with offer being submitted.

The City will randomly select a sealed proposal. If the sealed proposal includes all of the requested information and interested homebuyer can meet all requirements to purchase the home within one (1) month of bid opening and proposal acceptance, the real estate agent shall prepare the necessary documents to close. If the first selected proposal cannot meet the requirements then the second sealed proposal and so on will be selected if necessary until documentation is prepared and all purchase requirements are met.

If no sealed proposals are selected, the real estate agent shall bring offers to the City as they are received. There is no minimum credit score required for these proposals. *Added 9/20/11*

Conflict of Interest

THE CITY RESERVES THE RIGHT TO REJECT a Response if the Respondent has a contract or other relationship with a client that is determined by the City to be a legal or business conflict that is unwaivable or that the City, as its sole discretion, is unwilling to waive.



Appeals Process

Any potential Homebuyer who feels he/she has been unfairly rejected from participating in the NSP2 Homebuyer Program can appeal in writing stating name, date of application, and reason for appeals to Mark Kowalewski, 3131 Biddle Avenue, Wyandotte, Michigan 48192. Complete complaint procedure is Appendix C.





HOME FOR SALE
1749 2ND STREET, WYANDOTTE, MICHIGAN
MUST BE SOLD TO AN ELIGIBLE VETERAN



Minimum Required Mortgage: \$35,000.00

Maximum Required Mortgage: \$64,899.77

Home will only be sold to a household where the occupant meets all the NSP3 requirements including but not limited to:

- Total Household Income of 50% of the Area Median Income (AMI) (see below chart)
- 640 credit score or higher
- No more than 10% consumer debt ratio
- Able to put 1% of own savings toward down payment

Income Requirements:

- 1-Person household \$13,600 - \$22,650
- 2-Person household \$15,550 - \$25,850
- 3-Person household \$17,500 - \$29,100
- 4-Person household \$19,400 - \$32,300
- 5-Person household \$21,100 - \$34,900



Features:

- 1,450 Square feet
- 3 bedroom, 1 full bath ranch
- Completely Remodeled
- All Energy Star appliances included
- New Heating and Cooling Units
- Larger Lot 54' x 100'
- Detached Garage

Purchase Price:

\$78,666.39, reduced November 10, 2014, with Homebuyer Subsidy Mortgage available for a final mortgage between \$35,000 to \$64,899.77 depending on familv's income.

For questions regarding this property contact:

Jerry Miller at Downriver Real Estate Group:
734-284-8888 or 734-341-0718 or visit
www.downriverrealestategroup.com

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan

Date: November 10, 2014

RESOLUTION by Councilperson _____

RESOLVED BY THE MAYOR AND CITY COUNCIL that Council concurs with the City Engineer to reduce the listing price for the NSP3 home at 1749 2nd Street to \$78,666.39 in accordance with the NSP2 Single Family Sales Program Guidelines. All buyers are also eligible to receive homebuyer subsidy between \$13,766.62 and \$43,666.39. Therefore, the minimum required mortgage amount would be \$35,000.00 and the maximum mortgage amount would be \$64,899.77; AND

BE IT RESOLVED that Council approves the removal of the requirement that the home be sold to a Veteran, listing of the property to anyone meeting the NSP3 Guidelines, and holding a Lottery Drawing on December 1, 2014 at 2:00 p.m. in the City Clerk's Office.

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

YEAS

COUNCIL

NAYS

Fricke
Galeski
Miciura
Sabuda
Schultz
Stec

cc: Downriver Real Estate Group
Ann Leen, MCD, Deputy Director of Community Development, Wayne County EDGE

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: November 10, 2014

AGENDA ITEM # 19

ITEM: Department of Engineering – Special Assessment District #937

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski
10-30-14

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND:

With the construction of the new medical office building at 2300 Biddle Avenue there will be an increase in traffic in the unpaved public alley west of the project as the new complex has parking areas that enter/exit into the alley. The alley separates the medical office project from residentially used property. In order to facilitate the increased use of the alley and reduce dirt and dust impacting the residential properties, it was an obligation of the City within the Purchase Agreement with Ghazwan Atto, M.D., that the alley should be paved with concrete by Special Assessment.

On September 30, 2013, the City Council held a public hearing and passed a Resolution creating Special Assessment District #937 to pay for the cost of grading and paving the twenty (20) foot wide public alley west of Biddle Avenue from Mulberry Street to Walnut Street whereby the improvement expense will be assessed against benefiting properties.

The Developer owns 81.3% of the abutting frontage while the remaining abutting 18.7% is residential or public alley. The cost of this project is \$30,483.15, of which \$22,881.85 would be assessable, the remaining \$7,601.30 would be the City share for amounts not assessable and owner occupied single family dwellings.

STRATEGIC PLAN/GOALS:

This proposed improvement is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in insuring that new developments will have a positive impact on the abutting neighborhood, and promotes infrastructure improvements associated with new developments.

ACTION REQUESTED:

The Department of Engineering and Building recommends that this be referred to the City Assessor and City Treasurer for certification and collection respectfully, in accordance with Chapter XIV of the City Charter.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

The improvement in the amount of \$30,483.15 has been funded from the 2013-2014 Fiscal Year Budget Account 249-450-825.462, Alley Special Assessment.

IMPLEMENTATION PLAN:

If approved by Council, direct the City Assessor and City Treasurer to begin certification and collection procedures in accordance with Chapter XIV of the City Charter, and authorize the City Clerk to give notice of the Special Assessment, setting the time and date when the City Council and City Assessor will meet to review said assessment.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: 

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: 

LIST OF ATTACHMENTS:

- Proposed Resolution
- Council Resolution creating SAD #937 dated September 30, 2013
- Spreadsheet – Assessable Costs for SAD #937
- Total Cost of Alley Paving

HEARING

RESOLUTION

Wyandotte, Michigan
September 30th 2013

RESOLUTION BY COUNCILPERSON Leonard Sabuda

RESOLVED BY THE CITY COUNCIL THAT

WHEREAS, it has been determined by this Council to be advisable and necessary to grade and pave the alley hereinafter described, in the City of Wyandotte, and to pay all or a part of the cost thereof by special assessment on the lots, parts of lots, and parcels of land abutting thereon as well as benefiting therefrom, excepting from said assessment, the improvement expense attributable to alley and street intersection, City-owned land, owner occupied single family dwellings, owner occupied multi-family rental dwellings will be assessed in that proportion that the property is used for purposes other than that of the owner occupying same in comparison to the total assessable portion of the entire property, and other property not assessable by law, the expense of which, together with any improvement expenses remaining after the aforesaid assessment, shall be defrayed from the General Fund of the City; and

WHEREAS, the time and place having been fixed for the hearing of objections to the proposed grading and paving of the following alley in the City of Wyandotte, and to pay part of the cost thereof, to-wit:

The twenty (20) foot wide public alley west of Biddle Avenue, from Mulberry Street to Walnut Street, abutting:

Lot 2 thru Lot 9, both inclusive, Block 51, Part of Wyandotte in the Township of Ecorse (now City of Wyandotte), Michigan, being part of Fractional Sections 28, 33 and part of Section 29, in Town 3 South of Range 11 East, as adopted by the proprietors 1859, as recorded in Liber 1 of Plats, Page 57, Wayne County Records.

WHEREAS, due notice of said hearing having been given by first class mail in accordance with the statute in such case made and provided; and said hearing having taken place in accordance with said notice as mailed, and NO objections having been brought to the attention of this Council; and

WHEREAS, after such hearing this Council, still being of the opinion that said improvement is advisable and necessary, and that it is still deemed advisable and necessary to proceed with said grading and paving,

NOW, THEREFORE, BE IT RESOLVED, that the maps, plans and diagrams of said alley improvement and of the special assessment district as hereinafter described to pay part of the cost thereof as evidenced by the Engineer's estimate for such construction accepted by this Council, be approved and confirmed and the improvement constructed accordingly;

The East 45.0 feet of the North 70.0 feet of Lot 2, the South 70.0 feet of Lot 1 and Lot 2, all of Lot 3 thru Lot 7, both inclusive, the West 52.5 feet of Lot 8, all of Lot 9 and Lot 10, Block 51, Part of Wyandotte in the Township of Ecorse (now City of Wyandotte), Michigan, being part of Fractional Sections 28, 33 and part of Section 29, in Town 3 South of Range 11 East, as adopted by the proprietors 1859, as recorded in Liber 1 of Plats, Page 57, Wayne County Records.

RESOLVED FURTHER that said district be and hereby is designated as follows:

Special Assessment District Number #937.

RESOLVED FURTHER, that the City Assessor is directed to prepare an assessment roll pursuant to the City Charter requirements.

AND BE IT FURTHER RESOLVED that each assessment levied against real property will be due in full upon any transfer in any matter of property.

I move the adoption of the foregoing Resolution.

Motion by Councilperson

Leonard Sabuda

Supported by Councilperson

Wally Galeski

YES

COUNCIL

NAYS

Fricke

Galeski

Miciura

Sabuda

Schultz

Stec

Absent none

PAVING OF: ALLEY WEST OF BIDDLE AVE. BETWEEN WALNUT AND MULBERRY

ASSESSABLE COST	\$28,149.00	ASSESSABLE TO PROPERTY OWNERS	\$22,881.85
ASSESSABLE FOOTAGE	445.33	ASSESSABLE CITY SHARE	<u>\$5,267.15</u>
ASSESSABLE COST/FOOT	\$63.21	TOTAL	\$28,149.00

ASSESSABLE TO PROPERTY OWNERS

STREET ADDRESS	SIDWEL NUMBER	SUBDIVISION Block 51 Plat of Pt Wyan	LOT NUMBER	ABUTTING FRONTAGE FEET	BENEFIT FRONTAGE FEET	% BENEFIT	TOTAL ASSESSABLE FEET	AMOUNT OF ASSESSMENT \$63.21
2300 Biddle	57-010-09-0003-001		Lot 3 thru 7, and Part of Lot 8	300		100.00	300.00	\$18,962.86
Former 98 Walnut	57-010-09-0009-306		S 62' Lots 9 & 10	62.00		100.00	62.00	\$3,918.99
TOTAL ASSESSABLE TO PROPERTY OWNERS							362.00	\$22,881.85

ASSESSABLE CITY SHARE

STREET ADDRESS	SIDWEL NUMBER	SUBDIVISION Block 51 Plat of Pt Wyan	LOT NUMBER	ABUTTING FRONTAGE FEET	BENEFIT FRONTAGE FEET	% BENEFIT	TOTAL ASSESSABLE FEET	AMOUNT OF ASSESSMENT \$63.21
95 Mulberry	57-010-09-0002-001		E 35' of N 70' Lot 2	70.00		20.00	14.00	\$884.93
2315 1st	57-010-09-0001-003		N 35' of S 70' Lot 1 and Lot 2	35.00		33.33	11.67	\$737.37
2323 1st	57-010-09-0001-004		S 35' of S 70' Lot 1 and Lot 2	35.00		33.33	11.67	\$737.37
2333 1st	57-010-09-0009-307		N 32' of Lot 9 and Lot 10	32.00		33.33	10.67	\$674.17
2343 1st	57-010-09-0009-308		S 46' of N 76' Lot 9 and Lot 10	46.00		33.33	15.33	\$969.12
Public Alley				20.00		100.00	20.00	\$1,264.19
TOTAL ASSESSABLE - CITY SHARE							83.33	\$5,267.15
TOTAL ASSESSABLE							445.33	\$28,149.00

2300 BIDDLE ALLEY PAVING

LOCATION: ALLEY WEST OF BIDDLE FROM MULBERRY TO WALNUT

QUANTITIES AND COST AS OF JUNE 30, 2014

<u>QUANTITY</u>	<u>UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT RATE</u>	<u>COST</u>
240	CY	EXCAVATION	\$6.00	\$1,440.00
2	EA	REMOVE EXISTING STRUCTURE	\$400.00	\$800.00
1	EA	INSTALL CATCHBASIN	\$1,100.00	\$1,100.00
20	LF	INSTALL 6" PVC STORM PIPE	\$38.00	\$760.00
4	EA	ADJUST AND SEAL EXTG STRUCTURE	\$180.00	\$720.00
0	TN	21A STONE BASE	\$12.00	\$0.00
670	SY	6"-8"-6"CONCRETE PAVEMENT	\$31.00	\$20,770.00
115.7	SY	REMOVE EXISTING ALLEY APPROACH	\$5.50	\$636.35
115.7	SY	8" CONCRETE ALLEY APPROACH	\$32.00	\$3,702.40
154	SF	REMOVE 4" CONCRETE	\$0.75	\$115.50
154	SF	4" CONCRETE	\$2.85	\$438.90
TOTAL COST				\$30,483.15
<u>LESS CITY APPROACHES</u>				
REMOVE EXISTING PAVEMENT				\$636.35
8" CONCRETE PAVEMENT				\$3,702.40
REMOVE 4" CONCRETE				\$115.50
4" CONCRETE				\$438.90
				<hr/>
				\$4,893.15
ASSESSABLE COST				\$25,590.00
PLUS 10% ENGINEERING				<hr/>
				\$2,559.00
TOTAL ASSESSABLE COST				\$28,149.00

PROPOSED RESOLUTION

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer that the Assessment Roll for Special Assessment District #937 – Grading and Paving of a Public Alley, as presented by the City Engineer, be referred to the City Assessor for certification and City Treasurer for collection of said assessment upon the designated lots of the special assessment district, and be it further resolved that the City Clerk shall be directed to publish the notice of Special Assessment, setting the time when the City Council and City Assessor will meet to review said assessment.

FIRST + Final Reading

**City of Wyandotte
County of Wayne, State of Michigan**

ORDINANCE NO. ____

AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR THE ISSUANCE OF CITY OF WYANDOTTE ELECTRIC SYSTEM REVENUE BONDS TO PAY THE COSTS OF ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO THE CITY OF WYANDOTTE ELECTRIC UTILITY SYSTEM UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED; TO AUTHORIZE AND PROVIDE FOR THE ISSUANCE OF ELECTRIC SYSTEM REVENUE BOND ANTICIPATION NOTES UNDER THE PROVISIONS OF ACT 34, PUBLIC ACTS OF MICHIGAN, 2001, AS AMENDED; TO PROVIDE FOR THE RETIREMENT AND SECURITY OF THE BONDS AND NOTES HEREIN AUTHORIZED; AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO SAID BONDS.

WHEREAS, the City of Wyandotte, County of Wayne, State of Michigan (the "City"), has established the Electric Utility System of the City (the "System") including all electric generating units, plants, works, instrumentalities and properties, used or useful in connection with the generation and distribution of electricity, and all additions, extensions and improvements existing or hereafter acquired and all facilities for distribution of steam or hot water produced from the boilers of the Electric Utility System; and

WHEREAS, on September 14, 2014, the City published, in *The News Herald*, a newspaper of general circulation within the City, a "Notice to Electors of the City of Wyandotte and to Users of the City's Electric Utility System of Intent To Issue Revenue Bonds Payable from the Revenues of the Electric Utility System and of Right of Referendum Relating Thereto" describing issuance of electric system revenue bonds to finance improvements to the Electric Utility System, including, but not limited to, acquisition and installation of new generation equipment including an auxiliary boiler; upgrades of geographic, outage management and other data control software, a second transformer and 69kV and 40kV circuit upgrades, a redundant 120kV feed and all associated transformers, breakers and related equipment, repairs to Steam Turbine Generator 5, and other approved improvements (collectively, the "Series 2015 Project"), and the City intends to issue electric system revenue bonds to construct the Series 2015 Project; and

WHEREAS, under the authority provided to the City by the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), the City by Ordinance No. 831, as amended (the "Ordinance" as hereafter defined) has heretofore issued and sold its electric system revenue bonds; and

WHEREAS, Section 21 of Ordinance No. 831, as amended by Ordinance No. 939 ("831 Section 21") authorizes the City to issue Additional Bonds of equal standing and priority of lien on the Net Revenues of the System with the Outstanding Bonds; and

WHEREAS, 831 Section 21 subparagraph (b) authorizes the City to issue Additional Bonds of equal standing and priority of lien on the Net Revenues of the System with the Outstanding Bonds for the purposes of acquiring and constructing repairs, extensions, enlargements and improvements to the System and paying costs of issuing such Additional Bonds, including deposits which may be required to be made to the Bond Reserve Account, if the average actual or augmented Net Revenues of the System for any consecutive twelve month period out of the 16 months preceding the adoption of the ordinance authorizing the issuance of such Additional Bonds shall be equal to at least one hundred twenty five (125%) percent of

the maximum Aggregate Debt Service Requirement in any current or future fiscal year on the Outstanding Bonds and on the Additional Bonds then being issued; and

WHEREAS, the proposed electric system revenue bonds issued to construct the Series 2015 Project will be Additional Bonds issued under 831 Section 21 subparagraph (b); and

WHEREAS, under the provisions of Section 413 of the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), a City may issue a short-term municipal security in anticipation of the proceeds of a long-term municipal security it proposes to issue; and

WHEREAS, in order to pay costs of the Series 2015 Project which need to be paid before the City issues the bonds, the City deems it necessary to borrow a principal amount not-to-exceed Four Million One Hundred Thirty-Five Thousand Dollars (\$4,135,000) and issue bond anticipation notes (the "Notes") pursuant to the provisions of Section 413 of Act 34; and

WHEREAS, all things necessary to the authorization and issuance of the Bonds and the Notes described in this preamble under the Constitution and laws of the State of Michigan, and the Charter and ordinances of the City, and particularly Act 94 and the Ordinance have been done or will be done, and the Council is now empowered and desires to authorize the issuance of the Bonds described in this preamble.

NOW, THEREFORE, THE CITY OF WYANDOTTE ORDAINS:

Section 1. Definitions. All terms not defined herein shall have the meanings set forth in the Ordinance, and whenever used in this ordinance, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "831 Section 21" means Section 21 of Ordinance No. 831, as amended by Ordinance No. 939, which authorizes the City to issue Additional Bonds of equal standing and priority of lien on the Net Revenues of the System with the Outstanding Bonds.

(b) "Bonds" means the Outstanding Electric System Revenue Bonds, Series 2005A (AMT) dated August 10, 2005, and Electric System Revenue Bonds, Series 2005B dated September 1, 2005, and Electric System Revenue and Revenue Refunding Bonds, Series 2009A dated February 26, 2009 and, when issued and delivered, the Series 2015 Bonds, and any Additional Bonds authorized and issued in accordance with 831 Section 21.

(c) "General Manager" or "Assistant General Manager" means the General Manager or Assistant General Manager of the City's Department of Municipal Service.

(d) "Junior Lien Redemption Fund" means the Junior Lien Bond and Interest Redemption Fund created pursuant to Section 21C of Ordinance No. 831.

(e) "Notes" means the City of Wyandotte Electric System Revenue Bond Anticipation Notes, Series 2014, authorized by Section 7 of this ordinance for the purpose of paying costs of the Series 2015 Project.

(f) "Ordinance" refers collectively to these Ordinances: No. 831 adopted January 11, 1988, No. 935 adopted March 9, 1992, No. 939 adopted April 27, 1992, No. 1150 adopted June 5, 2002, No. 1225 adopted April 27, 2005, No. 1308 adopted January 26, 2009, and this ordinance, and any other ordinance amendatory to or supplemental to Ordinance No. 831, and shall include any resolution authorizing the sale of a series of Bonds.

(g) "Series 2015 Bonds" means the City of Wyandotte Electric System Revenue Bonds, Series 2015 authorized by Section 5 of this ordinance for the purpose of paying costs of the Series 2015 Project.

(h) "Series 2015 Construction Fund" means the Electric System Revenue Bonds Series 2015 Construction Fund created under Section 10 of this ordinance.

(i) "Series 2015 Project" refers to improvements to the Electric Utility System, including, but not limited to, acquisition and installation of new generation equipment including an auxiliary boiler; upgrades of geographic, outage management and other data control software, a second transformer and 69kV and 40kV circuit upgrades, a redundant 120kV feed and all associated transformers, breakers and related equipment, repairs to Steam Turbine Generator 5, and other approved improvements, together with any appurtenances and attachments thereto and any related site improvements to be acquired and constructed as part of the System with proceeds of the Series 2015 Bonds.

(j) "Transfer Agent" means U.S. Bank National Association, or such other bank selected by the City pursuant to Section 34 of Ordinance No. 831 for payment of the City's Electric Revenue Bonds.

Section 2. Necessity, Approval of Plans and Specifications. It is hereby determined to be necessary for the public health and welfare of the City to acquire the Series 2015 Project in accordance with the plans and specifications heretofore prepared by the City's consulting engineers, which plans and specifications are hereby approved.

Section 3. Costs of Series 2015 Project; Useful Life. The aggregate cost of the Series 2015 Project is estimated to be an amount not-to-exceed Twenty-Six Million Dollars (\$26,000,000) subject to the taking of construction bids, including the payment of incidental expenses as specified in this ordinance, which estimate of cost is hereby approved and confirmed. The period of usefulness of the Series 2015 Project is estimated to be not less than thirty (30) years.

Section 4. Conditions Permitting Issuance of Additional Bonds. The City Council hereby determines that if the Series 2015 Bonds are issued within the parameters of this ordinance, then during a twelve month period which is within the 16 months preceding the adoption of this ordinance, the average Net Revenues of the System is equal to at least one hundred twenty five (125%) percent of the maximum Aggregate Debt Service Requirement in any current or future fiscal year on the Outstanding Bonds and the Series 2015 Bonds, as required by 831 Section 21 subparagraph (b).

The City Council hereby determines that the City is not in default in making its required payments to the Operating and Maintenance Fund or the Redemption Fund established by the Ordinance.

Therefore, City Council hereby finds that the conditions of the Ordinance for the issuance of the Series 2015 Bonds as Additional Bonds have been met.

Section 5. Series 2015 Bonds Authorized. The City shall issue the Series 2015 Bonds pursuant to the provisions of Act 94 in the aggregate principal amount of not-to-exceed Twenty-Six Million Dollars (\$26,000,000) as finally determined at the time of sale, for the purposes of paying the costs of acquiring and constructing the Series 2015 Project, including payment of legal, engineering, financial and other expenses incident thereto and incident to the issuance and sale of the Series 2015 Bonds, and depositing additional monies to the Bond Reserve Account if necessary to meet the Bond Reserve Requirement.

Section 6. Series 2015 Bond Data. The Series 2015 Bonds shall be designated as the ELECTRIC SYSTEM REVENUE BONDS, SERIES 2015. At the time of sale of the Series 2015 Bonds the General Manager or Assistant General Manager of the City's Department of Municipal Service is authorized to approve additional series designations.

The Series 2015 Bonds shall not be a general obligation of the City but shall be payable solely out of the Net Revenues of the System. The Series 2015 Bonds shall constitute Additional Bonds as defined in the Ordinance and shall have equal standing and priority of lien as the Net Revenues of the System with the Outstanding Bonds.

The Series 2015 Bonds shall be issued as term bonds or serial bonds as determined at the time of sale of the Series 2015 Bonds, in fully-registered form in denominations of \$5,000 or integral multiples thereof, not exceeding the amount of bonds maturing on the same date such bond matures, and shall be numbered in consecutive order of authentication from 1 upwards. The Series 2015 Bonds shall be dated as of such date as may be determined at the time of sale, and shall mature on October 1st in the years 2018 to 2044, inclusive, or such other years as shall be determined at the time of sale, provided, however, that the Series 2015 Bonds shall mature within 30 years of the date of issuance thereof.

The Series 2015 Bonds shall bear interest at the rate or rates to be determined at the time of sale of the Series 2015 Bonds, payable on October 1, 2015, or such other date as approved at the time of sale thereof, and semi-annually thereafter on April 1st and October 1st of each year, by check drawn on the Transfer Agent and mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Series 2015 Bonds shall be payable at the designated office of the Transfer Agent.

The Series 2015 Bonds may be subject to redemption prior to maturity at the times and prices finally determined at the time of sale. In the event that any of the Series 2015 Bonds shall be issued as term bonds, the mandatory redemption requirements for such term bonds shall be specified at the time of sale.

Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the bonds called for redemption are to be surrendered for payment; and that interest on the bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

The Series 2015 Bonds shall be signed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk. The Series 2015 Bonds shall have the corporate seal of the City impressed or printed thereon. If any of the Series 2015 Bonds shall be signed by the facsimile signature of both the Mayor and the City Clerk then such bond shall not be valid until authenticated by an authorized officer of the Transfer Agent. The Series 2015 Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser in accordance with instructions from the City Treasurer upon payment of the purchase price therefor in accordance with the bond purchase agreement with the purchaser of the Series 2015 Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

The Series 2015 Bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC"), and any official of the City or the Department of Municipal Service is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Series 2015 Bonds in book-entry-only form and to make such changes in the bond form within the parameters of this ordinance as may be required to accomplish the foregoing. If the Series 2015 Bonds are held in book-entry form by DTC, payment of principal of and interest shall be made in the manner prescribed by DTC.

Any Series 2015 Bond may be transferred upon the books of the City maintained by the Transfer Agent by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Series 2015 Bond or Bonds shall be surrendered for transfer, the Transfer Agent shall authenticate and deliver a new bond or bonds of the same series for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required (i) to issue, register the transfer of, or exchange any bond during a period beginning at the opening of 15 business days before the day of the mailing of a notice of redemption of bonds selected for redemption prior to maturity and ending at the close of business on the day of that mailing, or (ii) to register the transfer of or exchange any bond so selected for redemption in whole or in part, except the unredeemed portion of bonds being redeemed in part. Notwithstanding the foregoing, if the Series 2015 Bonds are held by DTC in book-entry form, the transfer of the Series 2015 Bonds shall be made in the manner prescribed by DTC.

Section 7. Bond Anticipation Notes Authorized; Note Data; Proceeds of the Notes. In order to pay costs of the Series 2015 Project which need to be paid before the City issues the Series 2015 Bonds, the City shall issue the Notes pursuant to the provisions of Section 413 of Act 34 in the aggregate principal amount of not-to-exceed Four Million One Hundred Thirty-Five Thousand Dollars (\$4,135,000) as finally determined at the time of sale. Costs of the Series 2015 Project paid with proceeds of the Notes shall include payment of legal, engineering, financial and other expenses incident thereto and incident to the issuance and sale of the Notes.

The Notes shall be designated as the ELECTRIC SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2014. At the time of sale of the Notes the General Manager or Assistant General Manager is authorized to approve additional series designations for the Notes, including designation of the notes as taxable or tax-exempt.

The Notes are junior lien indebtedness under the Ordinance. The Notes are obligations described in Section 1(y) of Ordinance No. 831, issued by the City to provide funds for a lawful purpose of the System, which are of junior standing and priority of lien with respect to the Net Revenues to the claim of the City's outstanding Electric System Revenue Bonds, Series 2005A (AMT), and Electric System Revenue Bonds, Series 2005B, and Electric System Revenue and Revenue Refunding Bonds, Series 2009A. The Notes shall not be a general obligation of the City but shall be payable solely out of the proceeds of the Series 2015 Bonds or out of the Net Revenues of the System after provision has been made for payment of the City's outstanding Bonds.

The City covenants that after sale of the Notes, it shall not issue any additional bonds or notes payable from the Net Revenues unless the City has provided for payment or defeasance of principal of and interest on the Notes as of the date of delivery of such additional bonds or notes.

The Notes shall be payable in the principal amounts, at the times and in the manner determined by the General Manager or Assistant General Manager at the time of sale of the Notes. The Notes shall bear interest at a fixed or variable rate or rates as determined by the General Manager or Assistant General Manager at the time of sale of the Notes. The Notes shall be issued as fully registered notes to be dated the date of delivery thereof or such other date as may be determined by the General Manager or Assistant General Manager at the time of sale of the Notes. The Notes shall be subject to redemption prior to maturity at the option of the City or the noteholder as determined by the General Manager or Assistant General Manager at the time of sale of the Notes. Unless waived by any registered owner of Notes to be redeemed, official notice of redemption shall be given by the Note Transfer Agent on behalf of the City and shall conform to the requirements set forth in the Note being redeemed.

Either the City or such financial institution designated by the General Manager or Assistant General Manager shall act as registrar or transfer agent for the Notes (the "Note Transfer Agent"). Interest shall be

payable by check or draft drawn on the Note Transfer Agent mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Note Transfer Agent. The principal of the Notes shall be payable upon presentation and surrender of such Notes to the Note Transfer Agent. The Note Transfer Agent shall keep the books of registration for this issue on behalf of the City. The Notes may be issued in book-entry-only form through DTC, and any official of the City or the Department of Municipal Service is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Notes in book-entry-only form and to make such changes in the note form within the parameters of this ordinance as may be required to accomplish the foregoing. If the Notes are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC.

The Notes shall be signed by the manual or facsimile signatures of the Mayor and countersigned by the manual or facsimile signature of the City Clerk. The Notes shall have the corporate seal of the City impressed or printed thereon. If the Notes shall be signed by the facsimile signature of both the Mayor and the City Clerk, then the Notes shall not be valid until authenticated by an authorized officer of the Note Transfer Agent. The Notes shall be delivered to the purchaser in accordance with instructions from the General Manager or Assistant General Manager upon payment of the purchase price for the Notes in accordance with the purchase contract for the Notes.

The proceeds of sale of the Notes shall be deposited to the Series 2015 Construction Fund and used to pay costs of the Series 2015 Project.

Section 8. Payment of Notes. The City shall establish and maintain the JUNIOR LIEN BOND AND INTEREST REDEMPTION FUND created under Section 21C of Ordinance No. 831 in order to provide for payment of principal of and interest on the Notes. A portion of the proceeds of the Series 2015 Bonds shall be deposited to the Junior Lien Redemption Fund in an amount sufficient to pay principal of and interest on the Notes when due, unless the proceeds are deposited to a defeasance escrow fund for the Notes, or paid directly to the Note Transfer Agent or registered owner of the Notes. If the Series 2015 Bonds are not issued, then the City shall deposit Revenues in the Junior Lien Redemption Fund as provided in the Ordinance in an amount sufficient to pay principal of and interest on the Notes when due. Monies deposited to the Junior Lien Redemption Fund shall be used solely for the purpose of paying the principal of and interest on the Notes. After payment in full of the Notes, any balance then remaining in the Junior Lien Redemption Fund shall be transferred to the Series 2015 Construction Fund or used for any other purpose permitted by law.

Section 9. Applicability of the Ordinance. Except to the extent supplemented or otherwise provided in this ordinance, all of the provisions and covenants provided in Ordinance No. 831, as amended and supplemented, shall apply to the Series 2015 Bonds and the Notes issued pursuant to provisions of this ordinance, such provisions of the Ordinance being made applicable to the Series 2015 Bonds and the Notes herein authorized.

Section 10. Creation of Construction Fund for Series 2015 Project. There shall be established and maintained a separate depository fund designated as the ELECTRIC SYSTEM REVENUE BONDS SERIES 2015 CONSTRUCTION FUND in a bank qualified to act as depository of the proceeds of sale of revenue bonds under the provisions of Section 15 of Act 94. At the discretion of the General Manager or the Assistant General Manager, separate accounts may be established within the Series 2015 Construction Fund for proceeds of the Notes and proceeds of the Series 2015 Bonds. Monies in the Series 2015 Construction Fund shall be applied solely in payment of the cost of the Series 2015 Project and any costs of engineering, legal, note and bond issuance and other expenses incident thereto and to the issuance of the Notes and the Series 2015 Bonds. Any unexpended balance of the proceeds of sale of the Series 2015 Bonds remaining in the Series 2015 Construction Fund after completion of the Series 2015 Project may, in the discretion of the City, be used for meeting requirements, if any, of the Bond Reserve Account, or for further improvements, enlargements and extension to the System. Any balance remaining after such expenditure shall be paid into the Redemption Fund.

Section 11. Proceeds of Series 2015 Bonds. From the proceeds of sale of the Series 2015 Bonds there first shall be immediately deposited in the Redemption Fund an amount equal to the accrued interest, if any, received on delivery of the Series 2015 Bonds, and the City may take credit for the amount so deposited against the amount required to be deposited in the Redemption Fund for payment of the next maturing interest. All or a portion of any premium received upon delivery of the Series 2015 Bonds may be deposited in either the Redemption Fund or the Series 2015 Construction Fund, as determined by the General Manager or the Assistant General Manager in consultation with bond counsel.

There shall next be deposited from the proceeds of sale of the Series 2015 Bonds the amount necessary to pay all principal of and interest on the Notes in accordance with Section 8 of this ordinance.

There shall next be deposited from the proceeds of sale of the Series 2015 Bonds to the Bond Reserve Account an amount, if any, designated by the General Manager or the Assistant General Manager at the time of sale as necessary to meet the requirements of the Ordinance.

The remaining proceeds of sale of the Series 2015 Bonds shall be deposited to the Series 2015 Construction Fund.

Section 12. Series 2015 Bond Form. The Series 2015 Bonds shall be in substantially the following form with such revisions, additions and deletions as may be advisable or necessary to comply with the final terms of the Series 2015 Bonds established upon sale thereof.

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE

CITY OF WYANDOTTE
ELECTRIC SYSTEM REVENUE BOND
SERIES 2015

Interest Rate	Date of Maturity	Date of Original Issue	CUSIP
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Registered Owner:

Principal Amount:

The CITY OF WYANDOTTE, County of Wayne, State of Michigan (the "City"), acknowledges itself to owe, and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, but only out of the hereinafter described Net Revenues, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on [first payment date] and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of U.S. Bank National Association, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the Registered Owner of record not less than sixty (60) days prior to an interest payment date (the "Transfer Agent"). Interest on this bond is payable to the Registered Owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the Registered Owner of record at the registered address. The date of determination of Registered Owner for purposes of payment of interest may be changed by the City to conform to market practice in the future. For the prompt payment of the principal of and interest on this bond, the revenues of the Electric Utility System of the City including all appurtenances, extensions and improvements thereto (the "Electric Utility System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and certain funds and accounts established by the Ordinance (defined below), are irrevocably pledged and a statutory lien thereon has been created. This bond and the series of which it is one are of equal standing and priority of lien as to the Net Revenues of the Electric Utility System with the City's outstanding Electric System Revenue Bonds, Series 2005A (AMT) dated August 10, 2005, and Electric System Revenue Bonds, Series 2005B dated September 1, 2005, and Electric System Revenue and Revenue Refunding Bonds, Series 2009A dated February 26, 2009.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$[principal amount], issued pursuant to Ordinance No. 831, as amended by Ordinance No. 939 and supplemented by Ordinance No. 935, Ordinance No. 1150, Ordinance No. 1225, Ordinance No. 1308 and Ordinance No. [ordinance number] (collectively, the "Ordinance") duly adopted by the City Council of the City (the "City Council"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") for the purpose of acquiring and constructing improvements to the Electric Utility System [, to fund the bond reserve account for the bonds,] and to pay costs of issuance of the bonds.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing as to the Net Revenues may hereafter be issued, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Ordinance. The City has reserved the right to issue additional bonds of

equal standing with the bonds of this issue on the conditions stated in the Ordinance. Copies of the Ordinance are on file at the office of the City Clerk and at the designated corporate trust office of U.S. Bank National Association, as Trustee (the "Trustee"), and reference is made to the Ordinance and any and all supplements thereto and modifications and amendments thereof, if any, and to Act 94 for a more complete description of the pledges and covenants securing the bonds, the nature, extent and manner of enforcement of such pledges, the rights and remedies of the registered owners of the bonds with respect thereto and the terms and conditions upon which the bonds are issued and may be issued thereunder. To the extent and in the manner permitted by the terms of the Ordinance, the provisions of the Ordinance or any resolution or agreement amendatory thereof or supplemental thereto, may be modified or amended by the City, except in specified cases, only with the written consent of the registered owners of at least fifty-one percent (51%) of the principal amount of the bonds then outstanding.

Bonds maturing in the years [maturity dates of bonds which can't be prepaid] inclusive, shall not be subject to redemption prior to maturity.

Bonds or portions thereof in multiples of \$5,000 maturing on or after [first maturity date of bonds which can be prepaid], will be subject to redemption prior to maturity at the option of the City on any date occurring on or after [first date bonds can be prepaid], in such order as the City may determine and within any maturity by lot at par plus accrued interest to the date fixed for redemption.

[If Term Bonds are sold, language describing
mandatory sinking fund redemption of Term Bonds]

In case less than the full amount of an outstanding bond is called for redemption the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner a new bond of the same maturity and interest rate in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to each registered owner of bonds or portions thereof to be redeemed by mailing such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. Bonds shall be called for redemption in multiples of \$5,000, and bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by \$5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.

This bond is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the Registered Owner hereof in person, or by the Registered Owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly authorized in writing and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance, and upon the payment of the charges, if any, therein prescribed. The Transfer Agent shall not be required (i) to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of bonds selected for redemption under the Ordinance and ending at the close of business on the date of that mailing, or (ii) to register the transfer of or exchange any bond so selected for redemption in whole or in part, except the unredeemed portion of bonds being redeemed in part.

THIS BOND IS A SELF-LIQUIDATING BOND AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST SOLELY FROM THE NET REVENUES OF THE ELECTRIC UTILITY SYSTEM AND CERTAIN FUNDS AND ACCOUNTS ESTABLISHED UNDER THE ORDINANCE. THE PRINCIPAL OF AND INTEREST ON THIS BOND ARE SECURED BY THE STATUTORY LIEN HEREINBEFORE DESCRIBED.

The City has covenanted and agreed in the Ordinance to fix, establish, maintain and collect at all times while any bonds payable from Net Revenues shall be outstanding, such rates, fees, and charges for the sale of the output, capacity, use or service furnished by the Electric Utility System as shall be reasonably expected to yield Net Revenues equal to at least the sum of 110% of the amount necessary to provide for payment of the interest upon and the principal of all bonds payable from the Net Revenues of the Electric Utility System as and when the same become due and payable, and in addition to maintain a bond and interest redemption fund (including a bond reserve account) therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the Electric Utility System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the Electric Utility System as are required by the Ordinance.

It is hereby certified and recited that all acts, conditions and things required by law to be done precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Wyandotte, County of Wayne, State of Michigan, by its City Council, has caused this bond to be signed in the name of said City [by] / [with the facsimile signatures of] its Mayor and its City Clerk and the City seal or a facsimile thereof to be [manually impressed/printed], all as of the Date of Original Issue.

CITY OF WYANDOTTE

By _____
Mayor

(Seal)

Countersigned:

By _____
City Clerk

[STANDARD FORM OF
AUTHENTICATION CERTIFICATE AND ASSIGNMENT]

Section 13. Note Form. The Notes shall be in substantially the following form with such revisions, additions and deletions as may be advisable or necessary to comply with the final terms of the Notes established upon sale thereof.

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE

CITY OF WYANDOTTE
ELECTRIC SYSTEM REVENUE BOND ANTICIPATION NOTE
SERIES 2014 - TAXABLE

Interest Rate	Date of Maturity	Date of Original Issue	CUSIP
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Registered Owner:

Principal Amount:

The CITY OF WYANDOTTE, County of Wayne, State of Michigan (the "City"), acknowledges itself to owe, and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, but only from the hereinafter described Net Revenues, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on [first payment date] and semi-annually thereafter. Principal of and interest on this note is payable at the designated office of [Note Transfer Agent] (the "Transfer Agent"). The revenues of the Electric Utility System of the City including all appurtenances, extensions and improvements thereto (the "Electric Utility System") after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and certain funds and accounts established by the Ordinance (defined below), are irrevocably pledged for the prompt payment of the principal of and interest on this note, and a statutory lien thereon has been created, after provision has been made for payment of the City's outstanding Electric System Revenue Bonds, Series 2005A (AMT) dated August 10, 2005, and Electric System Revenue Bonds, Series 2005B dated September 1, 2005, and Electric System Revenue and Revenue Refunding Bonds, Series 2009A dated February 26, 2009.

This note is issued in anticipation of the issuance of Electric System Revenue Bonds for the purpose of paying costs to acquire and construct improvements to the Electric Utility System. This note is issued pursuant to Ordinance No. 831, as amended by Ordinance No. 939 and supplemented by Ordinance No. 935, Ordinance No. 1150, Ordinance No. 1225, Ordinance No. 1308 and Ordinance No. [ordinance number] (collectively, the "Ordinance") duly adopted by the City Council of the City (the "City Council"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") and the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended.

The City has covenanted in the Ordinance that it shall not issue any additional bonds or notes payable from the Net Revenues unless the City has provided for payment or defeasance of principal of and interest on the Notes as of the date of delivery of such additional bonds or notes.

For a complete statement of the revenues from which and the conditions under which this note is payable and the general covenants and provisions pursuant to which this note is issued, reference is made to the Ordinance. Copies of the Ordinance are on file at the office of the City Clerk, and reference is made to the Ordinance and any and all supplements thereto, and modifications and amendments thereof, if any, and to Act 94 for a more complete description of the pledges and covenants securing the note, the nature, extent and manner of enforcement of such pledges, the rights and remedies of the registered owners of the note with respect thereto and the terms and conditions upon which the note is issued and may be issued thereunder.

This note is subject to redemption prior to maturity at the option of the City on any date at par plus accrued interest to the date fixed for redemption. Notice of redemption shall be given to the Registered Owner of the note by mailing such notice not less than thirty (30) days prior to the date fixed for redemption to the Registered Owner at the address of the Registered Owner as shown on the registration books of the City. No further interest on the note shall accrue after the date fixed for redemption, whether the note has been presented for redemption or not, provided the Transfer Agent has money available for such redemption.

This note is transferable only upon the books of the City kept for that purpose at the office of the Transfer Agent by the Registered Owner hereof in person, or by the Registered Owner's attorney duly authorized in writing, upon the surrender of this note together with a written instrument of transfer satisfactory to the Transfer Agent duly authorized in writing, and thereupon a new registered note or notes in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance, and upon the payment of the charges, if any, therein prescribed. The Transfer Agent shall not be required (i) to issue, register the transfer of, or exchange the note during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption and ending at the close of business on the date of that mailing, or (ii) to register the transfer of or exchange any note so selected for redemption.

THIS NOTE IS A SELF-LIQUIDATING NOTE AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST SOLELY FROM THE NET REVENUES OF THE ELECTRIC UTILITY SYSTEM AND CERTAIN FUNDS AND ACCOUNTS ESTABLISHED UNDER THE ORDINANCE. THE PRINCIPAL OF AND INTEREST ON THIS NOTE ARE SECURED BY THE STATUTORY LIEN HEREINBEFORE DESCRIBED.

It is hereby certified and recited that all acts, conditions and things required by law to be done precedent to and in the issuance of this note have been done and performed in regular and due time and form as required by law.

[This note is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this note has been executed by the Transfer Agent.]

IN WITNESS WHEREOF, the City of Wyandotte, County of Wayne, State of Michigan, by its City Council, has caused this note to be signed in the name of said City [by] / [with the facsimile signatures of] its Mayor and its City Clerk and the City seal or a facsimile thereof to be [manually impressed/printed], all as of the Date of Original Issue.

CITY OF WYANDOTTE

By _____
Mayor

(Seal)

Countersigned:

By _____
City Clerk

Section 14. Non-Arbitrage Covenant. For any series of notes and bonds issued under this ordinance on a tax-exempt basis, the City covenants and agrees that as long as any of the tax-exempt notes and bonds remain outstanding and unpaid as to either principal or interest, the City shall not invest, reinvest or accumulate any moneys deemed to be proceeds thereof pursuant to the Internal Revenue Code in

such a manner as to cause the tax-exempt notes and bonds to be “arbitrage bonds” within the meaning of the Internal Revenue Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on any of the tax-exempt notes and bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the tax-exempt notes and bonds. The General Manager or Assistant General Manager is authorized in consultation with bond counsel to designate the Notes or Series 2015 Bonds as “qualified tax exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the Internal Revenue Code.

Section 15. Appointment of Financial Advisor. City hereby requests Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board (the “Financial Advisor”), to continue to act as Financial Advisor to the City for the Notes and Series 2015 Bonds.

Section 16. Negotiated Sale of Notes and Series 2015 Bonds. In reliance upon the advice of the Financial Advisor, the City Council hereby determines to sell the Notes and Series 2015 Bonds at a negotiated sale instead of a competitive sale for the reasons that a negotiated sale will permit the City to enter the market on short notice at a point in time which appears to be most advantageous, and thereby possibly obtain a lower rate of interest on the Notes and Series 2015 Bonds.

Section 17. Sale of Notes. The General Manager or Assistant General Manager is authorized and directed on behalf of the City to negotiate sale of the Notes to a bank or financial institution subject to the provisions and limitations of this ordinance. The General Manager or Assistant General Manager is authorized to circulate a request for quotations, sales memorandum, or other document describing the City, the Notes and security for payment of the Notes to potential purchasers of the Notes.

Based upon the recommendations and advice of the Financial Advisor, the General Manager or Assistant General Manager is authorized to award sale of the Notes to a financial institution or other purchaser, and to accept an offer to purchase the Notes without further action of this City Council. This authorization includes, but is not limited to, determination of original principal amount of the Notes; the prices at which the Notes are sold; the date of the Notes; the provisions for early redemption, if any; the interest rates and payment dates of the Notes, and whether the Notes are to be sold on a taxable or tax-exempt basis. The General Manager or Assistant General Manager is authorized to sign a purchase agreement, certificate of award of sale, acknowledgement of offer to purchase the Notes, or other document agreeing to sell the Notes on behalf of the City.

The maximum interest rate of the Notes shall not exceed 3.00% per annum. The purchaser’s discount for the Notes shall not be greater than 2.00% of the reoffering price of the Notes. In making such determinations the General Manager or Assistant General Manager is authorized to rely upon data and computer runs provided by the Financial Advisor.

Section 18. Appointment of Underwriter for Series 2015 Bonds. The City hereby authorizes the Municipal Service Commission, in consultation with the Financial Advisor, to select an underwriter (the “Underwriter”) as the senior managing Underwriter for the Series 2015 Bonds, and to name additional co-managers and develop a selling group, provided, however, that by adoption of this ordinance the City assumes no obligations or liability to the Underwriter for any loss or damage that may result to the Underwriter from the adoption of this ordinance, and all costs and expenses incurred by the Underwriter in preparing for sale of the Series 2015 Bonds shall be paid from the proceeds thereof, if issued, except as may be otherwise provided in an agreement to be signed by the City and the Underwriter.

Section 19. Appointment of Bond Counsel. The City requests that Miller, Canfield, Paddock and Stone, P.L.C. continue as bond counsel to the City for the Notes and Series 2015 Bonds. The City recognizes that Miller Canfield has represented from time to time, and currently represents, various

financial institutions and underwriters which are potential purchasers of or underwriters for the Notes and Series 2015 Bonds in matters unrelated to the issuance of the Notes and the Series 2015 Bonds.

Section 20. Bond Ratings; Municipal Bond Insurance. Either the General Manager or the Assistant General Manager of the Department of Municipal Service is hereby authorized to apply for bond ratings from such municipal bond rating agencies as is deemed appropriate, in consultation with the Financial Advisor.

If the Financial Advisor recommends that the City consider purchase of municipal bond insurance, then the General Manager or the Assistant General Manager is hereby authorized and directed to negotiate with insurers regarding acquisition of municipal bond insurance, and, in consultation with the Financial Advisor, to select an insurer and determine which bonds, if any, shall be insured. Either the General Manager or the Assistant General Manager is hereby authorized to enter into an agreement with the municipal bond insurance provider regarding notices to be provided to the bond insurer, filing of annual financial information to be provided to the bond insurer, consents or approvals to be obtained from the bond insurer, the dates of receipt by the Transfer Agent of bond payments, and other requirements which the City may be obliged to meet in order to obtain municipal bond insurance on the Series 2015 Bonds. If the Financial Advisor advises the City that the purchase of a municipal bond insurance policy for the Series 2015 Bonds would be of economic benefit to the City, then the Municipal Service Commission is hereby authorized to purchase a municipal bond insurance policy from the bond insurer for the Series 2015 Bonds.

Section 21. Official Statement. The City Council hereby authorizes either the General Manager or the Assistant General Manager to approve the circulation of a preliminary official statement describing the Series 2015 Bonds and to deem such preliminary official statement as "near final" in compliance with Securities and Exchange Commission rules. The City Council hereby authorizes the Municipal Service Commission to approve, execute, and deliver a final Official Statement after sale of the Series 2015 Bonds.

Section 22. Continuing Disclosure. In order to enable underwriters to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, the City hereby agrees to undertake Continuing Disclosure. Either the General Manager or the Assistant General Manager is authorized and directed to prepare, execute and deliver a Continuing Disclosure Undertaking in such form as he shall, in consultation with bond counsel, determine appropriate.

Section 23. Sale of Series 2015 Bonds. The Municipal Service Commission is hereby authorized, on behalf of the City, in consultation with the Financial Advisor, to accept an offer by the Underwriter to purchase the Series 2015 Bonds. The Municipal Service Commission is hereby authorized on behalf of the City to prepare, approve, execute, and deliver, a Bond Purchase Agreement and all other documents necessary to effect sale and delivery of the Series 2015 Bonds.

The Municipal Service Commission is hereby authorized on behalf of the City, subject to the provisions and limitations of this ordinance, to determine all matters which this ordinance provides shall be determined upon sale of the Series 2015 Bonds, including but not be limited to determination of original principal amount of the Series 2015 Bonds and the prices at which they are sold; the date of the Series 2015 Bonds; the schedule of principal maturities and whether the Series 2015 Bonds shall mature serially or as term bonds; the provisions for early redemption, if any, including mandatory redemption of term bonds, if any; the interest rates and payment dates of the Series 2015 Bonds; application of the proceeds of the Series 2015 Bonds; final preparation, approval, execution and delivery of the final Official Statement, whether the Series 2015 Bonds are to be sold on a tax-exempt basis, and all other necessary actions.

The maximum interest rate of the Series 2015 Bonds shall not exceed 8.00%. The purchase price for the Series 2015 Bonds, exclusive of any original issue discount, shall not be less than 98.00% of the principal amount of the Series 2015 Bonds, plus accrued interest. In making such determinations the Municipal Service Commission is authorized to rely upon data and computer runs provided by the Underwriter or the Financial Advisor.

Approval of the matters delegated to the Municipal Service Commission under this ordinance may be evidenced by execution of the bond purchase agreement or the final Official Statement.

Section 24. Necessary Actions. Any one or more of the officers, administrators, agents and attorneys of the City are authorized and directed to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the issuance, sale, and delivery of the Notes and the Series 2015 Bonds in accordance with this ordinance, and to pay costs of issuance including rating agency fees, bond insurance premiums, transfer agent fees, financial advisor fees, bond counsel fees, printing the preliminary and final official statements, and any other costs necessary to accomplish sale and delivery of the Notes and the Series 2015 Bonds.

Section 25. Repeal, Savings Clause. All ordinances, resolutions of orders, or parts thereof, in conflict with the provisions of this ordinance are repealed.

Section 26. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. The paragraph headings in this ordinance are furnished for convenience of reference only and shall not be considered to be a part of this ordinance.

Section 27. Publication and Recordation. This ordinance shall be published in full in *The News-Herald*, a newspaper of general circulation in the City of Wyandotte qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the President of the council and the City Clerk.

Section 28. Effective Date. As provided in Act 94, this ordinance shall be effective immediately upon its adoption.

Passed and adopted by the City of Wyandotte, County of Wayne, State of Michigan, on _____, 2014.

Offered by Councilmember _____ and seconded by Councilmember _____.

YEAS: Councilmembers _____

NAYS: _____

ABSENT: Councilmember _____

Signed: _____
Joseph R. Peterson, Mayor

Signed: _____
William R. Griggs, City Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance duly enacted by the City Council of the City of Wyandotte, County of Wayne, State of Michigan, at a _____ meeting held on _____, 2014, at 7:00 pm., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976. I further certify that the minutes of said meeting were kept and will or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: Councilmembers _____ and that the following Members were absent: Councilmembers _____.

I further certify that Member _____ moved for adoption of said Ordinance and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said Ordinance: Councilmembers _____ and that the following Members voted against adoption of said Ordinance: _____.

I further certify that said Ordinance has been recorded in the Ordinance Book and that such recording has been authenticated by the signature of the Mayor and the City Clerk.

Signed: _____,
William R. Griggs, City Clerk

ADOPTED this 10th of November, 2014

MOTION by
Councilperson _____

Supported by
Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
	Stec	
	Sabuda	
	Sutherby-Fricke	
	Galeski	
	Schultz	
	Miciura, Jr.	

Final Reading

AN ORDINANCE ENTITLED
“AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE CODE OF
ORDINANCES BY ADOPTING BY REFERENCE THE 2012 INTERNATIONAL
FIRE CODE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption of the 2012 International Fire Code.

Sec. 11-26. - Adoption of 2012 International Fire Code.

A certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Wyandotte, Michigan, being marked and designated as the 2012 International Fire Code, including Appendix B (Fire-Flow Requirements for Buildings), C (Fire Hydrant Locations and Distribution), D (Fire Apparatus Access Roads), E (Hazard Categories), F (Hazard Ranking), I (Fire Protection System Non-Complaint conditions), as published by the International Code Council, be and is hereby adopted as the fire code of the City of Wyandotte for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of such International Fire Code on file in the office of the City Clerk of the City of Wyandotte, Michigan are hereby referred to, adopted and made a part hereof as if fully set out in this article with the additions, insertions, deletions and changes, if any, prescribed in section 11-27 of this article.

Sec. 11-27. - Amendments.

The following sections of the 2012 International Fire Code are amended to read as follows:

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

Section 109.2. Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions and in the event of an emergency situation arising from the failure to abate will be liable for all reasonable costs incurred by the city in dealing with said emergency.

Section 109.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction whether by admission or by court determination and is subject to all of the following fines and costs:

A) A civil fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00); and

B) The Judge or Magistrate shall summarily tax and determine the costs of the action (which are not limited to the costs taxable in ordinary civil actions.) and may include all expenses direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of judgment, expenses include but are not limited to: Time of authorized city official, time of city attorney, witness and mileage fees and postage. Costs may not be less than nine dollars (\$9.00) or more than five hundred dollars (\$500.00). Costs shall be payable to the city general fund except as otherwise provided by law.

C) Each day that a violation of this code continues after due notice has been served shall be deemed a separate offense.

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

Section 2. Purpose.

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

Section 3. Severability.

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

Section 4. Effective Date.

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council, and a copy of the Ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A true copy of the Ordinance can be inspected or obtained at the Clerk's office. A complete copy of the Code is also available to the public for inspection and distribution at the office of the City Clerk in compliance with state law requiring that records of public bodies be made available to the general public.

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

YEAS	COUNCILMEN	NAYS
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this day of _____, 2014.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the _____ day of _____, 2014.

Dated: _____, 2014

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

Final Reading

**AN ORDINANCE ENTITLED
“AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
CODE OF ORDINANCES BY ADOPTING BY REFERENCE
THE 2012 EDITION OF THE MICHIGAN BUILDING CODE”**

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Adoption by Referenced of the 2012 Edition of the Michigan Building Code

The City of Wyandotte adopts by reference the 2012 Edition of the Michigan Building Code, including Appendix F, G, and H.

Section 2. Applicability.

The provisions of the adopted code apply to the enforcement of the Michigan Building Code by the City of Wyandotte.

Section 3. Fees.

109.1 The following fees are required to be paid upon application to the City of Wyandotte.

A. Residential Building

Building Permit Base Fee of \$50.00, together with:

1. \$13.00 per \$1,000.00 to \$250,000.00 (starting at \$0)
2. \$15.00 per \$1,000.00 above \$250,000.00

Inspection and Reinstatement Fee (for each inspection) of \$40.00

B. Commercial Building

Building Permit Base Fee of \$50.00, together with:

1. Plus 1.6% of the construction cost for each project that is less than \$100,000.
2. Plus 1.2% of the total cost of each project between \$100,000 and \$1,000,000.
3. Plus 0.8% of the total cost of each project between \$1,000,000 and \$10,000,000.
4. Plus 0.4% of the total cost of each project between \$10,000,000 and \$125,000,000.
5. Plus 0.2% of the total cost of each project over \$125,000,000.

Inspection and Reinstatement Fee (for each inspection) of \$40.00

C. Building Bond Fees

1. One and two family dwellings fees of \$1,000.00
2. Multiple dwellings – each unit fees of \$500.00
3. Commercial/Industrial .25(25 cents) per sq. ft. (each floor) - minimum of \$1,000.00

D. Wrecking/Demolition Permit Fees

1. Accessory buildings (each building) - fee of \$50.00
2. Residential one and two family dwelling - fee of \$50.00
3. Multiple, commercial, industrial buildings - fee of \$300.00
4. Reinspection fee demolition (each inspection) fee of \$100.00

E. Appeal Fees (fees are nonrefundable)

1. Zoning board of appeals (residential) fee of \$200.00
2. Zoning board of appeals (commercial) fee of \$400.00
3. Building board of appeals (residential) fee of \$100.00
4. Building board of appeals (commercial) fee of \$200.00
5. Rezoning (residential) fee of \$300.00
6. Rezoning (commercial) fee of \$600.00
7. Special approval (residential) fee of \$125.00
8. Special approval (commercial) fee of \$200.00
9. Rezoning plan development (residential) fee of \$1,000.00
10. Rezoning plan development (commercial) fee of \$1,000.00

F. Plan Review Fees

1. Parking lots (residential) fee of \$50.00

2. Parking lots (commercial – less than six spaces) fee of \$75.00
3. Parking lots (commercial – more than six spaces) fee of \$150.00
4. New buildings (residential) fee of \$225.00
5. New buildings (commercial) fee of \$300.00
6. Garage (residential) fee of \$50.00
7. Garage (commercial) fee of \$50.00
8. Additions (residential) fee of \$100.00
9. Additions (commercial) fee of \$100.00
10. Utility review (per block) fee of \$150.00
11. Site plan development fee of \$750.00
12. Preliminary PD review fee of \$400.00
13. Final PD review fee of \$ 300.00

G. Registration, Administration, and Late Fees

1. Registration of residential builder's license fee of \$15.00
2. Administration fee of \$30.00
3. Late fee of \$125.00

H. Signs

1. Each sign fee of \$40.00
2. Signs requiring foundation inspection fee of \$80.00
3. Each inspection fee of \$40.00

I. Concrete Fees

1. Driveways new or replacement fee of \$50.00
2. Sidewalks, new or replacement

- (a) 1 foot up to 50 feet fee of \$40.00
 - (b) 50 feet and up fee of \$40.00 plus \$1.00 per additional foot
- 3. Curb cuts, new or replacement
 - (a) Up to 12 feet in length a fee of \$50.00
 - (b) 12 feet and up a fee of \$50.00 plus \$1.00 per additional foot
- J. Miscellaneous Fees
 - 1. Use of street right-of-way fee of \$250.00
 - 2. Grant of license processing fee of \$200.00
- K. Moving Structure Fees
 - 1. Residential fee of \$500.00
 - 2. Commercial fee of \$2,000.00

Section 4. Penalties.

A violation of this ordinance is a municipal civil infraction subject to a civil fine not less than Twenty-Five (\$25.00) Dollars and not more than Five Hundred (\$500.00) Dollars and costs as allowed by law.

If any person commits a second offence, or subsequent violation of the same section of the code, such a violation constitutes a misdemeanor punishable by a fine not exceeding Five Hundred (\$500.00) Dollars and/or imprisonment not exceeding ninety (90) days provided the authorized city official issues an appearance ticket (and not a municipal civil infraction citation or notice) and marks it as a misdemeanor. However, nothing herein requires the authorized city official to charge a repeat offense of the same ordinance by the same individual as a misdemeanor.

Section 5. Purpose.

The purpose of this ordinance is to adopt model code regulations that address the design and installation of building systems with requirements for performance to safeguard the public health and safety in the City of Wyandotte.

Section 6. Repeal.

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

Section 7. Effective Date.

This ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council, and a copy of the Ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A true copy of the Ordinance can be inspected or obtained at the Clerk's office. A complete copy of the Code is also available to the public for inspection and distribution at the office of the City Clerk in compliance with state law requiring that records of public bodies be made available to the general public.

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

YEAS	COUNCILMEN	NAYS
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Stec	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this ____ day of _____, 2014.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the _____ day of _____, 2014.

Dated _____, 2014

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



JOSEPH PETERSON
MAYOR

COUNCIL

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

Reports
+
minutes



Wyandotte, Michigan October 27, 2014

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor Pro Tempore Lawrence S. Stec presiding.

ROLL CALL

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

Absent: Councilperson Galeski

COMMUNICATIONS MISCELLANEOUS

October 6, 2014

Dear Mayor,

The 1976 Native American Awareness Week was expanded by Congress and President George Bush in August of 1990 by designating November as the National American Indian Heritage Month.

The month long celebrations and recognitions of Indian cultures, arts, education, historical activities, and heritage enrich our national culture as well.

Since the Downriver area's heritage of the Wyandotte Indians has had significant impression on our society today in this area, it seems appropriate to honor our native ancestors and their contribution to all cultures in this country.

In honor of this month, we ask that the Mayors of the Downriver communities proclaim the month of November as American Indian Heritage Month.

I would like to extend another thank you to the Mayors who participated in the acknowledgment of the National American Indian Heritage Month for 2013

A sample of such a proclamation is enclosed for your convenience.

Thank you

Please respond to:

Lugene Flores, American Indians Chairperson, 15079 Siebert Street, Taylor, MI 48180

October 23, 2014

Dear Mayor and Council,

On Monday, October 6, the Co-owners of the Vinewood Village Condominium Association and representatives of Kramer – Triad were invited to a special meeting of the Wyandotte City Council to discuss issues with the budget and resulting Association fees. Several owners, with the assistance of Renee Tarnoski, presented substantial documentation and made strong arguments regarding the responsibility the City of Wyandotte has as the developer of the program to provide assistance to these owners who now find themselves financially burdened. At the conclusion of the meeting, the Council asked the owners to specify their desired outcomes. This letter has been prepared as a response to that request.

First and foremost, we would like to convey that while the city has assigned its powers to Kramer-Triad to control the administration of the Condominiums (as outlined in Article XXI of the Bylaws), we do not believe that this removes all responsibility from the City for the current situation. We argue that there were material omissions and oversights by all parties entrusted with:

Preparing the FY13 budget and resulting Association fees
 Preparing the FY14 budget and resulting Association fees
 Transitioning from "Developer Management" to "Owner management".

Attached to this document and referred to throughout is a financial summary and budget analysis we have prepared using figures taken directly from financial reports prepared by Kramer-Triad.

We believe the original estimated Association Fees of \$121 were established with minimal effort. Article II, Section 3 (a) of the Bylaws state "The Board of Directors of the Association shall establish an annual budget in advance for each fiscal year and such budget shall project all expenses for the forthcoming year which may be required for the proper operation, management and maintenance of the Condominium Project, including reasonable allowance for the contingencies and reserves."

While the original budget of \$121 included the minimum of 10% reserves, it did not:

Include any allowance for contingencies
 Take into account the loss of income from unoccupied units
 Take into consideration the need for reserves greater than the 10% minimum.

These inaccurate calculations resulted in a 2013 year-end balance of Operating Funds of only \$1,783 - of which \$695 was pre-paid Assessments by Owners. If not for the income of \$3,993 from Initial Contribution of Owners (which is a one-time fee not included in the budget), there would have been a deficit of over \$2,200 at the end of the 2013 fiscal year. This underestimated budget may have affected purchasing decisions that were made based upon the original \$121 per month fee, which when increased, caused undue burden on current owners and their families. This also left the association in a less than desirable condition for the transition to owner management. It is our opinion that a first year budget of \$155 per month Assessment would have been a much more accurate figure, adding approximately \$2,720 to the operating fund balance and providing a solid foundation for the transition to owner management.

The 2014 budget preparation experienced all of the previously mentioned issues with the added issue of not having known expenses properly carried over. The attached document indicates that there was a shortage in revenue of \$2,480 due to units being vacant for part of the year (Section A). This resulted in a drop in Operating Funds at Month End in August down to a low of \$1,046 of which \$980 was Prepaid Assessments (Section B). Additionally, July was the only month that the required minimum contribution was transferred to the reserve fund, increasing the budget shortage by \$1,989 (Section C). Upon careful review of the budget, there are three items which appear to be substantially under budget (Section D). Together the items from Section D contributed an additional \$3,821 to the budget shortage. The total shortage caused by the items in Sections A, C, and D is \$8,290 for FY14.

Finally, we would like to discuss the transition from "Developer Managed" to "Owner Managed". Article IX, Section 2 of the Bylaws describes in detail the involvement the developer is to have in the First Annual meeting of members. Article X of the Bylaws goes on to state that "the Developer shall cause to be established an Advisory Committee.... to facilitate communications between the temporary Board of Directors and the non-developer Co-owners and to aid the transition of control of the Association from the Developer to purchaser Co-owners". We believe there were substantial shortcuts taken in the transition process which contributed to the current situation.

It is the desire of the Board of Directors to operate the Vinewood Village Condominium Association in such a way that we are not only satisfying requirements, but also ensuring that these 14 homes remain a positive attribute to the City of Wyandotte in every respect. The long term impact of this will benefit the community, contribute to the tax base, and ensure the goals of the NSP are accomplished by providing high quality affordable housing for low and moderate income families. In view of the aforementioned items, we make the following requests of the City of Wyandotte:

Contribute a one-time payment of \$11,010 (\$2,720 + \$8,290) to the Vinewood Village Condominium Association to restore it to the point it would have been had the Association budget been properly calculated. This will allow the association to restore its reserve and

operating fund to appropriate levels.

Assist the association in applying appropriate pressure to Kramer-Triad to provide a 6 month period of transition, including full service management and officer training.

In addition, the Vinewood Village Condominium Association commits to:

Immediately increasing the monthly assessment per unit to \$200 to ensure the needed funds are available for ongoing needs.

Carefully review the FY15 budget, adjusting the assessment as needed in January and annually thereafter to ensure continuity of operations.

Melanie A. Brown, 657 Vinewood, Wyandotte, Michigan 48192

PERSONS IN THE AUDIENCE

Renee Tarnoski, 2312 – 1st, HUD & NSP Programs were done correctly but figures were not correct. Figures were not true for monthly maintenance fees. People need help.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #3

ITEM: City of Wyandotte Tree Lighting Street Closure

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: As you know, the Special Events Coordinator is in the process of coordinating the holiday events. This year the 2014 Christmas Tree Lighting will be held November 21st and we would like to request the use of Sycamore Street from Biddle Avenue to the alley to be used for events during the lighting. We request that this area be blocked off no later than 4 pm, Friday, November 21st and will be reopened by DPS Staff after the lighting.

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: Adopt a resolution to concur with the above recommendation.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

The budget for the said event is - \$7,000

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

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION: Lawrence S. Stec

LIST OF ATTACHMENTS: None

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #4

ITEM: Sale Agreement for NSP2 Home 655 Vinewood

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: At the meeting of October 20, 2014, your Honorable Body referred the communication regarding the sale of the NSP2 home at 655 Vinewood to the City Engineer and City Attorney. A review of the attached Agreement has been completed and the following could be considered for Paragraph 24:

24. The Seller has received complaints about how the association fee has been computed. The condominium is being managed by its association of co-owners and also has a property manager. The Seller has had no input in the computation of the current monthly association fee of \$155.00. You have the opportunity prior to submitting this Offer to Purchase to make inquiries with the association about how the monthly association fee was computed and about the likelihood of any increase in the future.

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; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods

ACTION REQUESTED: Approval of sale agreement between Purchaser, Sheila Baker, and the City contingent on Purchaser accepting changed Paragraph #24.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Execute Sales Agreements and closing on property.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: WLook

MAYOR'S RECOMMENDATION:



LIST OF ATTACHMENTS: Sale Agreement

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #5

ITEM: Neighborhood Stabilization Program 2 (NSP2) Program Ineome Grant and Sale of Old City Hall, 3131 Biddle Avenue

PRESENTER: Mark A. Kowalewski, Cit Engineer and Natalie Rankine, DDA Director

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City has an opportunity to apply to Michigan State Housing Development Authority (MSHDA) Neighborhood Stabilization Program 2 (NSP2) Program Income Grant Round Two for funds to demolish the old City Hall building at 3131 Biddle Avenue. The enclosed application would apply for funds in the amount of \$525,000. MSHDA's approval timeline is early 2015 with the project having a completion date of July 31, 2015.

The City approved exclusive negotiations for the sale of 3131 Biddle Avenue with MJC Construction Management (MJC) on May 20, 2013, which was subsequently extending to July 31, 2014. Attached is MJC's Final Progress Report through August 1, 2014. MJC's MSHDA NSP2 Program Income Round One (1) Application for \$2,250,000 for their project was not approved. Further, MJC's proposal includes the demolition of this building.

MJC Construction will be amending and resubmitting their MSHDA NSP2 Program Income Round One application for Round Two. MJC understands their exclusivc negotiations for this site have expired.

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 Engineering Department to precede with the application to MSHDA for NSP2 Program Income Funds for demolition of the old City Hall building at 3131 Biddle Avenue, Wyandotte, Michigan in the NSP2 Area Census Track 5807.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: n/a

IMPLEMENTATION PLAN: Apply for grant from MSHDA, inform Council if grant is awarded by submitting Grant Agreement to Council for approval.

COMMISSION RECOMMENDATION: n/a

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: n/a

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: MJC's Status Report though August 1, 2014 and Application for Round Two Funding of MSHDA

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #6

ITEM: Purchase Additional 96 Gallon Toters

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski, City Engineer

BACKGROUND: The City offers residents to rent 96 gallon toters for \$48 for a two (2) year term. On February 1, 2014, the City's new ordinance regarding the use of a metal, durable plastic, or an approved container of equal material to be used for the collection of solid waste was effective. Therefore, the demand for leasing toters has increased. The Department of Public Service (DPS) desires to purchase an additional 144 toters from Cascade Engineering of Grand Rapids, Michigan to meet this demand. Cascade Engineering has supplied the previous carts to the City. The cost of \$6,730.56 (144 x \$46.74) to purchase these toters will be funded from the Solid Waste Fund. These carts will be black with the City of Wyandotte logo stamped on the container.

STRATEGIC PLAN/GOALS: The City is 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: Approve the DPS to purchase 144- ninety-six gallon carts at a cost of \$6,730.56 from Cascade Engineering.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: 290-448-850-770-540

IMPLEMENTATION PLAN: Place order with Cascade Engineering of Grand Rapids, Michigan

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: None

REZONING APPLICATION ON BEHALF OF NOREEN MEHLHOSE FOR PROPERTY
LOCATED AT 2927 – 4TH BETWEEN OAK AND ELM FROM RT TO PD.

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #8

ITEM: Adoption of the 2012 International Fire Code

PRESENTER: William R. Look, City Attorney

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: Fire Chief requested adoption of 2012 International Fire Code.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: First reading of 2012 International Fire Code

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: WLook

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

CITY OF WYANDOTTE REQUEST FOR COUNCIL ACTION
MEETING DATE: October 27th, 2014 AGENDA ITEM #9

ITEM: Adoption of 2012 Michigan Building Code

PRESENTER: William R. Look, City Attorney

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: Adoption of the 2012 Michigan Building Code has been requested by the City Engineer to update the fees and the Building Code.

STRATEGIC PLAN/GOALS:

ACTION REQUESTED: SET FOR FIRST READING OF ORDINANCE

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION:

CITY ADMINISTRATOR'S RECOMMENDATION: TDrysdale

LEGAL COUNSEL'S RECOMMENDATION: William R. Look

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

LATE ITEMS

Monday, October 27, 2014

To: Mayor and City Council,

Chairman of the Evening,

I would like to ask for permission and the courtesy for those anticipating the approval of the Special Supplemental Benefit Payment (13th Check) to be considered at this evening's meeting as a "Late Item". In regards to the Special Supplemental Benefit Payment (13th Check) to Retirees and/or Beneficiaries in Accordance with Sections 2-238 & 2-245 of the Wyandotte Retirement System Ordinance, please accept the following Resolution for approval:

RESOLVED by the City Council that Council CONCURS in the recommendation of the Retirement Commission and City Administrator regarding the rate of \$31.16 per year of credited service, or an adjusted rate of \$37.43 per year of credited service, set forth in the communication dated October 15 and October 16, 2014 and FURTHER implements the special supplemental retirement benefit allowance to retirees and or beneficiaries in accordance with Section 2-238 and 2-245 of the Wyandotte Retirement Ordinance, in effect on the date of this resolution, and further recommends to the Mayor and City Council that they CONCUR in said recommendation and declare the above provision in effect for the Fiscal year, with the distribution schedule in accordance with section 2-245(b) of the Wyandotte Retirement Ordinance that is in effect on the date of this resolution.

Respectfully,

Councilwoman Sheri M. Sutherby-Fricke

October 27, 2014

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

RE: BOURBONS 118 Sycamore

Dear Mayor Peterson and City Councilmembers:

I have received a request for a BREW PUB from Asset Liquidations, LLC (Bourbons).

Said request has been reviewed by the Engineer, Fire Chief, Police Chief, Department of Legal Affairs, Deputy City Treasurer and Municipal Service and is now before you for your approval.

Sincerely yours,

William R. Griggs, City Clerk

REPORTS AND MINUTES

Cash Receipts from Finance	October 23, 2014	\$114,857.68
Police Commission Meeting	October 14, 2014	
Planning Commission Meeting	July 17, 2014	
Wyandotte Recreation Commission	October 14, 2014	

CITIZENS PARTICIPATION:

None

RECESS

RECONVENING

ROLL CALL

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

Absent: Councilperson Galeski

FIRST READING OF ORDINANCES:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE CODE OF
ORDINANCES BY ADOPTING BY REFERENCE THE 2012 INTERNATIONAL
FIRE CODE

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

FINAL READING OF ORDINANCE

AN ORDINANCE ENTITLED
 "AN ORDINANCE TO AMEND SEC. 2-245 OF THE
 CITY CODE OF ORDINANCES ENTITLED "SPECIAL SUPPLEMENTAL
 RETIREMENT BENEFIT ALLOWANCES"

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment to Sec. 2-245. – Special supplemental retirement benefit allowances:

Sec. 2-245. - Special supplemental retirement benefit allowance.

(a)

The provisions of this section shall be effective December 15, 1980, and shall be operative during a fiscal year if the (i) retirement commission adopts a resolution to allocate monies to the special retirement reserve fund for the fiscal year under section 2-238, and (ii) the city council adopts a resolution declaring the provisions of this section in effect for the fiscal year.

(b)

Subject to the preceding restrictions, to be eligible for a special supplemental retirement benefit allowance, the retirant or beneficiary must have been in receipt of a retirement allowance for one (1) full calendar year as of the September thirtieth prior to receiving a retirement allowance.

(c)

The amount of the special supplemental retirement allowance to be paid each eligible Retirant or beneficiary shall be equal to one-half of the total monies credited to the special retirement reserve fund as of September thirtieth of each fiscal year under section 2-238 divided by the total number of years of credited service for all eligible retirants and beneficiaries of the system multiplied by each retirant's or beneficiary's respective years of credited service in the system multiplied by the applicable percentage in the following table:

0 – 5 complete years retired:	None
>5 -10 complete years retired:	50% of calculated benefit
>10-15 complete years retired:	100% of calculated benefit
>15-20 complete years retired:	1500/0 of calculated benefit
> 20 complete years retired:	200% of calculated benefit

(d)

Payment of the special supplemental retirement benefit allowance set forth herein shall be paid to each eligible retirant or beneficiary on December fifteenth of each year.

(e)

A notice form, required to be returned within thirty (30) days of mailing, shall be submitted to each eligible retirant or beneficiary requesting that they should notify the City if they do not wish to receive the benefit.

(f)

In the case of a beneficiary, the effective date of the special supplemental retirement benefit allowance shall be the date of death of the member of the system or the date of retirement of the member of the system, as the case may be.

(g)

The commission shall evaluate the requirements of this section and the possibility of increasing benefits under this section each fiscal year.

(h)

Notwithstanding anything in this section to the contrary, no special supplemental retirement benefit allowance shall be made to any retirant or beneficiary in any fiscal year unless sufficient monies are available in the special retirement reserve fund to make the benefit payments provided in subsection (c).

Section 2. Severability.

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

Section 3. Effective Date.

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

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

YEAS: Councilpersons Fricke, Miciura
 NAYS: Councilpersons Sabuda, Schultz, Stec
 ABSENT: Councilperson Galeski
 ORDINANCE FAILED TO PASS

RESOLUTIONS

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

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 Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; AND WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of American today; AND WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; AND WHEREAS, native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned; NOW THEREFORE I, Joseph R. Peterson, by virtue of the authority vested in me as Mayor and of the City of Wyandotte, Michigan do hereby proclaim November 2014 as the National American Indian Heritage Month, in the City of Wyandotte and urge all citizens to observe this month with appropriate programs, ceremonies and activities.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

ROLL ATTACHED

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that WHEREAS the City of Wyandotte does not have any jurisdiction over the Kramer-Triad condominium association and the management thereof; the communication from Melanie A. Brown, 657 Vinewood, Wyandotte, Michigan is hereby received and placed on file. AND BE IT FURTHER RESOLVED that said communication be referred to the City Engineer, Finance Department and Department of Legal Affairs for a review and report back in two (2) weeks; (November 10, 2014).

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Ted Miciura Jr.
 Supported by Councilperson Sheri M. Fricke
 ROLL ATTACHED

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council hereby GRANTS permission for the closure of Sycamore Street between Biddle Avenue and the west alley on Friday, November 21, 2014 to accommodate the 2014 Christmas Tree Lighting ceremony; and further that a copy of this resolution be forwarded to the Department of Public Service, Police and Fire for coordination of same.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer regarding the sale of the NSP2 home at 655 Vinewood; AND BE IT FURTHER RESOLVED that Council hereby accepts the offer for 655 Vinewood from Sheila Baker, Riverview, Michigan in the amount of \$60, 871.50. Ms. Baker is between 50% and 120% of area median income, completed eight (8) hours of housing counseling, and will be receiving the subsidy approval of \$13,045 (which will be a lien with Michigan State housing Development Authority (MSHDA). If the home is maintained as owner occupied for five (5) years this lien will not have to be repaid. The final mortgage amount is in the amount of \$47,828.50; AND BE IT FURTHER RESOLVED that this offer is contingent upon MSHDA approval of the subsidy and acceptance by Purchaser of changes to Paragraph # 24; AND BE IT RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor, City Clerk and the City Attorney are hereby authorized to sign said documents.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that WHEREAS the Council received an application for round two (2) funding of Michigan State Housing Development Authority (MSHDA) neighborhood Stabilization Program 2 (NSP2) Program Income Grant in an amount of \$525,000.00 from the City Engineer; WHEREAS the project was available for review by the public and public hearing was held by the Planning Commission on March 20, 2014 and also reviewed by the Wyandotte Design Review Committee and the Downtown Development Authority and all comments were positive; NOW, THEREFORE BE IT RESOLVED that City Council supports the proposed project described in the City of Wyandotte's application and request MSHDA provide the City of Wyandotte up to \$525,000 for the demolition of the old City Hall Building at 3131 Biddle Avenue, Wyandotte, Michigan located in Census Tract 5807; AND NOW BE IT FURTHER RESOLVED the City Engineer is authorized to submit said application to MSHDA.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS with the recommendation of the City Engineer to purchase 144-Ninety Six Gallon Carts from Cascade engineering of Grand Rapids, Michigan in the amount of \$6,730.56 from account # 290-448-850-770-540; each cart to be black with the City of Wyandotte's logo, imprinted serial numbers and include a standard ten (10) year warranty.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the rezoning application as submitted by the City Engineer on behalf of Noreen Mehlhose regarding the property located at 2927-4th between Oak and Elm requesting to have the property rezoned from RT to PD is hereby referred to the Planning Commission for the proper public hearing.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the Ordinance adopting by reference the 2012 International Fire Code shall be held as a First Reading of an Ordinance.

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Ted Miciura Jr.
 Supported by Councilperson Sheri M. Fricke
 ROLL ATTACHED

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the Ordinance adopting by reference the 2012 Building Code and fees shall be held as a First Reading of an Ordinance.

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Ted Miciura Jr.
 Supported by Councilperson Sheri M. Fricke
 ROLL ATTACHED

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS in the recommendation of the Retirement Commission and City Administrator regarding the rate of \$31.16 per year of credited service, set forth in the communication dated October 15 and October 16, 2014 and FURTHER implements the special supplemental retirement benefit allowance to retirees and or beneficiaries in accordance with Section 2-238 and 2-245 of the Wyandotte Retirement Ordinance, in effect on the date of this resolution, and further recommends to the Mayor and City Council that they CONCUR in said recommendation and declare the above provision in effect for the fiscal year. Further the distribution schedule used for the supplemental retirement benefit in fiscal year 2014 shall be the same as the previous year of 2013.

I move the adoption of the foregoing resolution.
 MOTION by Councilperson Ted Miciura Jr.
 Supported by Councilperson Sheri M. Fricke
 YEAS: Councilmembers Fricke, Miciura, Schultz, Stec
 NAYS: Councilman Sabuda

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that Council CONCURS in the recommendation of the City Clerk as set forth in his communication dated October 27, 2014 and hereby APPROVES the request for a BREW PUB from Asset Liquidations, LLC (Bourbons), 118 Sycamore, Wyandotte, Michigan 48192.

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

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the Council Meeting of Monday, November 3, 2014 is hereby CANCELLED due to the General Election in the City of Wyandotte that will take place on November 4, 2014.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

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

NAYS: None

Wyandotte, Michigan October 27, 2014

RESOLUTION by Councilperson Ted Miciura Jr.

RESOLVED by the City Council that the total bills and accounts in the amount of \$4,327,842.14 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Ted Miciura Jr.

Supported by Councilperson Sheri M. Fricke

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

NAYS: None

ADJOURNMENT

MOTION by Councilperson Ted Miciura Jr.

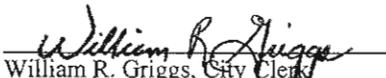
Supported by Councilperson Sheri M. Fricke

Thar we adjourn.

Carried unanimously

Adjourned at 8:40 PM

October 27, 2014


William R. Griggs, City Clerk

O1- 72
October 29, 2014

A regular session of the Municipal Service Commission of the City of Wyandotte, Michigan, was held at the office of the Commission on Wednesday, October 29, 2014 at 5:00 P.M.

ROLL CALL: Present: Commissioner -Michael Sadowski
Leslie G. Lupo
Gerald P. Cole
Robert K. Alderman
Bryan Hughes

General Manager
& Secretary -Rod Lesko

Also Present -Paul LaManes
Charlene Hudson
Cable TV Volunteer

APPROVAL OF MINUTES

MOTION by Commissioner Cole and seconded by Commissioner Lupo to approve the September 24, 2014 working session meeting minutes of the Municipal Service Commission.

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Lupo, Sadowski

NAYS: None

01 - 73
October 29, 2014

MOTION by Commissioner Cole and seconded by Commissioner Lupo to approve the September 24, 2014 regular session meeting minutes of the Municipal Service Commission.

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Lupo, Sadowski

NAYS: None

MOTION by Commissioner Cole and seconded by Commissioner Lupo to approve the October 9, 2014 Special Meeting minutes of the Municipal Service Commission.

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Lupo, Sadowski

NAY: None

HEARING OF PUBLIC CONCERNS

None

RESOLUTION 10-2014-01

MOTION by Commissioner Lupo and seconded by Commissioner Hughes to request the City Council adopt the proposed ordinance authorizing issuance of Electric System Revenue Bonds and Bond Anticipation Notes (BAN's).

Commissioner Sadowski asked that the roll be called.

YEAS: Commissioner Alderman, Cole, Hughes, Lupo, Sadowski

NAYS: None

REPORTS/COMMUNICATIONS: None

01 -74
October 29, 2014

APPROVAL OF VOUCHERS

MOTION by Commissioner Lupo and seconded by Commissioner Hughes that the vouchers be paid as presented.

#5248	\$ 803,879.66
#5249	\$ 812,607.16
#5250	\$ 581,793.00

Commissioner Sadowski asked that the roll be called.

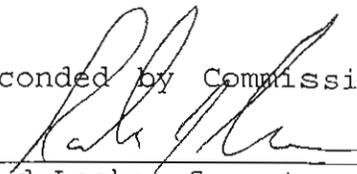
YEAS: Commissioner Alderman, Cole, Hughes, Lupo, Sadowski

NAYS: None

Late Items

None

MOTION by Commissioner Lupo and seconded by Commissioner Cole to adjourn. 5:03 p.m.



Rod Lesko, Secretary

304 1231 V

User: ktrudell

Post Date from 11/05/2014 - 11/05/2014 Open Receipts

DB: Wyandotte
 Receipt #
 Description

	Date	Cashier	Wkstn	Received Of Distribution	Amount	
O MZ	215806	11/05/2014	ktrudell F2 101-000-001-000	TAORMINA, PETE 101-000-231-020	P/R Deductions-Hospital (E)	568.62 CITY CHECK 1056 <u>568.62</u> CITY CHECK 1056
O SH AC	215808	11/05/2014	ktrudell F2 101-000-001-000 101-000-001-000	DCAC-DOWNRIVER CENTRAL ANIMAL CONTRO 101-303-925-998 101-000-257-078	DCACA SHELTER REVENUE Reserve-Animal Care	1,504.00 87.00 <u>1,591.00</u> CITY CASH
O RE	215809	11/05/2014	ktrudell F2 101-000-001-000	CD SERVICES 101-000-655-040	RECEIPTS-MISCELLANEOUS	10.00 CITY CHECK 47215 <u>10.00</u> CITY CHECK 47215
O RE	215810	11/05/2014	ktrudell F2 101-000-001-000	RECORD COPY SERVICES 101-000-655-040	RECEIPTS-MISCELLANEOUS	15.00 CITY CHECK 328637 <u>15.00</u> CITY CHECK 328637
O RE	215811	11/05/2014	ktrudell F2 101-000-001-000	SAM BERNSTEIN LAW FIRM 101-000-655-040	RECEIPTS-MISCELLANEOUS	10.00 CITY CHECK 88170 <u>10.00</u> CITY CHECK 88170
O MZ MZ	215812	11/05/2014	ktrudell F2 101-000-001-000 101-000-001-000	MICHIGAN BELL/AT&T 101-000-655-047 101-000-068-011	Misc Receipts-Cable Franch D/T/F Municipal Service (P	27,387.95 10,955.18 <u>38,343.13</u> CITY CHECK 1278859
O EP	215815	11/05/2014	ktrudell F2 731-000-001-000	CITY OF WYANDOTTE 731-000-392-040	PD EMPLOYEE PENSION CONTR	1,575.51 CITY CHECK 115940 <u>1,575.51</u> CITY CHECK 115940
O MZ	215818	11/05/2014	ktrudell F2 731-000-001-000	MZ 731-000-655-010	Interest Earnings	3.01 CITY CHECK 903810185 <u>3.01</u> CITY CHECK 903810185
Total of 8 Receipts						<u>42,116.27</u>

User: ktrudell

Post Date from 11/05/2014 - 11/05/2014 Open Receipts

DB: Wyandotte Receipt # Description	Date	Cashier	Wkstn	Received Of Distribution	Amount
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*** TOTAL OF CREDIT ACCOUNTS ***

101-000-068-011 D/T/F Municipal Service (PEG Fees)					10,955.18
101-000-231-020 P/R Deductions-Hospital (Employer)					568.62
101-000-257-078 Reserve-Animal Care					87.00
101-000-655-040 RECEIPTS-MISCELLANEOUS					35.00
101-000-655-047 Misc Receipts-Cable Franchises					27,387.95
101-303-925-998 DCACA SHELTER REVENUE					1,504.00
731-000-392-040 PD EMPLOYEE PENSION CONTR					1,575.51
731-000-655-010 Interest Earnings					3.01
TOTAL - ALL CREDIT ACCOUNT					42,116.27

*** TOTAL OF DEBIT ACCOUNTS ***

101-000-001-000 Cash					40,537.75
731-000-001-000 Cash					1,578.52
TOTAL - ALL DEBIT ACCOUNTS					42,116.27

*** TOTAL BY FUND ***

101 General Fund					40,537.75
731 Retirement System Fund					1,578.52
TOTAL - ALL FUNDS:					42,116.27

*** TOTAL BY BANK ***

	Tender Code/Desc.	Amount
GEN GENERAL OPERATING FUND	(CCA) CITY CASH	1,591.00
	(CCK) CITY CHECK	38,946.75
TOTAL:		40,537.75
RETIR WYANDOTTE EMPLOYEES RETIREMENT SYSTEM	(CCK) CITY CHECK	1,578.52
TOTAL:		1,578.52
TOTAL - ALL BANKS:		42,116.27

*** TOTAL OF ITEMS TENDERED ***

	Tender Code/Desc.	Amount
	(CCA) CITY CASH	1,591.00
	(CCK) CITY CHECK	40,525.27
TOTAL:		42,116.27

*** TOTAL BY RECEIPT ITEMS ***

{1} AC: RESERVE-ANIMAL CARE/POUND		87.00
{1} EP: PD EMPLOYEE PENSION CONTR		1,575.51
{4} MZ: MISC CASH/VARIOUS		38,914.76
{3} RE: RECEIPTS-MISCELLANEOUS		35.00
{1} SH: DCACA SHELTER REVENUE		1,504.00
TOTAL - ALL RECEIPT ITEMS:		42,116.27

User: ktrudell

Post Date from 10/29/2014 - 10/29/2014 Open Receipts

DB: Wyandotte
Receipt #
Description

Date

Cashier

Wkstn

Received Of
Distribution

Amount

O RE	213309	10/29/2014	ktrudell	F2	GOREN GOREN HARRIS			
			101-000-001-000		101-000-655-040	RECEIPTS-MISCELLANEOUS	10.00	CITY CHECK 27602
							<u>10.00</u>	CITY CHECK 27602
O TS	213310	10/29/2014	ktrudell	F2	WAYNE COUNTY TREASURER			
			101-000-001-000		101-000-411-085	COUNTY DEL TAX SETTLEMENT	4,468.53	CITY CHECK 2239942
							<u>4,468.53</u>	CITY CHECK 2239942
					Total of 2 Receipts		<u>4,478.53</u>	

User: ktrudell

Post Date from 10/29/2014 - 10/29/2014 Open Receipts

DB: Wyandotte

Receipt #	Date	Cashier	Wkstn	Received Of	Amount
Description				Distribution	

*** TOTAL OF CREDIT ACCOUNTS ***

101-000-411-085 COUNTY DEL TAX SETTLEMENT					4,468.53
101-000-655-040 RECEIPTS-MISCELLANEOUS					10.00
TOTAL - ALL CREDIT ACCOUNT					<u>4,478.53</u>

*** TOTAL OF DEBIT ACCOUNTS ***

101-000-001-000 Cash					4,478.53
TOTAL - ALL DEBIT ACCOUNTS					<u>4,478.53</u>

*** TOTAL BY FUND ***

101 General Fund					4,478.53
TOTAL - ALL FUNDS:					<u>4,478.53</u>

*** TOTAL BY BANK ***

GEN GENERAL OPERATING FUND					
<u>Tender Code/Desc.</u>					
				(CCK) CITY CHECK	4,478.53
TOTAL:					4,478.53
TOTAL - ALL BANKS:					<u>4,478.53</u>

*** TOTAL OF ITEMS TENDERED ***

<u>Tender Code/Desc.</u>					
				(CCK) CITY CHECK	4,478.53
TOTAL:					<u>4,478.53</u>

*** TOTAL BY RECEIPT ITEMS ***

(1) RE: RECEIPTS-MISCELLANEOUS					10.00
(1) TS: COUNTY DEL TAX SETTLEMENT					4,468.53
TOTAL - ALL RECEIPT ITEMS:					<u>4,478.53</u>

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF October 1, 2014
ZONING BOARD OF APPEALS AND ADJUSTMENT**

A meeting of the Zoning Board of Appeals and Adjustment of the City of Wyandotte was called to order by Chairperson Duran at 6:30 p.m., in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Duran
Flachsmann
Gillon
Nevin
Olsen
Szymczuk
Trupiano

MEMBERS ABSENT: DiSanto, Wienclaw

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Olsen, supported by Member Flachsmann to approve the minutes of the September 3, 2014, meeting as recorded.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano

No: none

Abstain: none

Absent: DiSanto, Wienclaw

Motion passed

APPEAL #3189 - GRANTED

Tittle Construction, 787 Southfield, Lincoln Park (appellant) and Anthony Biasi, 849 Hudson, Wyandotte (owner)

for a variance to obtain a building permit for a porch at 849 Hudson (Lots 179 and 180, Welch Brothers Millions Dollar Sub.), in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

SECTION 2100:

A minimum of a 4' sideyard is required for a structure. Proposed pergola would be located 3'-1" from the side property line.

Proposed porch will not be detrimental to the development of adjacent districts, buildings or uses, and does not substantially impair the intent and purpose of the ordinance.

A motion was made by Member Trupiano, supported by Member Flachsmann to grant this appeal.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano
No: none
Abstain: none
Absent: DiSanto, Wienclaw
Motion passed

APPEAL #3190 - GRANTED

David Vasher, 931 St. Johns, Wyandotte, (owner & appellant)

for a variance to building permit #PO14-0008 to widen driveway from the street to the front of the dwelling at 931 St. Johns (see file for legal description), in a RA zoning district, where the proposed conflicts with Section 2403.C of the Wyandotte Zoning Ordinance.

SECTION 2403.C:

Requires off street parking be located in a rear or side yard, where the proposed widening of the driveway does not extend in the side yard.

Note: This property received a permit in error for work recently completed.

Driveway widening will not hinder or discourage appropriate development or use of adjacent land and buildings, or impair the value thereof.

A motion was made by Member Trupiano, supported by Member Gillon to grant this appeal.

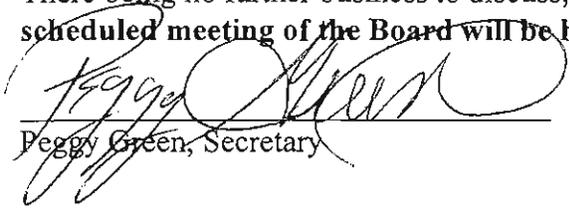
Yes: Duran, Gillon, Nevin, Olsen, Szymczuk, Trupiano
No: none
Abstain: Flachsmann
Absent: DiSanto, Wienclaw
Motion passed

COMMUNICATIONS:

Motion was made by Member Gillon to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 6:50 p.m. **The next scheduled meeting of the Board will be held on November 5, 2014.**



Peggy Green, Secretary

Chairperson Duran read the appeal and asked that it be explained.

Anthony Biasi, owner, present.

Chairperson Duran asked if the pergola would be at the rear of the house. Mr. Biasi replied yes, he wants it for privacy in the rear yard.

Member Nevin asked if it would be enclosed. Mr. Biasi replied no.

Member Gillon asked if it would be open on top. Mr. Biasi replied yes, with blinds that roll upon the sides.

One communication was received from DTE.

Appeal #3190

Chairperson Duran read the appeal and asked that it be explained.

David Vasher, owner, present.

Mr. Vasher explained that he hired a contractor, a permit was obtained, the work was done, and then he received a letter that it was not right.

Chairperson Duran confirmed that there was no neighbor on the west side of the property. Mr. Vasher stated that was correct.

Member Gillon confirmed that the old part of the driveway extended to the rear of the house. Mr. Vasher replied yes. Member Gillon asked if the new part was at the front. Mr. Vasher replied yes. Member Gillon commented that the driveway should extend past the front of the house.

Member Flachsmann commented that the application was approved, and rough inspection was done, and the problem should have been caught, then it was poured, and disapproved on the final inspection. He feels that the Building Department should be appealing this, not the owner of the property and added that he will be abstaining from the voting of the appeal.

Member Olsen commented that he feels the same way.

Member Trupiano stated that he understands enforcement with no hardship, but this does cause a hardship on the owner, and he agrees, that the City did make a mistake. Member Trupiano added that the property to the west is Edison Property and it will not be sold or built on and it is the intent of the ordinance to keep the front of the property clear of cars, but this is not the homeowners mistake, and it would be his hardship

Member Olsen commented that if this is approved, it will send mixed messages. Member Trupiano stated that he would still approve this appeal even if it was not the City's mistake, because of the location, and you have to look at the circumstances for each appeal.

One communication was received from DTE.

DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, WCB-1836
City of Detroit, MI 48226

PAGE 5 OF 6
ZB 10-1-14
✓ RECEIVED
09-16-14

September 16, 2014

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3189: For a Variance to obtain a building permit for a porch at 849 Hudson (Lots 179 thru 180, Welch Brothers Millions Dollar Sub.), in a RA zoning district.

- Not involved. See Remarks
- Involved: but asking you to hold action on this petition until further notice.
- Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

DTE Energy Gas Company has no involvement, nor objection to the Appeal #3189 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 174, three (3) working days before you dig, dial toll free MISS DIG at: 1 - 800 - 482 - 7171.

DTE Energy Gas Leak Emergency Phone Number: 1- 800 - 947 - 5000.

Sincerely,

ISI Russell E Thornton
Drafter
Data Integrity and Technology

RET/
Enclosure

DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, WCB-1836
City of Detroit, MI 48226

PAGE 6 OF 6
ZB
RECEIVED
10-1-14
9-16-14

September 16, 2014

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3190: For a Variance to building permit #PO14-0008 to widen driveway from the Street to the front of the Dwelling at 931 St. John in a RA zoning district.

- Not involved. See Remarks
- Involved: but asking you to hold action on this petition until further notice.
- Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

DTE Energy Gas Company has no involvement, nor objection to the Appeal #3190 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 174, three (3) working days before you dig, dial toll free MISS DIG at: 1 - 800 - 482 - 7171.

DTE Energy Gas Leak Emergency Phone Number: 1- 800 - 947 - 5000.

Sincerely,

ISI Russell E Thornton
Drafter
Data Integrity and Technology

RET/
Enclosure

**WYANDOTTE CULTURAL AND HISTORICAL COMMISSION
MINUTES OF THE SEPTEMBER 11, 2014 MEETING
MARX HOME**

PRESENT: Marty Bertera
Wallace Hayden
Eula Grooms
Sarah Jordan, Assistant Director of Museums
Ken Munson
Sue Pilon
Shirley Prygoski
Anne Ronco

EXCUSED: Dan Cervantes
Vernon Elmore
Marshall Wymore

President Sue Pilon called the meeting to order at 6:20pm.

MOTION: by Wallace Hayden, supported by Eula Grooms, to approve the minutes of the July meeting. **Motion carried, 7-0**

MOTION: by Eula Grooms, supported by Ken Munson, to approve the minutes of the August meeting. **Motion carried, 7-0**

President's Report:

1. President Sue Pilon asked Commissioners to think about the idea of whether we should lower the number of members of the Commission and asked members to let her know if they wish to continue on as Commissioners or leave at the end of their term. The issue will be discussed and decided upon at the October meeting.
2. The need to get back to long-range planning was also discussed.
3. Given the lack of events this year, Commissioners were asked to think about possible events we could hold next year. These ideas will be discussed at the October meeting. The loss of the Pie & Ice Cream Social the Mad Hatter Tea (both WHS events), and the individual teas were due to the City Special Event requirements.
4. Sue Pilon, Eula Grooms, Wallace Hayden, and Anne Ronco were thanked for their presence at the recent City budget hearings.
5. The air conditioning at the Marx Home has been dysfunctional since labor Day weekend. We have the choice of replacing the condensing unit with the same type at a cost of \$1900, replacing with a newer condensing unit at a cost of \$2,200 where in the Freon would cost less than the older version, or getting an entirely new air conditioning unit at a cost of \$2,900. City manager (? Not sure of his title?) Todd Drysdale was contacted and asked to see if the Council could agree to the latter. Funds would come from our budget, building and grounds, and Reserve fund. Formal approval could come at the Monday, September 15 council meeting.
6. **MOTION:** by Eula Grooms, supported by Marty Bertera, to install an entirely new unit. **Motion carried, 7-0.**

7. The inconvenience this caused for the tenants of the second floor of the Marx Home, Mike Granzeier and Michelle Blankenship, was discussed, since some business was lost due to the extreme heat and inability to work under these conditions. **MOTION:** by Eula Grooms, supported by Shirley Prygoski, to prorate the rent for the number of days when work could not be conducted by the tenants. **Motion passed, 7-0**

Director's Report:

1. **MOTION:** by Anne Ronco, supported by Marty Bertera, to approve the Finance Report for July. **Motion carried, 7-0**
2. **MOTION:** by Shirley Prygoski, supported by Ken Munson, to approve the Finance Report for August. **Motion carried, 7-0**
3. Commissioner Shirley Prygoski asked about the possibility of reinstating the weddings held at the MacNichol Home and said she would be willing to work for free to see this source of income for the Museums continue. President Sue Pilon agreed that she would like to participate in this activity, too.
4. Mark Havlicsek believes he will be done with the Marx front porch some time in the next week. A paint day, with Commissioners and possibly other volunteers helping, was set for Saturday, September 20 at 10:00am.
5. The fall City wide Garage Sale has 221 participants and will take place this weekend, September 13 and 14.
6. This year's Cemetery Walk is sold out. A schedule will be sent to Commissioner Anne Ronco so she can begin calling volunteers for those two evenings. There will be eight Spirits this year.

Friends of the Museums: There was no meeting August 27 due to the absence of a quorum.

Wyandotte Historical Society:

1. The Society will sponsor a visit from Santa and Mrs. Claus December 13 at the library.
2. A discussion was held about the Pie & Ice Cream Social and the mad Hatter Tea, possibly holding them next year at a different venue, but no conclusion was reached.
3. There are 10 plaques in place downtown for the Walking Tour, and brochures with maps have been printed. Due to the fact that it is necessary to have a reverse side printed for the main sign at the site of the downtown clock, the launching party for this project will not take place until spring. Mayor Joseph Peterson will pay for this printing.

Old Business: None

New Business: None

Announcements:

1. The Cemetery Society will have a Power Point presentation of the life of John P. Clark at their meeting Sept. 18 at 5:00pm at the library.
2. Commissioner Shirley Prygoski will be a guest speaker at a meeting of the Beautification Council of Southeastern Michigan held at the Wyandotte Boat Club September 17. She will be sharing the history of our Wyandotte natives and the stories of four prominent white settlers who were instrumental in the growth of our industrial city. In addition, a group of Wyandotte Native Americans from the Anderdon Nation on the Canadian shore of the Detroit River will tour the area, including a visit to the Museum September 23.

3. Commissioner Ken Munson suggested that President Sue Pilon contact retiring Representative John Dingell about possibly donating some of his official papers to our Museum. President Pilon said she will be happy to do so.
4. Director Jody Egen is tentatively scheduled to return from maternity leave to her duties Tuesday, September 16.

MOTION: by Eula Grooms, supported by Ken Munson, to adjourn at 7:50 pm. **Motion carried,**
7-0

Respectfully submitted,



Anne Ronco